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DATE March 8, 2012

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandia Adkins

ORDINANCE NO. 97-005

AN ORDINANCE OF THE CITY OF PAINTSVILLE, KENTUCKY ANNEXING CERTAIN REAL PROPERTY INTO THE CORPORATE CITY LIMITS

WHEREAS, the City of Paintsville has obtained certain real property for the purpose of developing an industrial site, rest area, and proposed expansion of water mains and sewer lines, and;

WHEREAS, the city council desires to annex said property, and;

WHEREAS, no part of the area to be annexed is presently within the boundary of any other incorporated area, and;

WHEREAS, there is additional adjacent property to the current city corporate limits and the obtained property, and;

WHEREAS, the property owners affected have agreed to the annexation of the described property, and;

WHEREAS, due to the consent of the affected property owners, the provisions of KRS 81A.420(1), KRS 81A.425, and KRS 81A.420(1) are inapplicable, and;

WHEREAS, the property to be annexed is contiguous and/or adjacent to the boundaries of the city and is suitable for development for urban purposes because of the industrial use of said land, the proposed Paintsville rest area and for the accommodation of water mains and sewer lines pursuant to a proposed expansion of Paintsville Utilities.

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

1. The City of Paintsville declares it desirable to annex into the municipal corporate limits, the property described in Exhibit A attached hereto.

2. The City of Paintsville has established zoning for the annexed property as I2 and a copy of the map establishing said zoning is attached hereto as Exhibit B.

3. Any action by a court of competent jurisdiction declaring any word, phrase or section of this ordinance to be invalid, unlawful or unconstitutional shall not affect the remaining portions of this ordinance and same shall remain in full force and effect.

4. All ordinances in conflict with the provisions of this ordinance are hereby expressly repealed to the extent of such conflict.

5. This ordinance shall become effective immediately upon adoption and publication as required by law.

DATED: 8-13-97

ROBIN COOPER, Mayor

ATTEST:

Virgie Castle

VIRGIE CASTLE

First reading: 07-08-97

Second reading: 08-12-97

Publication date: 08-20-97

ordinanc\annex.pwd

EXHIBIT A

Beginning at a concrete marker at the junction of Paul Wilbur Daniel and Judy Daniel and the Virgie Adams lines and the Kentucky Department of Transportation right-of-way line near the waters of Lick Fork of Jennys Creek; thence in a southerly direction 408.80′ with the Daniel line and to the Department of Transportation Rt. 23 RW to a concrete RW marker; thence 223.89′ in a west by southwesterly direction with the Daniel line and the Department of Transportation, Rt. 23 RW to a concrete marker, thence 95′ in a southerly direction with the Daniel line and the Kentucky Department of Transportation Rt. 23 RW to the Rt. 1750 right-of-way which is 9′ north of the center line of Rt. 1750; thence with the Rt. 1750 RW 9′ north of the center line in a westerly direction following the Daniel line and Rt. 1750 RW to the west side of the bridge going to the Daniel property; thence with the west side of the bridge in a northerly direction 100′ to its northwest corner of the bridge; thence with the top of the fill in a westerly direction and arching in a northerly direction with the top of the fill in a westerly direction and arching in a northerly direction with the top of the fill to the base of the small 8′ rise; thence in an easterly direction with the base of the small 8′ rise to the base of the base of the fill, continuing easterly with its base of the fill to the base of the upper fill and along the base of the upper fill to the upper fill roadway; thence in a northeasterly direction 30′ across the roadway to the base of the fill; thence in an easterly direction along the base of the fill to the Virgie Adams line; thence with the fence between Paul W. and Judy L. Daniel and Virgie Adams in an easterly direction to the concrete marker at the beginning.

And:

Being inclusive of the right of way of the Commonwealth of Kentucky Department of Transportation, located on U.S. Rt. 23 beginning at a point at Station 466+50 running with said right of way to Station 746+00.

STATE OF KENTUCKY
COUNTY OF JOHNSON

I, VIRGIE CASTLE, City Clerk of the City of Paintsville, Kentucky do hereby certify that the hereto attached is a true and correct copy of Ordinance Number 97-005, an ORDINANCE OF THE CITY OF PAINTSVILLE, KENTUCKY ANNEXING CERTAIN REAL PROPERTY INTO THE CORPORTE CITY LIMITS, dated August 13, 1997, the original of which appears of record in my said office.

WITNESS my hand and seal of said office on this the 19th day of December, 2011.

Virgie Castle

VIRGIE CASTLE, CITY CLERK

(seal)

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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