City of Paintsville

I certify I am the duly qualified City Clerk of the City of Paintsville, Kentucky, and the following seven (7) pages of Ordinance No. 2021-006 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on August 9, 2021, all as appears in the official records of the City of Paintsville.

WITNESS, my hand and the Seal of the City of Paintsville, this 18th day of August 2021.

Robin Perry

Robin Perry, City Clerk

(seal)

RECEIVED AND FILED
DATE Sept. 10, 2021

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandia Adkins

P. O. Box 1588, Paintsville, KY 41240 Ph.: (606) 789-2600 Fax: (606) 789-2602

ORDINANCE NO. 2021 - 006

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING VALERO GAS STATION
(Staffordsville Kentucky) KY RT 40

WHEREAS, pursuant to KRS 81A.412, the City of Paintsville may annex any area which meets the requirements for annexation established by KRS 81A.410 if the owner(s) of record of the land to be annexed give prior consent in writing to the annexation; and

WHEREAS, the owner of the land to be annexed, KPS Holdings, LLC, by and through its managing member, George Stamper, has requested and consented in writing to the annexation of the land to be annexed, being hereinafter further specifically identified on the map attached hereto as Exhibit A and being further described by the legal description hereto as follows:

Beginning at an unmonumented point, in the R/W of the West Bound Lane of KY RT 40, having a coordinate of N:2197679.05 E: 2480172.57 (Zone NAD 83 KY South)
Thence running with R/W of KY RT 40 with a curve turning to the left with an arc length of 180.16', with a radius of 440.53', with a chord bearing of N 84°31'38" W, with a chord length of 178.90',
Thence leaving R/W of KY RT 40 and running the next 9 consecutive calls;

1) N 36°59'16" W a distance of 130.85';
2) N 23°24'57" W a distance of 67.90';
3) N 52°57'15" E a distance of 186.22';
4) S 21°08'40" E a distance of 82.81';
5) S 24°05'27" E a distance of 31.61';
6) S 26°29'43" E a distance of 64.72';
7) S 27°31'10" E a distance of 47.50';
8) S 21°50'11" E a distance of 66.17';
9) S 30°44'24" E a distance of 33.18';which is the point of beginning in the R/W of KY RT 40,

Having an area of 0.99 acres

WHEREAS, the Affidavit and Notice of Consent to Annexation of the managing member of record of the land to be annexed is attached hereto as Exhibit B, respectively; and

WHEREAS, the City of Paintsville hereby declares it desirable to annex the subject land further described in Exhibits C attached to this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City of Paintsville, Kentucky, as follows:

SECTION I

The City of Paintsville finds that the area of land described hereinafter in Exhibit C attached to this ordinance meets the requirements for annexation as provided in KRS 81A.410, as follows:

a. Is adjacent to the boundaries of the City of Paintsville, and

b. Is urban in character and suitable for development for urban purposes without unreasonable delay, and

c. No part of the area to be annexed is included within the boundary of another incorporated city.

SECTION II

That the area of land described in Exhibit C and the subject of the Affidavit and Notice of Consent to Annexation attached hereto as Exhibit B, each of the said exhibits being attached hereto and incorporated herein by reference, shall be and hereby are annexed into the City of Paintsville, Kentucky, by consent of the owners of said land, and the boundaries of the City of Paintsville are hereby extended so as to include and incorporate all of this land into the City of Paintsville, Kentucky.

SECTION III

All prior municipal orders, ordinances or parts of any municipal order or ordinance in conflict herewith are hereby repealed.

SECTION IV

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING, THIS 27th DAY OF July, 2021.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED, THIS 9th DAY OF August, 2021.

APPROVED:

Bill M. Runyon

BILL MIKE RUNYON, MAYOR

ATTEST:

Robin Perry

ROBIN PERRY, CITY CLERK

EXHIBIT A

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CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	180.16'	440.53'	23°25'53"	N 84°31'38" W	178.90'

LINE	BEARING	DISTANCE
L1	N 36°59'16" W	130.85'
L2	N 23°24'57" W	67.90'
L3	N 52°57'15" E	186.22'
L4	S 21°08'40" E	82.81'
L5	S 24°05'27" E	31.61'
L6	S 26°29'43" E	64.72'
L7	S 27°31'10" E	47.50'
L8	S 21°50'11" E	66.17'
L9	S 30°44'24" E	33.18'



Annexation - Valero Gas Station KY RT 40 / Little Mudlick Rd

Annexation - Valero Gas Station (Stathorneville Ky) KY RT 40

Beginning at an unmonumented point, on the R/W of the Near Rowin Lane of KY RT 40, having a coordinate of N 2197679.05 E: 2480172.57 (Zone NAD 83 KY South)

Thence running with R/W of KY RT 40 with a curve turning to the left with an arc length of 180.16', with a radius of 440.53', with a chord bearing of N 84°31'38" W, with a chord length of 178.90',

thence leaving R/W of KY RT 40 and running the next 9 consecutive calls:

1) N 36°59'16" W a distance of 130.85',
2) N 23°24'57" W a distance of 67.90',
3) N 52°57'15" E a distance of 186.22',
4) S 21°08'40" E a distance of 82.81',
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6) S 26°29'43" E a distance of 64.72',
7) S 27°31'10" E a distance of 47.50',
8) S 21°50'11" E a distance of 66.17',
9) S 30°44'24" E a distance of 33.18', which is the point of beginning on the R/W of KY RT 40,

Having an area of 0.90 acres

ZONING DISTRICTS:

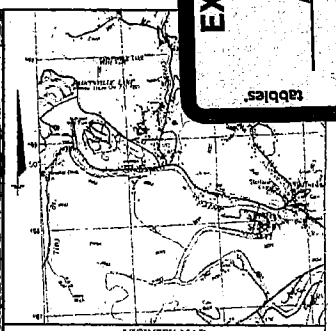
RESIDENTIAL DISTRICTS
- R-1 - LOW DENSITY
- R-2 - MEDIUM DENSITY
- R-3 - HIGH DENSITY

BUSINESS DISTRICTS
- C-1 - NEIGHBORHOOD BUSINESS
- C-2 - GENERAL BUSINESS
- C-3 - CENTRAL BUSINESS
- C-4 - HIGHWAY BUSINESS

INDUSTRIAL DISTRICTS
- I-1 - LIGHT INDUSTRY
- I-2 - HEAVY INDUSTRY

PROPOSED ANNEXATION
- PROPOSED ZONING

LEGEND
- POB : POINT OF BEGINNING
- UNMONUMENTED SURVEY POINT
- Proposed Annexation Area
- Existing City of Paintsville City Limits



VICINITY MAP
TAKEN FROM
PAINTSVILLE 7.5 MINUTE SERIES QUAD RANGLE
1" = 2000'

GEORGE BOCOOK, JR L.S. 2247

Land Surveyor Seal

Notes:

1) THIS DRAWING IS FOR PAINTSVILLE CITY ANNEXATION PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS A BOUNDARY SURVEY. THIS DRAWING DOES NOT MEET THE STANDARDS OF A RECORDABLE BOUNDARY SURVEY

2) THE PURPOSE OF THIS PLAT IS TO DESCRIBE THE ANNEXATION OF THE VALERO GAS STATION, INTERSECTION OF LITTLE MUDLICK RD & KY RT 40

MAP INFORMATION OBTAINED FROM

a) BASE MAP TAKEN FROM 1990 PAINTSVILLE 7.5 MINUTE SERIES QUADRANGLE

b) RIGHT OF WAY LINES TAKEN FROM COMMONWEALTH OF KENTUCKY DEPT OF HIGHWAYS MAPS, KY 40 IN PAINTSVILLE FROM 080 0040 010-012

Disclaimer

All information contained herein, all Drawings, Specifications and copies thereof (collectively) under Purpose and the Property. They are not to be used by any Party except the Owner. Any and all rights, ownership of the Engineer may be terminated at any time upon written notice. Upon such termination, Engineer shall immediately cease all work and deliver to Owner all Documents and Property that Engineer has prepared or obtained under the Agreement. Engineer shall not be liable for any claims, liabilities, or damages with respect to the use of the Documents by Owner for any purpose not stated in the Agreement. Any verification or adaptation of the Documents for extensions of the Project or for any other project shall be at Owner's sole risk and without liability or legal exposure to Engineer. Owner shall indemnify and hold harmless Engineer and its officers, directors, employees and subconsultants (collectively, Engineer) against all claims and liabilities and costs, including reasonable attorneys' fees and defense costs, arising or allegedly arising out of any reuse or modification of the Documents by Owner or any person or entity that acquires or obtains the Documents from or through Owner without the written permission of Bocook Engineering, Inc. The limits of liability set forth in this Section shall be applicable whether such claims are based on contract, tort (including negligence and strict liability), or any other theory of law.

NEW "A"	N/A	N/A
NEW "B"	N/A	N/A
NEW "C"	N/A	N/A
NEW "D"	N/A	N/A
NEW "E"	N/A	N/A
NEW "F"	N/A	N/A

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BOCOOK ENGINEERING, INC.
CONSULTING ENGINEERS
312 TENTH STREET
PAINTSVILLE, KY 41240
(606) 789-5961 phone
(606) 789-7071 - fax/web
250 NORTH ARNOLD AVENUE
PRESTONSBURG, KY 41653
(606) 886-7884 phone
(606) 886-7895 - fax/web

SCALE: 1"=100'

Valero Gas Station KY RT 40 Annexation
for
CITY of PAINTSVILLE
located along
KY RT 40
Johnson County, KY

Project Number	Sheet Number	Revised	Date	Scale	Sheet Name
4410	1 of 1		5-10-21	1"=100'	Annexation

AFFIDAVIT AND NOTICE OF CONSENT TO ANNEXATION

Comes now the Affiant, GEORGE STAMPER, 1225 Early Drive, Winchester Kentucky 40391, and, after first being duly sworn, hereby states as follows:

1. That, to the best of my knowledge and belief, I am the managing member of KPS Holdings, LLC, and KPS Holdings, LLC, is the only owner of record of certain real property located in Johnson County, Kentucky, and more particularly described as follows:

> Beginning at an unmonumented point, in the R/W of the West Bound Lane of KY RT 40, having a coordinate of N:2197679.05 E: 2480172.57 (Zone NAD 83 KY South)
> Thence running with R/W of KY RT 40 with a curve turning to the left with an arc length of 180.16', with a radius of 440.53', with a chord bearing of N 84°31'38" W, with a chord length of 178.90',
> Thence leaving R/W of KY RT 40 and running the next 9 consecutive calls;
> 1) N 36°59'16" W a distance of 130.85';
> 2) N 23°24'57" W a distance of 67.90';
> 3) N 52°57'15" E a distance of 186.22';
> 4) S 21°08'40" E a distance of 82.81';
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> 7) S 27°31'10" E a distance of 47.50';
> 8) S 21°50'11" E a distance of 66.17';
> 9) S 30°44'24" E a distance of 33.18';which is the point of beginning in the R/W of KY RT 40,
> Having an area of 0.99 acres

2. That the City of Paintsville has expressed an interest in annexing the above-described property at some future date in order to include the above-described property within the corporate limits of the City of Paintsville.

3. That I hereby provide notice of my consent, individually and on behalf of KPS Holdings, LLC, to the annexation of the above-described property by the City

EXHIBIT
tabbies
B

of Paintsville to include said property within the corporate limits of the City of Paintsville; and I further hereby covenant and agree that neither I nor KPS Holdings, LLC, will bring any legal action against the City of Paintsville or its officers, agents, employees or representatives, or prosecute any action through which the City of Paintsville or its officers, agents, employees or representatives are, or may be made, a party for or on account of the annexation of the above-described property; and that I further hereby waive any right to assert the requirements of KRS Chapter 81A or any other legal requirements with respect to annexation of the above-described property by the City of Paintsville.

Further the Affiant sayeth naught.

GEORGE STAMPER, INDIVIDUALLY and
AS MANAGING MEMBER ON BEHALF OF
KPS HOLDINGS, LLC

COMMONWEALTH OF KENTUCKY
COUNTY OF CLARK

SUBSCRIBED, SWORN and ACKNOWLEDGED to before me by GEORGE STAMPER, Individually and as Managing Member on Behalf of KPS HOLDINGS, LLC, this 23rd day of July, 2021.

My Commission expires: 3/22/2022

CORY JOHNSON
NOTARY PUBLIC
STATE AT LARGE
KENTUCKY
MY COMMISSION EXPIRES MARCH 22, 2022

NOTARY PUBLIC

Annexation - Valero Gas Station (Staffordsville KY) KY RT 40

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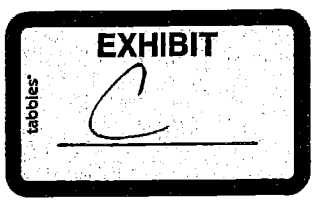
Having an area of 0.99 acres



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OVERSIZE MAP INCLUDED WITH SUBMISSION.

To research the map, contact the Office of Secretary of State or the County Clerk.