City of Paintsville

Certification of Annexation

I certify I am the duly qualified City Clerk of the City of Paintsville, Kentucky, and the following eight (8) pages of Ordinance No. 2023-002 is a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on May 15, 2023, all as appears in the official records of the City of Paintsville.

WITNESS, my hand and the Seal of the City of Paintsville, this 16th day of May 2023.

Robin Perry

Robin Perry, City Clerk

RECEIVED AND FILED
DATE June 1, 2023

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY

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

Annexation - Paintsville Golf Course Back 9

Beginning at an unmonumented point, being N 54°43′44″E 135.00 ft from the end of Village Green Drive, having a coordinate of NAD 83 Kentucky South N:2191588.30 E:24999819.87;
thence crossing the Big Sandy River N 84°57'05" E a distance of 512.11'to a point in the base of the hill;
thence following the toe of the hill, the next 5 calls
S 62°26'36" E a distance of 204.05' to a point;
S 69°52'01" E a distance of 292.98'to a point;
S 69°00'17" E a distance of 237.47'to a point;
N 55°21'25" E a distance of 367.12' to a point;
S 54°41'35" E a distance of 500.57' to a point in a wood fence line;
thence S 06°44'11" W a distance of 657.00'to a point in the wood fence line;
thence S 05°52'15" W a distance of 691.62' to a point at the top of the bank of the Big Sandy River;
thence crossing the Big Sandy River S 17°56'43" W a distance of 119.95' to a point on the South Bank of the river;
thence running with the river, the next 8 calls;
N 72°03'17" W a distance of 553.55';
N 67°13'25" W a distance of 202.77';
N 57°13'44" W a distance of 249.20';
N 42°37'25" W a distance of 193.39';
N 31°11'11" W a distance of 389.77';
N 25°27'03" W a distance of 416.72';
N 25°36'36" W a distance of 92.03';
N 27°52'31" W a distance of 510.76';
which is the point of beginning,
having an area of 48.52 acres

06-01-2023

Dewey L. Bocook Jr LS 2217
Bocook Engineering Inc.
312 10th Street Paintsvile KY 41240
bo@bocook.com



ORDINANCE NO. 2023- 002

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING THE PAINTSVILLE GOLF COURSE BACK NINE

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, the Paul B. Hall Foundation Trustees, 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, being N 54°43'44"E 135.00 ft from the end of Village Green Drive, having a coordinate of NAD 83 Kentucky South N:2191588.30 E:24999819.87;
thence crossing the Big Sandy River N 84°57'05" E a distance of 512.11'to a point in the base of the hill;
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WHEREAS, the Affidavit and Notice of Consent to Annexation of the authorized representative of the Trustees of the Paul B. Hall Foundation, the sole owner 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 **Exhibit 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 SIA.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 21st day of April, 2023.

PASSED AND APPROVED ON SECOND READING, THIS 15th day of May, 2023.

APPROVED:

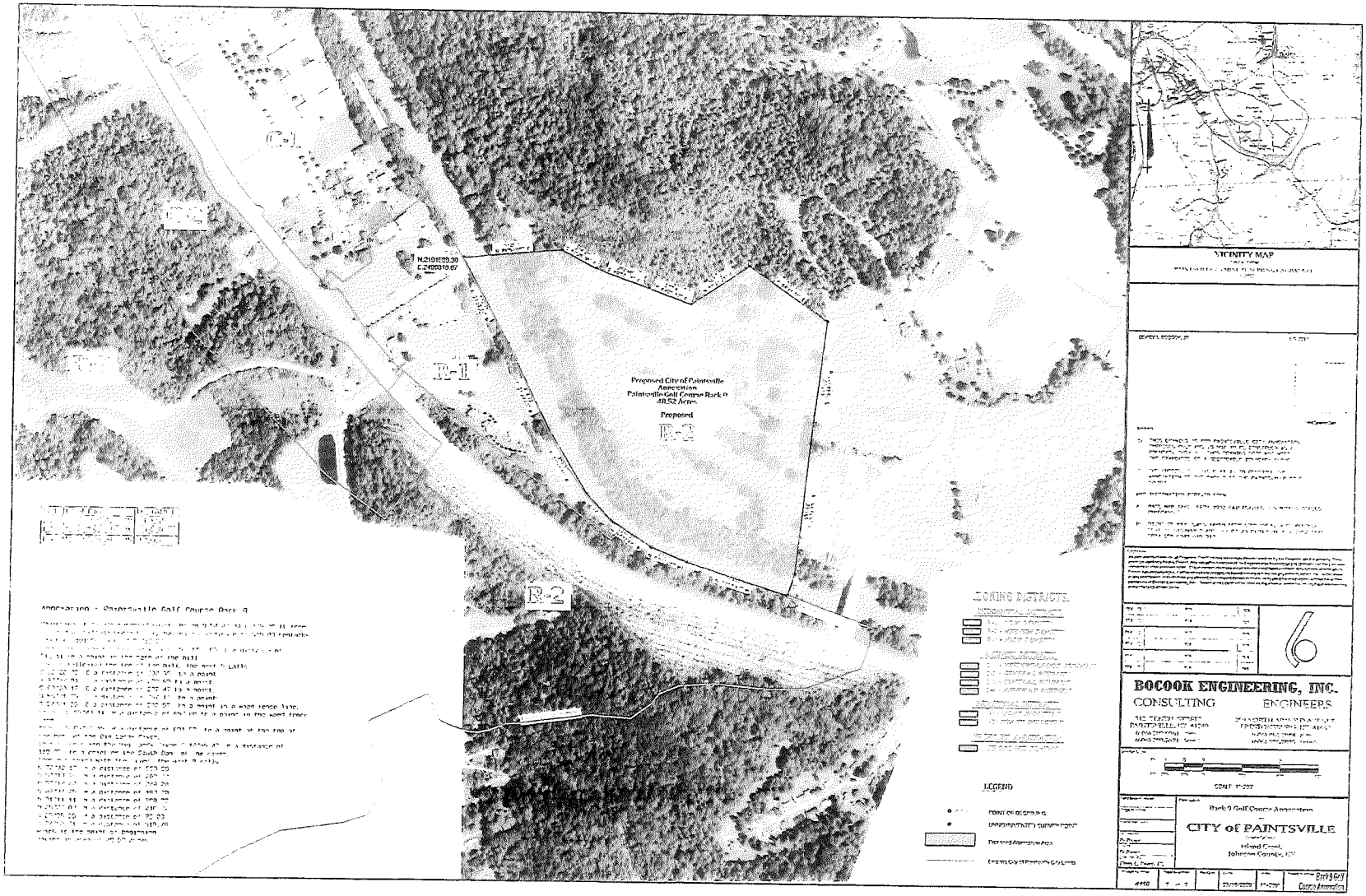
Bill M. Runyon

BILL MIKE RUNYON, MAYOR

ATTEST:

Robin Perry

ROBIN PERRY, CITY CLERK



EXHIBIT

tabbies

AFFIDAVIT AND NOTICE OF CONSENT TO ANNEXATION

Comes now the Affiant, Max Malone, Chairman of the Board of Trustees of the Paul B. Hall Foundation, as authorized representative for and on behalf of the Paul B. Hall Foundation, and, after first being duly sworn, hereby states as follows:

1. That, to the best of my knowledge and belief, the Paul B. Hall Foundation is currently the only owner of record of certain real property located in Johnson County, Kentucky, identified below as the Paintsville Golf Course Back Nine, and more particularly described as follows:

LEGAL DESCRIPTION – PAINTSVILLE GOLF COURSE BACK NINE

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EXHIBIT
tabbies
B

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

3. That on April 1, 2023, during a formal meeting the Board of Trustees of the Paul B. Hall Foundation, the Trustees voted to consent to the annexation into the City of Paintsville that certain tract or real property herein described, commonly known to as the Paintsville Golf Club Back Nine, which subject real property is owned solely by the Paul B. Hall Foundation.

4. That the Paul B. Hall Foundation hereby provides notice of its consent to the annexation of the above-described property by the City of Paintsville to include said property within the corporate limits of the City of Paintsville; and further hereby covenants and agrees that the Paul B. Hall Foundation will not 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 a party for or on account of the annexation of the above-described property; and that the Paul B. Hall Foundation further hereby waives its private 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.

PAUL B. HALL FOUNDATION

By: _____
MAX MALONE, CHAIRMAN,
BOARD OF TRUSTEES

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

SUBSCRIBED and SWORN to before me by Max Malone, Chairman, Board of Trustees, Affiant, for and on behalf of the Paul B. Hall Foundation, this 17th day of August, 2023.

My Commission expires: 4/11/2026

Cecelia Banks
Notary Public

Cecelia H. Banks
Kentucky - Fayette County
Notary ID: KYNP48959
Exp: April 11, 2026

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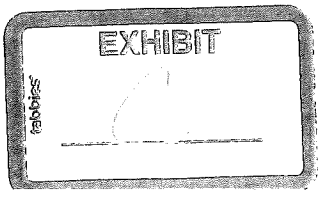

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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