



CITY OF PIKEVILLE

243 Main Street
Pikeville, Kentucky 41501
(606) 437-5100
Fax Number (606) 437-5136

James A. Carter
Mayor

Donovan Blackburn
City Manager

KRS 81A.470 Filings

I certify I am the duly qualified City Clerk of the City of Pikeville, Kentucky, and the foregoing three pages of Ordinance No. 0-2016-016 is a true, correct and complete copy duly adopted by the City of Pikeville at a duly convened meeting held on October 10, 2016, all as appears in the office of records of said city.

WITNESS, my hand and city seal this 11th day of October, 2016.

Christy Billiter
City Clerk

RECEIVED AND FILED
DATE November 10, 2016

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



**ORDINANCE FOR A CONSENT TO ANNEX BY THE
CITY OF PIKEVILLE FOR CERTAIN UNINCORPORATED
TERRITORY LYING ADJACENT TO THE
PRESENT CITY CORPORATE LIMITS
CONSISTING OF APPROXIMATELY .91 ACRES
LOCATED ON OR NEAR STONEHENGE DRIVE**

ORDINANCE NO. 0-2016-016

WHEREAS, by the action of required submitted signatures by the property owners for their Consent and Request for Annexation, pursuant to KRS 81A.412, for the following described property, and

WHEREAS, the various property owners are the sole owners of the property and the City of Pikeville did received by letter a request the property owners consent authorizing the annexation of the described property attached herein and

WHEREAS, the area requested to be annexed is contiguous to the present City limits, and

WHEREAS, the Pikeville City Commission has determined that the benefit of the city to accept this Consent for Annexation of this, area

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PIKEVILLE that the tract or parcel of property described hereinafter, contiguous to the present city limits of Pikeville, Kentucky is hereby declared to be annexed into the corporate limits of the City of Pikeville and shall be by the passage of this ordinance become part of the city for all purposes. The property annexed hereby is described as follows:

City of Pikeville
Description
Property to be annexed

A certain tract or parcel of land located near Pikeville, Kentucky on the watershed of the Levisa Fork of the Big Sandy River, Pike County Kentucky and more particularly bounded and described as follows:

Unless stated otherwise, any monument referred to herein as an Iron Pin and Cap set, is a 5/8" rebar, eighteen (18") inches in length with a yellow plastic cap stamped EDC, INC. LS 3232. All bearings stated herein are referred to the Kentucky South Zone, US Feet NAD 83, state plane coordinate system.

Beginning at an Iron Pin and Cap (IPC) found, cap No. illegible, on the right of way line of a thirty (30') easement as per Deed Book 816, Page 694, and a copy of an unrecorded survey plat provided by William D. Deskins, said point having a state plane coordinate value of North 2,081,960.847 and East 2,569,869.503 of the Kentucky South Zone, NAD 83, said point being a common corner to William D. Deskins (now or formerly) Deed Book 554, Page 351 and Jane Kathryn Deskins (now or formerly) Deed Book 959, Page 33; thence leaving the line of the Deskins' and following the right of way line N 18°42'27"E a distance of 166.00' to an IPC set in the right of way line; thence continuing along the right of way line N 86°46'00" E a distance of 228.91' to a Survey Mag Spike set along the right of way line, a common corner to John and Leslie Lynn Colston, (now or formerly) Deed Book 1020, Page 160; thence leaving the right of way line and following the Colston's line S 21°42'53" W a distance of 20.91' to an IPC found, stamped Brown 2633; thence continuing along the Colston's line S 20°21'21" W a distance of 114.39' to an IPC found stamped Brown 2633; thence continuing along the Colston's line S 46°37'22" W a distance of 128.48' to an IPC found, stamped Brown 2633, said point being a common corner with William D. Deskins (now or formerly) Deed Book 554, Page 351 and Jane Kathryn Deskins (now or formerly) Deed Book 959, Page 33; thence leaving the Colston's line N 72°22'06" W a distance of 147.81' to the point of beginning, containing 0.91 acres, more or less according to a re-tracement survey by D. Leonard Legg, II, PLS #3232, with Environmental Design Consultants, Inc.

Being the same property conveyed to Lela Maynard by deed dated October 19, 2007 recorded in Deed Book 912, Page 357, in the office of the Pike County Court Clerk's office.

There is a power line easement agreement to the Kentucky and West Virginia Power Company, Inc. dated September 20, 1945 in Deed Book 269, Page 584 which was recorded on February 1, 1946. While the easement width is silent in the agreement the Federal Energy Regulatory Commission (FERC) mandates a 100' Right of Way, being 50' from either side of the centerline as a requirement for the 69KV power line. Said easement goes across the Northern portion of the said property as shown on the attached plat.

Also a nonexclusive right to use that certain thirty-foot (30') roadway extending from Vera Drive to the property hereby conveyed by William D. Deskins and Barbara Deskins, his wife, as recorded in Deed Book 816, Page 694, dated June 4, 2002 for the purpose of vehicular ingress and egress and containing .91 acres more or less.

D. Leonard Legg II, LS #3232

Date: 8/12/16

A map of the property in which the City of Pikeville proposed to annex prepared by Environmental Design Consultants, Inc. entitled "City of Pikeville, Lela Maynard Re-Tracement Survey for Proposed Property Annexation 237 Stonehenge Dr., Pikeville, Kentucky 41501"- dated 08/12/16 is on file in the office of the city clerk and may be viewed during regular office hours.

This ordinance shall be in full force and effect after it is passed and published as required by law.

The above ordinance was given a first reading this 26th day of September 2016.

This ordinance was given a second reading on the 10th day of October, 2016.

Passed this 10th day of October, 2016.

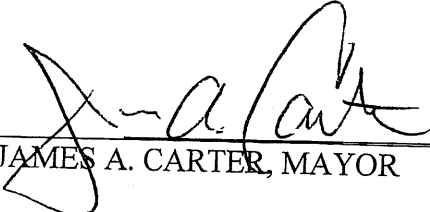
Commissioner Chaney moved for the adoption of the foregoing ordinance.

Commissioner Justice seconded the motion.

Upon roll call, the votes were as follows:


| | <u>YES</u> | <u>NO</u> |
|-----------------------------------|------------|-------------|
| JAMES A CARTER, II MAYOR | <u>✓</u> | <u> </u> |
| FRANK JUSTICE, II, COMMISSIONER | <u>✓</u> | <u> </u> |
| JERRY KEITH COLEMAN, COMMISSIONER | <u>✓</u> | <u> </u> |
| BARRY CHANEY, COMMISSIONER | <u>✓</u> | <u> </u> |
| JOSHUA HUFFMAN, COMMISSIONER | <u>✓</u> | <u> </u> |

The Mayor declared the within ordinance adopted.



JAMES A. CARTER, MAYOR

ATTESTED:



CHRISTY BILLITER, CITY CLERK

Deed Description

A certain tract or parcel of land located near Pikeville, Kentucky on the watershed of the Levisa Fork of the Big Sandy River, Pike County Kentucky and more particularly bounded and described as follows:

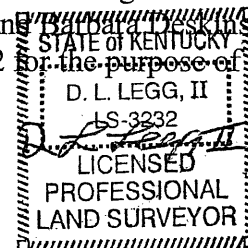
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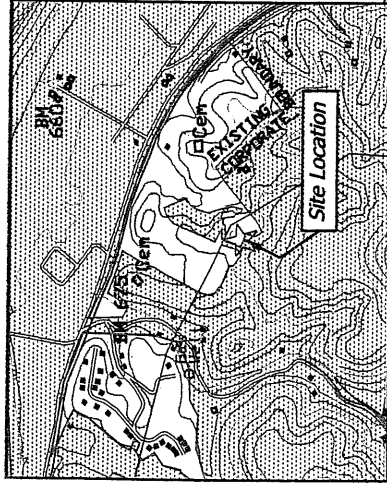
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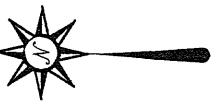
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LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 18°42'27" E | 166.00' |
| L2 | N 86°46'00" E | 228.91' |
| L3 | S 21°42'53" W | 20.91' |
| L4 | S 20°21'21" W | 114.39' |
| L5 | S 46°37'22" W | 128.48' |
| L6 | N 72°22'06" W | 147.81' |



William D. Deskins
D.B. 554 PG.351
(Now or Formerly)

VICINITY MAP
1"=2000'

Jane Kathryn Deskins
D.B. 959 PG.33
(Now or Formerly)

William D. Deskins
D.B. 554 PG.351
(Now or Formerly)

Jane Kathryn Deskins
D.B. 959 PG.33
(Now or Formerly)

NOTE: THERE IS AN IMPLIED EASEMENT IN DEED BOOK 816 PAGE 684 THRU AN EXISTING DRIVEWAY TO THE SUBJECT PROPERTY.

Lela Maynard
D.B. 912 PG.357
0.91 Acres

William D. Deskins
D.B. 554 PG.351
(Now or Formerly)
and
Jane Kathryn Deskins
D.B. 959 PG.33
(Now or Formerly)

**John Colston and
Leslie Lynn Colston**
D.B. 1020 PG.160
(Now or Formerly)

NOTES: (1) THIS MAP DOES NOT CERTIFY THE LOCATION OF UNDERGROUND UTILITIES OR UTILITY EASEMENTS.
(2) BEARINGS AND DISTANCES SHOWN ARE KENTUCKY STATE PLANE COORDINATE, SOUTH ZONE, NAD 83, P.O.B. NORTH: 2,081,960.847; EAST: 2,569,869.503.
(3) NAD 83, KENTUCKY SINGLE ZONE, US SURVEY FEET STATE PLANE COORDINATE, IS AS FOLLOWS:
P.O.B. NORTH: 3,722,602.6458; EAST: 5,850,676.4333
(4) THE P.O.B. IS FROM A MAP PROVIDED BY WILLIAM D. DESKINS OF WHICH NO RECORDED RECORD WAS EVER FOUND.



LEGEND

- PROPERTY LINE
- ADJONER PROPERTY LINE
- RIGHT OF WAY LINE
- EXISTING CORPORATE BOUNDARY
- 5/8" IRON PIN (SET)
- STAMPED EDC, INC. LS3232
- REBAR AND CAP (FOUND)
- STAMPED JIGSAW 2576
- IRON PIN AND CAP (FOUND)
- STAMPED BROWN 2633
- SURVEY MAG SPIKE (SET)
- CONTROL STATIONS
- TELEPHONE/ELECTRIC LINE
- 100' POWERLINE EASEMENT
- PLANTER AREAS
- CONCRETE AREAS
- PAVEMENT

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADE BY ME, OR UNDER MY DIRECTION, BY THE METHOD OF RANDOM TRAVERSE. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE. ALL BEARINGS AND DISTANCES STATED HEREIN ARE REFERRED TO THE KENTUCKY STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83. THE P.O.B. IS FROM A MAP PROVIDED BY WILLIAM D. DESKINS OF WHICH NO RECORDED RECORD WAS EVER FOUND.
THIS SURVEY AND PLAT MEETS OR EXCEEDS 201 KAR 18:150 OF THE MINIMUM STANDARDS OF PRACTICE.

D. L. Legg II
NAME

UNADJUSTED ERROR OF SURVEY 1:28.144
THIS IS AN URBAN SURVEY
SURVEY DATES: 8-11,15-2016

STATE OF KENTUCKY
D. L. LEGG, II
3232 LS-3232-2-2016
LICENSED SURVEYOR
PROFESSIONAL LAND SURVEYOR

DRAWN BY: EC, LL

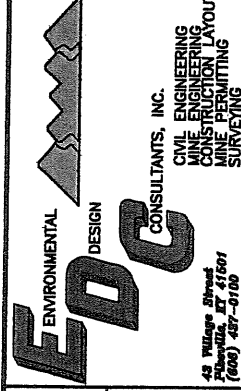
FILENAME: MAYNARD LOT

DISK NO: 980.04

PLOT DATE: 11-2-2016

CITY OF PIKEVILLE
243 MAIN STREET
PIKEVILLE, KY 41501

**LELA MAYNARD RE-TRACEMENT SURVEY
FOR PROPOSED PROPERTY ANNEXATION
2378 STONEHENGE DR.
PIKEVILLE, KY 41501**



SCALE: 1"=50'

DATE: 11-2-2016

ATTACHMENT:

SHEET: 1

OF: 1

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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