CERTIFICATION OF ORDINANCE

I certify that I am the duly qualified City Clerk of the City of Paintsville, Kentucky, and the foregoing 3 pages of Ordinance No. 2010-005 is a true, correct and complete copy duly adopted by the City Council of the City of Paintsville, Kentucky at a duly convened meeting held on November 9, 2010, all as appears in the official records of the City of Paintsville, Kentucky.

WITNESS, my hand and Seal of the City of Paintsville, Kentucky, this 15 day of November, 2010.

Virgie Castle

VIRGIE CASTLE

RECEIVED AND FILED
DATE July 5, 2011

ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkins

ORDINANCE NO. 2010-005

ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CORPORATE CITY LIMITS IN ACCORDANCE WITH THE INTENT TO ANNEX STATED IN ORDINANCE 90-05

WHEREAS, the City of Paintsville Ordinance No. 90-05 was enacted by the Paintsville City Council on March 13, 1990; and

WHEREAS, said Ordinance No. 90-05 was an ordinance stating the City of Paintsville's intention to annex certain unincorporated territory contiguous to the City of Paintsville; and

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of Paintsville, it has become necessary to now adopt an ordinance carrying out the stated intention in said prior Ordinance No. 90-05 to complete annexation of the territory as described in Ordinance No. 90-05; and

WHEREAS, more than sixty (60) days have elapsed since Ordinance No. 90-05 went into effect, and no petition containing a sufficient number of signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the State Plane Coordinate System, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each territory subject to prior intent to annexation ordinances; and

WHEREAS, the City wishes to comply with the requirements of KRS 81A.470, as amended, effective March 11, 2010, relative to these annexation matters.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAINTSVILLE, KENTUCKY, AS FOLLOWS:

SECTION I

That the territory described in Ordinance No. 90-05 be, and it is hereby annexed to, and incorporated in, the territorial boundaries of the City of Paintsville.

SECTION II

The description of the annexed territory is incorporated herein by reference to the said previously enacted Ordinance No. 90-05 as if fully copied at length.

SECTION III

That the City Council of the City of Paintsville hereby adopts the following legal description and the plat attached hereto, as prepared by Dewey L. Bocook, Jr., Licensed Professional Land Surveyor, as an accurate depiction of the property previously subject to the intent to annex Ordinance No. 90-05; and the following legal description is adopted by the City for all purposes when referencing this annexation:

Legal Description

John Gray Bottom
Annex Dated 3-13-1990

Beginning at a Point located in the R/W of US 406 and US 23, Station number 53+90.20, offset 80.19 feet, Coordinate of 37.822867 Y, 82.834925 X NAD 83 ; thence North 73°09'28" East, a distance of 240.53 feet to a point in the R/W of US 406; thence North 65°47'00" East, a distance of 571.25 feet to a point in the R/W of US 406; thence North 56°02'52" East, a distance of 564.98 feet to a point in the R/W of US 406; thence North 65°21'29" East, a distance of 220.29 feet to a point in the R/W of US 406; thence North 80°23'03" East, a distance of 296.15 feet to a point in the R/W of US 406; thence North 28°12'46" West, a distance of 37.02 feet to a point in the R/W of US 406 ; thence North 04°51'50" West, a distance of 49.89 feet to a point in the R/W of US 406; thence North 22°17'04" West, a distance of 129.96 feet to a point in the R/W of US 406; thence North 54°58'46" East, a distance of 466.38 feet to a point in the R/W of US 406; thence South 36°48'16" East, a distance of 454.55 feet to an ; thence leaving the R/W of US 460 South 57°14'42" West, a distance of 517.79 feet to a point; thence South 59°01'51" West, a distance of 199.64 feet to a point; thence South 53°58'09" West, a distance of 211.67 feet to a point; thence South 46°15'46" West, a distance of 270.17 feet to a point; thence South 48°03'57" West, a distance of 242.22 feet to a point;

thence South 54°06'34" West, a distance of 196.47 feet to a point; thence South 61°53'43" West, a distance of 337.05 feet to a point; thence South 70°39'14" West, a distance of 151.72 feet to a point; thence North 88°32'45" West, a distance of 389.65 feet to a point; thence North 82°38'52" West, a distance of 115.00 feet to a point; thence North 26°43'59" West, a distance of 114.22 feet to a point; thence North 03°49'58" East, a distance of 186.92 feet to the Point of Beginning. Containing 23.69 ACRES, more or less.

FIRST READING: October 13, 2010

SECOND READING: November 9, 2010

PUBLICATION DATE: November 17, 2010

APPROVED:

BOB PORTER, MAYOR

ATTEST:

VIRGIE CASTLE, CITY CLERK

CERTIFICATION OF ORDINANCE

I certify that I am the duly qualified City Clerk of the City of Paintsville, Kentucky, and the foregoing 2 pages of Ordinance No. 90-05 is a true, correct and complete copy duly adopted by the City Council of the City of Paintsville, Kentucky at a duly convened meeting held on March 13, 1990, all as appears in the official records of the City of Paintsville, Kentucky.

WITNESS, my hand and Seal of the City of Paintsville, Kentucky, this 15 day of November, 2010.

VIRGIE CASTLE

John Grey
3-13-90

ORDINANCE NO. 90-05

ORDINANCE ANNEXING CERTAIN TERRITORIES
TO THE CITY OF PAINTSVILLE, KENTUCKY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINTSVILLE

SECTION I. TITLE: This Ordinance shall be known and cited as the Annexation Ordinance of 1990.

SECTION II. TERMS: The following described territories, on the West side of U.S. Highway 23, shall be annexed and made a part of the City of Paintsville, Kentucky:

> BEGINNING at the City Limits at the interchange of U.S. 23, U.S. 460, and Ky. 40; thence in a westerly direction with the northern right of way of U.S. Highway 460 and Ky. Highway 40 to the present City limits at Hidden Valley; thence with the present City limits, being the northern right of way of Ky. Highway 40 and U.S.Highway 460, to the western City limits; thence across U.S. Highway 460 and Ky. Highway 40 to a point in the southern right of way of U.S. Highway 460 and Ky. Highway 40 that lies at the western edge of the county road leading from Highway 40 & 460 to Paint Creek, thence with the western edge of that county road in a straight line to Paint Creek; thence with the meanders of Paint Creek east to the present City limits; thence with the presently existing City limits to the point of beginning, containing 20 acres, more or less.

SECTION III. FINDINGS: The Council specifically finds that annexation of the above described territories are necessary for the future management, growth and development of the City of Paintsville, Kentucky, and for the protection, benefit and welfare of all the citizens residing in these locations.

SECTION IV. EFFECTIVE DATE: This Ordinance shall become effective immediately upon compliance of all applicable provisions of the Kentucky Revised Statutes.

ADOPTED this 13 day of March, 1990.

John David Preston
JOHN DAVID PRESTON, MAYOR

ATTEST:
Virgie Castle
VIRGIE CASTLE
CITY CLERK

First Reading: 02-13-90
Second Reading: 03-13-90
Publication Date: 03-21-90
03-28-90

Legal Description

John Gray Bottom
Annex Dated 3-13-1990

Beginning at a Point located in the R/W of US 406 and US 23, Station number 53+90.20, offset 80.19 feet, Coordinate of 37.822867 Y, 82.834925 X NAD 83 ; thence North 73°09'28" East, a distance of 240.53 feet to a point in the R/W of US 406; thence North 65°47'00" East, a distance of 571.25 feet to a point in the R/W of US 406; thence North 56°02'52" East, a distance of 564.98 feet to a point in the R/W of US 406; thence North 65°21'29" East, a distance of 220.29 feet to a point in the R/W of US 406; thence North 80°23'03" East, a distance of 296.15 feet to a point in the R/W of US 406; thence North 28°12'46" West, a distance of 37.02 feet to a point in the R/W of US 406 ; thence North 04°51'50" West, a distance of 49.89 feet to a point in the R/W of US 406; thence North 22°17'04" West, a distance of 129.96 feet to a point in the R/W of US 406; thence North 54°58'46" East, a distance of 466.38 feet to a point in the R/W of US 406; thence South 36°48'16" East, a distance of 454.55 feet to an ; thence leaving the R/W of US 460 South 57°14'42" West, a distance of 517.79 feet to a point; thence South 59°01'51" West, a distance of 199.64 feet to a point; thence South 53°58'09" West, a distance of 211.67 feet to a point; thence South 46°15'46" West, a distance of 270.17 feet to a point; thence South 48°03'57" West, a distance of 242.22 feet to a point; thence South 54°06'34" West, a distance of 196.47 feet to a point; thence South 61°53'43" West, a distance of 337.05 feet to a point; thence South 70°39'14" West, a distance of 151.72 feet to a point; thence North 88°32'45" West, a distance of 389.65 feet to a point; thence North 82°38'52" West, a distance of 115.00 feet to a point; thence North 26°43'59" West, a distance of 114.22 feet to a point; thence North 03°49'58" East, a distance of 186.92 feet to the Point of Beginning. Containing 23.69 ACRES, more or less

Legal Description

John Gray Bottom
Annex Dated 3-13-1990

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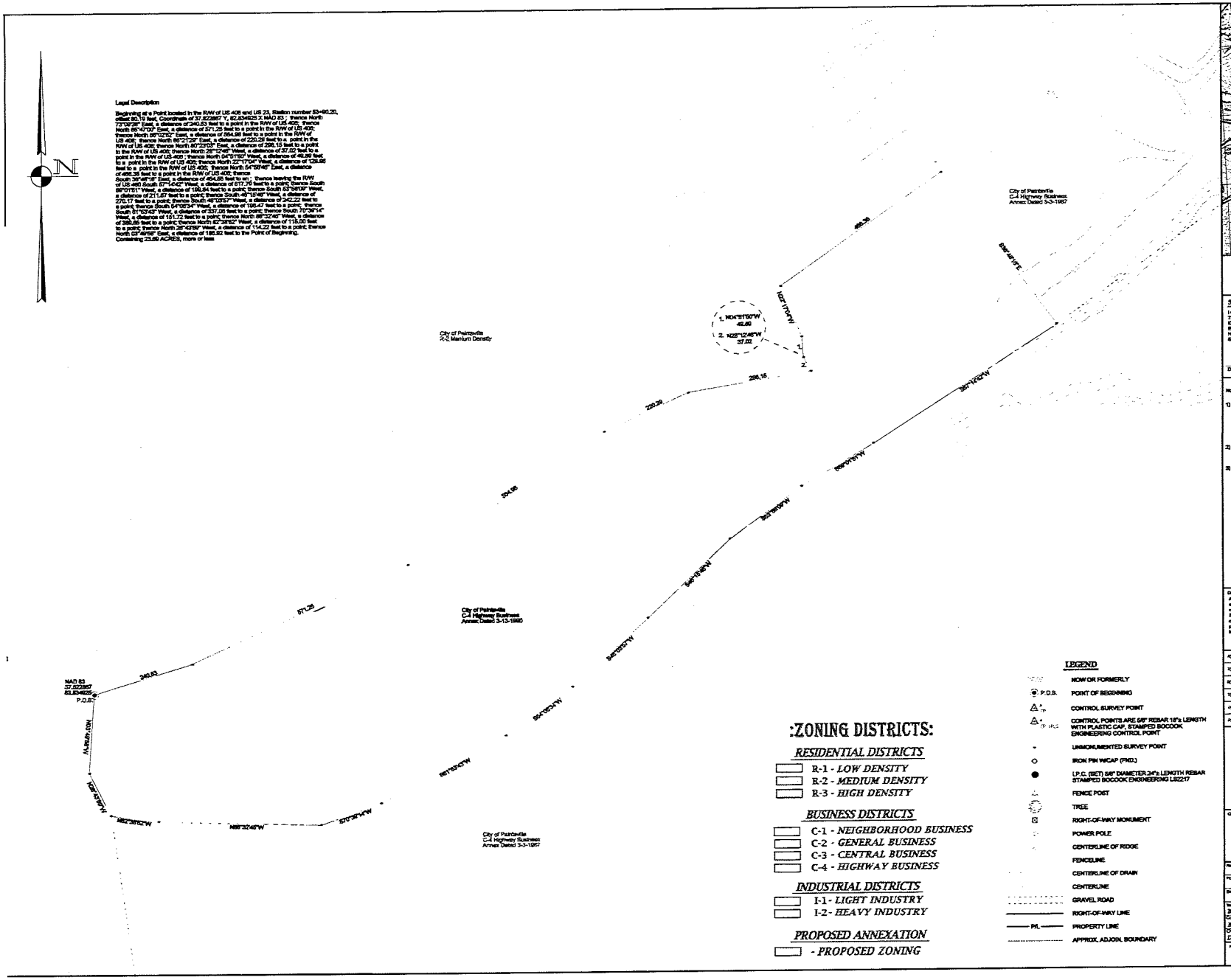
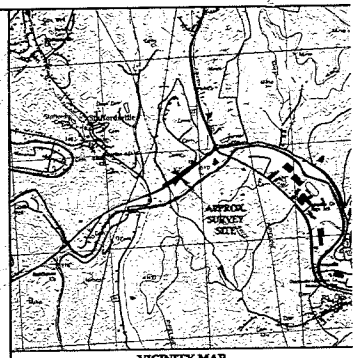




VICINITY MAP
TAKEN FROM
PAINTSVILLE 7.5 MINUTE SERIES QUADRANGLE
1" = 2000'

SURVEYORS CERTIFICATION

I CERTIFY THAT THIS PLAT DEPICTS A CLASS "B" SURVEY CONDUCTED UNDER MY DIRECTION USING THE METHOD OF RANDOM TRAVERSE AND/OR GPS EQUIPMENT. THIS SURVEY AND PLAT MEET OR EXCEED THE MINIMUM STANDARDS OF SURVEYING AUTHORIZED. THE UNADJUSTED ARITHMETICAL ERROR OF CLOSURE RATIO OF THE RANDOM TRAVERSE WAS 1/9'. THE BEARINGS AND DISTANCES HAVE NOT BEEN ADJUSTED FOR CLOSURE. THE BASIS OF THE BEARINGS WAS TAKEN FROM KENTUCKY STATE PLANE SOUTH ZONE NAD 27.

DENEY L. BOCOOK, JR. LS 2217 DATE

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) BASE MAP TAKEN FROM PAINTSVILLE 7.5 MINUTE SERIES QUADRANGLE.

3) THE PURPOSE OF THIS PLAT IS TO DESCRIBE THE ANNEXATION DATED March 13,1990 AND APPROVED BY THE PAINTSVILLE CITY COUNCIL.

Land Surveyor Seal

Engineer Seal

Disclaimer
As instruments of service, all Drawings, Specifications and copies thereof furnished by the Engineer, are his property. They are to be used only for the Project. Any use without consent of the Engineer may be construed as derogation of the Engineers rights or other reserved rights. This document should not be altered in any way whatsoever without written consent of the Engineer. Such alteration may jeopardize Engineer's property rights. Neither receipt nor possession hereof confers or transfers any rights to reproduce the document or any part thereof, or to disclose any information contained therein to others, or to use it for any purpose except as authorized in the written permission of Bocook Engineering, Inc. The surveyor's certification listed on this sheet is applicable only to the client specified in the title block shown below.

REV. "A"	N/A	N/A
REV. "B"	N/A	N/A
REV. "C"	N/A	N/A
REV. "D"	N/A	N/A
REV. "E"	N/A	N/A
REV. "F"	N/A	N/A

6

BOCOOK ENGINEERING, INC.
CONSULTING ENGINEERS

312 TENTH STREET
PAINTSVILLE, KY 41240
(606) 789-5961 - phone
(606) 789-7671 - facsimile

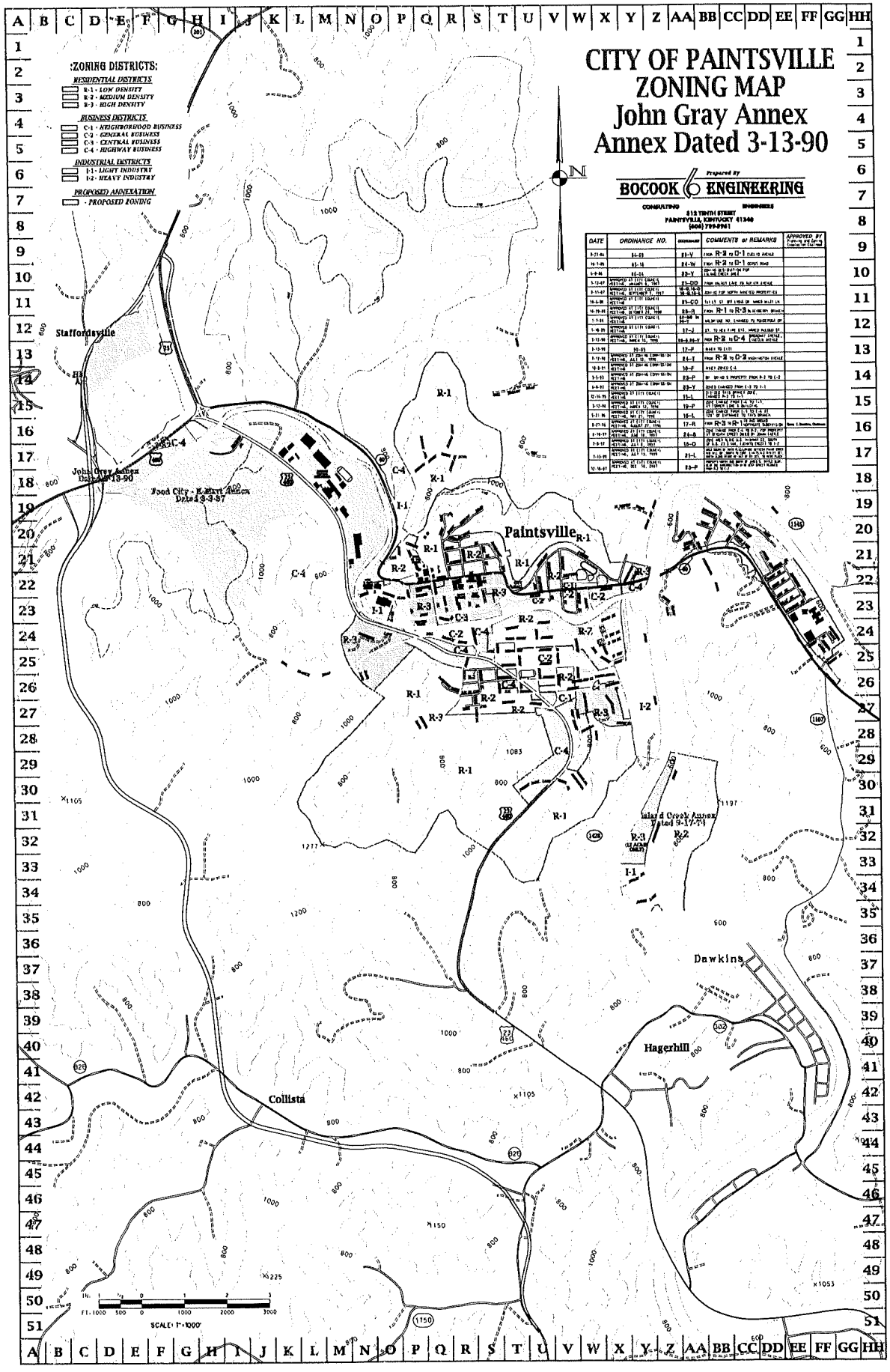
259 NORTH ARNOLD AVENUE
PRESTONSBURG, KY 41653
(606) 886-7884 - phone
(606) 886-7895 - facsimile

Graphic Scale
IN. 1 1/2 0 1 2 3
FT. 100 50 0 100 200 300
SCALE: 1"=100'

Field Book Number	
Page Number	
Electronic Data	
Verification	
By: Bocook	
Coded	
By: Bocook	
Checked By	
Denny L. Bocook, JR.	

Description
Annexation of John Gray
for
City of Paintsville
located along
US 23 and KY 460
Johnson County, KY
Annex Dated 3-13-90

Project Number	Sheet Number	Revision	Date	Scale	Sheet Number
4410	1 of 1		08/13/10	1"=100'	Annex


CITY OF PAINTSVILLE
ZONING MAP
John Gray Annex
Annex Dated 3-13-90
Prepared by
BOCOOK ENGINEERING
CONSULTING ENGINEERS
812 TENTH STREET
PAINTSVILLE, KENTUCKY 41240
(606) 789-8961
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
DATE
ORDINANCE NO.
ORDINANCE
COMMENTS or REMARKS
APPROVED BY
Staffordsville
John Gray Annex Dated 3-13-90
Food City - K Mart Annex Dated 3-3-87
Paintsville
Collista
Dawkins
Hagerhill
Island Creek Annex Dated 9-17-71
SCALE: 1"=1000'

Newspaper Affidavit

I, Nancy Daniels, of *The Paintsville Herald*, published at Paintsville, Kentucky, and having the largest general circulation of any newspaper in Johnson County, Kentucky, do hereby certify that from my own knowledge and a check of the files of this newspaper that the advertisement

of Legal Notice- Ordinance No. 2010-005

for City of Paintsville was inserted in

The PaintsvilleHerald on the following dates:

Date: 11/17/10 Page No.: B-5 Column No.: 5-7

Date: _____ Page No.: _____ Column No.: _____

Date: _____ Page No.: _____ Column No.: _____

Date: _____ Page No.: _____ Column No.: _____

Signature: Nancy Daniels

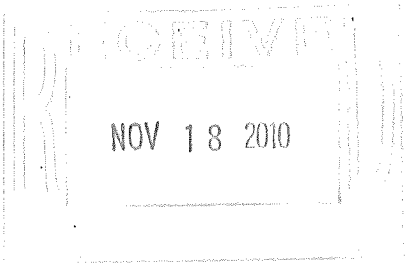
Subscribed and sworn to before me by Nancy Daniels this the

17th day of NOVEMBER, 2010

Notary Public: Lisa L. Trusty

County of: Johnson

My commission expires: April 2, 2011



RECEIVED

NOV 18 2010

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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