



Benjamin L. Hale
JUDGE/EXECUTIVE of FLOYD COUNTY
COMMONWEALTH of KENTUCKY
Floyd County Fiscal Court
149 South Central Avenue - Suite 9
Prestonsburg, Kentucky 41653



Telephone (606) 886-9193
TDD 810-648-6056

Fax (606) 886-1083

May 2, 2018

Kandie Adkinson
Office of the Secretary of State
Land Office Section
Capitol Annex, Suite T21-B
702 Capital Avenue
Frankfort, KY 40601

RECEIVED AND FILED
DATE May 2, 2018
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson

RE: Letter of Support for Deannexation
City of Prestonsburg

Ms. Adkinson,

This is a letter of support for the City of Prestonsburg, KY. According to KRS 81A.440, I am in full support and agreement with the deannexation of the section of US 23 South. The Floyd County Fiscal Court has no objections and again, is in full support of the deannexation of this area.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Ben Hale
Floyd County Judge Executive



Floyd County Fiscal Court is committed to providing safe, decent and affordable housing for low-income clients with special needs.



ORDINANCE NO. 04-2016

AN ORDINANCE DEANNEXING FROM THE CITY OF PRESTONSBURG, KENTUCKY A SECTION OF RT 23 SOUTH FROM MILEPOINT 5.46 BACK TO THE SOUTHERN END OF THE BRIDGE OVER THE LEVISA FORK OF THE BIG SANDY RIVER

Whereas, the City Council has determined that the entire section of US 23 South that was annexed in Ordinance No. 03-2014 does not serve a substantial purpose for the growth of the city at this time; and,

Whereas, it is the intent of the City Council to reduce the boundary from Latitude 37° 34' 41" Longitude 82° 39' 42" to Latitude 37° 37' 07" Longitude 82° 43' 21"; and,

Whereas, pursuant to KRS 81A.425, notice was sent by first class certified mail to affected property owner and the property owner has given their written consent; and,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Prestonsburg, Kentucky that the City of Prestonsburg hereby ratifies the Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this ordinance, and further, the City hereby deannexes the following described incorporated area and removes it from the incorporated city limits of Prestonsburg.

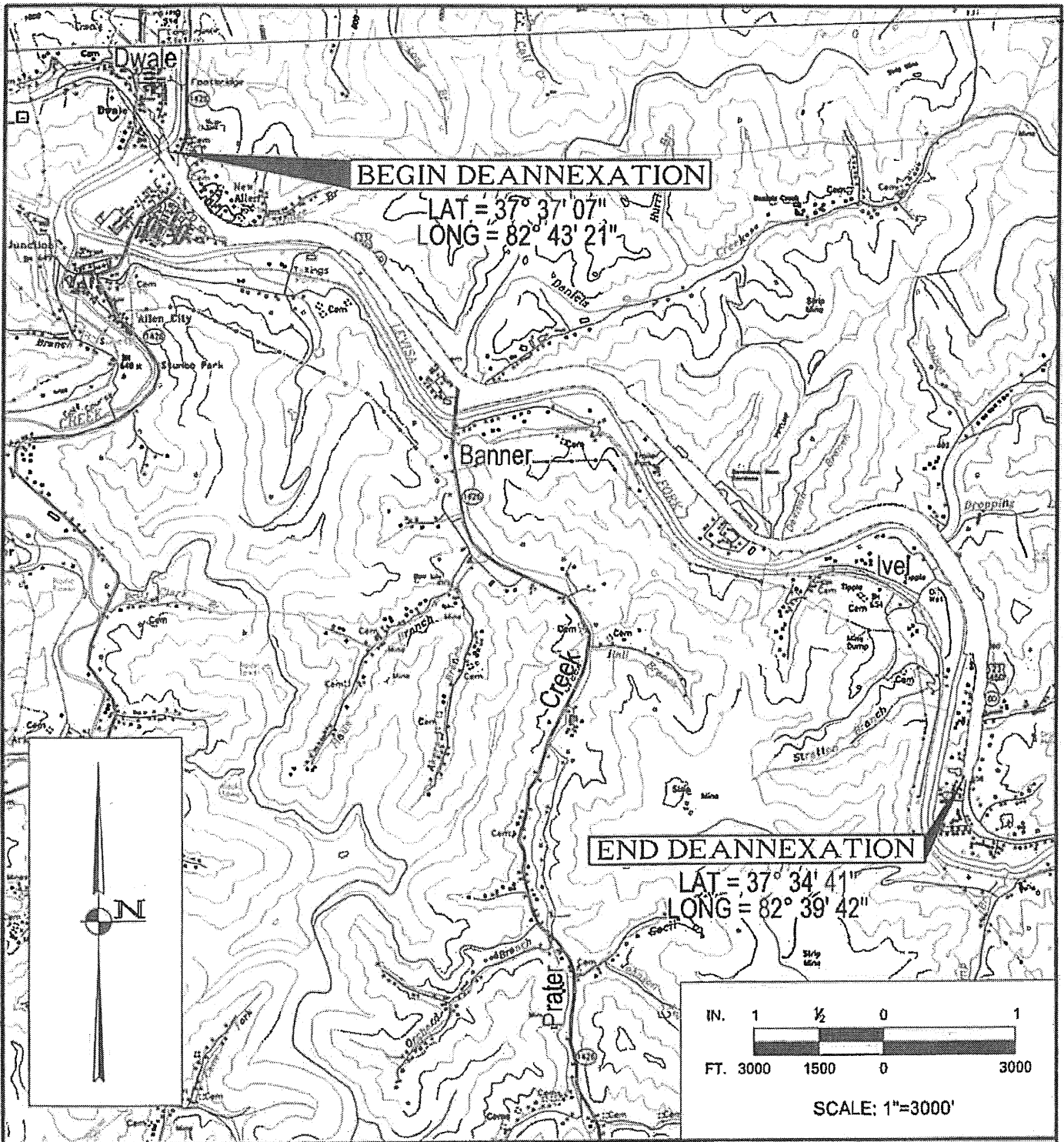
Adopted this 18th day of July, 2016.

See property description attached as Exhibit A for reduction in boundaries.

This Ordinance shall take effect upon its passage, approval, and publication. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.


/s/ Les Stapleton, Mayor

/s/ Sharon Setser, City Clerk



CITY of PRESTONSBURG
PROPOSED DEANNEXATION
U.S. 23 South
ANNEXATION ORDINANCE #03-2014
DEANNEXATION ORDINANCE #04-2016
 w.o. 8547 date: 05/20/16

- Prepared By -
BOCOOK ENGINEERING, INC
 CONSULTING ENGINEERS
 312 TENTH STREET
 PAINTSVILLE, KY 41240
 (606) 789-5961 - phone
 (606) 789-7671 - fax/mobile


 259 N. ARNOLD AVE.
 PRESTONSBURG, KY 41653
 (606) 886-7884 - phone
 (606) 886-7895 - fax/mobile

CERTIFICATE

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk of the City of Prestonsburg, Kentucky, that the foregoing is a full, true, and correct copy of a Resolution/Ordinance adopted by the City Council of said City at a meeting duly held on 7/18, 2016; that said official action appears as a matter of public record in the official records or journal of the governing authority; that said meeting was held in accordance with all applicable requirements of Kentucky Law, including KRS 61.810, 61.815, 61.820, and 61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.

IN TESTIMONY WHEREOF, witness my signature this 27 day of July, 2016.



Sharon Setser, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 04-2016

RECEIVED AND FILED
DATE August 3, 2016

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Robinson

ORDINANCE NO. 04-2016

AN ORDINANCE DEANNEXING FROM THE CITY OF PRESTONSBURG, KENTUCKY A SECTION OF RT 23 SOUTH FROM MILEPOINT 5.46 BACK TO THE SOUTHERN END OF THE BRIDGE OVER THE LEVISA FORK OF THE BIG SANDY RIVER

Whereas, the City Council has determined that the entire section of US 23 South that was annexed in Ordinance No. 03-2014 does not serve a substantial purpose for the growth of the city at this time; and,

Whereas, it is the intent of the City Council to reduce the boundary from Latitude 37° 34' 41" Longitude 82° 39' 42" to Latitude 37° 37' 07" Longitude 82° 43' 21"; and,

Whereas, pursuant to KRS 81A.425, notice was sent by first class certified mail to affected property owner and the property owner has given their written consent; and,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Prestonsburg, Kentucky that the City of Prestonsburg hereby ratifies the Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this ordinance, and further, the City hereby deannexes the following described incorporated area and removes it from the incorporated city limits of Prestonsburg.

See property description attached as Exhibit A for reduction in boundaries.

This Ordinance shall take effect upon its passage, approval, and publication. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

/s/ Les Stapleton, Mayor

/s/ Sharon Setser, City Clerk

MAYOR
LES STAPLETON

CITY COUNCIL
HARRY ADAMS
TIMOTHY C. COOLEY
DAVID GEARHEART
FREDDIE L. GOBLE
KIMBER McGUIRE
B.D. NUNNERY
ROY ROBERTS
DON WILLIS



200 North Lake Drive
Prestonsburg, Kentucky 41653

(606) 886-2335
Fax (606) 886-0563

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 24, 2016

Secretary
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

Re: Notice of Proposed Reduction regarding prior Annexation of Portion of State Highway
per KRS 81A.425

Dear Secretary:

The City of Prestonsburg hereby provides notice of its intent to deannex a portion of a state highway that was annexed on March 13, 2014. The original annexation was conducted under a prior administration and after further studies the current administration does not deem this expansion as a benefit to the City of Prestonsburg.

The aforementioned ordinance will have the first reading on June 20, 2016. We understand it is the position of the Highway Department to neither consent or oppose such action but as long as return correspondence does not specifically oppose the deannexation we would be able to forego the intent ordinance in order to expedite the process.

If you have any questions or comments, please contact the undersigned.

Sincerely,

Sharon Setser, City Clerk
City of Prestonsburg, KY

CC:

Department of Highways,
District Twelve
109 Loraine Street
Pikeville, Kentucky 41501
(Via Certified Mail, Return Receipt Requested)



Home of
The Kentucky Opry - Mountain Arts Center • Thunder Ridge Racetrack • Jenny Wiley
Summer Music Theatre and State Park • Jenny Wiley Pioneer Festival • StoneCrest Golf Course





COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

www.transportation.ky.gov/

Matthew G. Bevin
Governor

Greg Thomas
Secretary

June 7, 2016

The Honorable Les Stapleton
Mayor, City of Prestonsburg
200 North Lake Drive
Prestonsburg, KY 41653

RE: City of Prestonsburg De-annexation along US 23

Dear Mayor Stapleton:

The Kentucky Transportation Cabinet generally does not oppose or concur with de-annexation issues, but prefers to remain neutral with the understanding that Kentucky Transportation Cabinet still controls and owns our Right of Way. Therefore, Kentucky Transportation Cabinet does not have any opposition to your de-annexation efforts in previously annexed area in the City of Prestonsburg along US 23 between Allen and Ivel in Floyd County including Kentucky Transportation Cabinet Right of Way.

Do not hesitate to contact us in the future if you believe we may be able to further assist you with a roadway issue.

Sincerely,

A handwritten signature in cursive script, reading "Mary Westfall-Holbrook".

Mary Westfall-Holbrook, P.E.
Chief District Engineer
District 12—Pikeville

cc: State Highway Engineer Office
Mark Westfall, Planning



An Equal Opportunity Employer M/F/D

City of Prestonsburg - U.S. 23 South - Deannexation

Beginning at a point situated on the northern right-of-way line of U.S. 23 and on the southern end of a bridge over the Levisa Fork of the Big Sandy River; said point having a Northing of 2,122,420.35 feet and an Easting of 2,517,127.75 feet; thence leaving the bridge and with said right-of-way for the next six (6) courses and distances:

- 1) S01°10'02"E, 31.83'
- 2) S25°49'35"E, 50.25'
- 3) S39°06'56"E, 59.52'
- 4) S36°01'46"E, 91.28'
- 5) S32°38'35"E, 202.04'
- 6) N00°42'10"W, 281.74'

thence crossing old Rt. 80, N40°13'45"E,103.18'; thence continuing with the right-of-way for the next twelve (12) courses and distances:

- 1) S26°04'29"E, 423.12'
- 2) S08°37'57"W, 185.01'
- 3) S03°32'57"E, 67.53'
- 4) S33°57'48"E, 118.11'
- 5) S31°32'13"E, 152.29'
- 6) S32°51'41"E, 272.90'
- 7) N60°19'23"E, 130.74'
- 8) S36°50'47"E, 40.70'
- 9) S28°30'07"W, 108.59'
- 10) S32°06'55"E, 275.04'
- 11) S60°32'09"E, 453.42'
- 12) S73°37'34"E, 361.87'

thence crossing Bridge Branch, N85°27'32"E, 499.82'; thence continuing with the right-of-way for the next eleven (11) courses and distances:

- 1) S45°56'43"E, 49.50'
- 2) N81°59'58"E, 850.19'
- 3) S83°58'59"E, 391.39'
- 4) S76°57'54"E, 323.50'
- 5) S56°40'13"E, 1077.64'
- 6) S32°15'32"E, 400.92'
- 7) S37°02'33"E, 1026.77'
- 8) S36°55'39"E, 1881.53'

- 9) S52°26'00"E, 121.76'
- 10) S68°30'37"E, 286.34'
- 11) S57°12'05"E, 90.69'

thence crossing Daniels Creek and Daniels Creek Rd., S74°36'35"E, 187.54'; thence continuing with the right-of-way for the next twenty-eight (28) courses and distances:

- 1) N76°59'04"E, 280.59'
- 2) N81°46'57"E, 367.58'
- 3) N72°40'38"E, 613.16'
- 4) N80°47'53"E, 366.05'
- 5) N80°43'26"E, 440.88'
- 6) S88°05'26"E, 283.05'
- 7) S70°25'32"E, 608.96'
- 8) S49°00'27"E, 369.16'
- 9) S22°38'01"E, 213.86'
- 10) S54°16'15"E, 261.21'
- 11) S58°07'35"E, 259.62'
- 12) S42°29'03"E, 300.00'
- 13) S24°44'22"E, 262.49'
- 14) S38°15'48"E, 271.74'
- 15) S47°30'57"W, 60.00'
- 16) S42°29'03"E, 579.00'
- 17) N79°24'24"E, 53.00'
- 18) S57°08'45"E, 177.79'
- 19) S42°29'03"E, 900.00'
- 20) S37°30'27"E, 714.67'
- 21) N47°30'15"E, 10.00'
- 22) S43°08'18"E, 538.89'
- 23) S67°39'47"E, 55.90'
- 24) S70°21'31"E, 126.71'
- 25) S19°27'28"W, 6.11'
- 26) S74°24'03"E, 176.65'
- 27) N43°43'24"E, 23.76'
- 28) S78°56'49"E, 95.68'

thence crossing Davison Branch, S79°49'25"E, 198.82'; thence continuing with the right-of-way for the next ten (10) courses and distances:

- 1) N72°08'47"E, 185.47'
- 2) N78°19'18"E, 539.86'
- 3) N51°20'04"E, 221.50'
- 4) N66°19'26"E, 500.90'

- 5) N68°15'44"E, 383.22'
- 6) N72°53'59"E, 441.89'
- 7) N83°38'10"E, 262.61'
- 8) S84°43'58"E, 362.78'
- 9) S68°58'58"E, 482.83'
- 10) S47°19'20"E, 425.44'

thence crossing Ivy Creek, S32°57'48"E, 497.54'; thence continuing with the right-of-way for the next ten (10) courses and distances:

- 1) S37°25'26"E, 403.74'
- 2) S26°13'28"E, 815.96'
- 3) S35°21'40"E, 319.17'
- 4) S14°06'27"E, 759.19'
- 5) S00°12'08"W, 215.84'
- 6) S06°56'24"W, 536.53'
- 7) S01°25'01"E, 413.76'
- 8) S21°15'40"W, 206.16'
- 9) S14°34'35"E, 215.41'
- 10) S16°49'49"W, 329.62'

thence crossing Toms Creek, S00°53'05"W, 226.38'; thence continuing with the right-of-way for the next five (5) courses and distances:

- 1) S07°13'30"W, 714.00'
- 2) S16°37'33"W, 153.06'
- 3) S33°47'24"W, 122.98'
- 4) S06°32'53"W, 227.73'
- 5) S22°26'14"E, 39.82'

thence leaving the eastern right-of-way and crossing U.S. 23 to a point on the western right-of-way, N82°56'31"W, 235.33'; thence continuing with the right-of-way and crossing Toms Creek N07°03'49"E, 2480.87'; thence continuing with the right-of-way for the next two (2) courses and distances:

- 1) N10°20'59"W, 374.36'
- 2) N85°29'06"W, 219.05'

to a point on the low water mark on the east side of Levisa Fork; thence continuing with the low water mark for the next twenty-nine (29) courses and distances:

- 1) N09°40'17"E, 257.47'
- 2) N05°54'26"E, 287.23'
- 3) N02°58'16"W, 196.47'
- 4) N09°34'25"W, 219.34'

- 5) N18°21'26"W, 282.97'
- 6) N28°27'34"W, 255.77'
- 7) N34°13'09"W, 254.88'
- 8) N34°43'24"W, 269.54'
- 9) N31°31'31"W, 339.01'
- 10) N33°03'52"W, 255.67'
- 11) N26°02'57"W, 162.13'
- 12) N51°33'59"W, 94.73'
- 13) N35°26'05"W, 128.91'
- 14) N43°22'23"W, 73.23'
- 15) N52°54'27"W, 157.12'
- 16) N62°03'49"W, 168.67'
- 17) N70°05'25"W, 178.04'
- 18) N82°31'59"W, 184.90'
- 19) S85°12'45"W, 201.40'
- 20) S75°00'34"W, 187.01'
- 21) S68°11'56"W, 298.47'
- 22) S63°14'35"W, 420.32'
- 23) S68°00'53"W, 263.95'
- 24) S64°45'46"W, 93.19'
- 25) S71°01'24"W, 103.63'
- 26) S70°44'54"W, 267.78'
- 27) S76°45'39"W, 67.33'
- 28) S68°38'08"W, 136.62'
- 29) S73°17'01"W, 111.11'

thence leaving the low water mark and continuing with the right-of-way for the next three (3) courses and distances:

- 1) N03°55'16"W, 77.78'
- 2) S88°56'37"W, 448.55'
- 3) S46°16'54"W, 191.20'

thence crossing Davison Branch, N41°28'25"W, 229.24'; thence continuing with the right-of-way for the next fourteen (14) courses and distances:

- 1) N67°51'13"W, 466.54'
- 2) N69°27'06"W, 112.73'
- 3) N51°56'58"W, 149.85'
- 4) N48°09'02"W, 70.42'
- 5) N43°24'37"W, 537.43'
- 6) S68°33'12"W, 69.64'
- 7) N42°29'03"W, 50.00'

- 8) N15°30'38"E, 47.17'
- 9) N42°29'03"W, 105.00'
- 10) N44°11'38"W, 670.30'
- 11) N38°48'21"W, 701.44'
- 12) N42°29'03"W, 579.00'
- 13) N45°17'26"W, 816.98'
- 14) S80°05'24"W, 242.22'

to a point on the low water mark on the east side of Levisa Fork; thence continuing with the low water mark for the next twelve (12) courses and distances:

- 1) N33°12'59"W, 630.03'
- 2) N41°22'59"W, 104.23'
- 3) N53°46'37"W, 211.86'
- 4) N67°34'14"W, 199.48'
- 5) N84°14'24"W, 205.59'
- 6) S87°44'26"W, 178.54'
- 7) S80°55'21"W, 250.10'
- 8) S78°44'37"W, 462.50'
- 9) S76°25'10"W, 438.14'
- 10) S79°37'58"W, 324.23'
- 11) S77°59'31"W, 679.54'
- 12) S74°27'53"W, 543.80'

to a point on the right-of-way of Rt. 1428; thence leaving the low water mark and continuing with the right-of-way for the next five (5) courses and distances:

- 1) N05°52'26"E, 130.01'
- 2) N06°33'04"E, 131.48'
- 3) N06°08'58"E, 78.25'
- 4) N07°49'58"E, 74.63'
- 5) N14°06'18"E, 89.61'

to a point on the right-of-way of U.S. 23; thence leaving the right-of-way of Rt. 1428, crossing 1428 and continuing with the U.S. 23 right-of-way for the next fourteen (14) courses and distances:

- 1) N56°16'45"W, 81.01'
- 2) N46°23'06"W, 199.83'
- 3) N36°11'03"W, 429.30'
- 4) N48°22'19"W, 307.04'
- 5) N37°02'33"W, 690.00'
- 6) N47°39'44"W, 162.79'
- 7) N35°24'21"W, 350.14'
- 8) N53°44'30"W, 208.81'

- 9) N02°03'02"W, 122.07'
- 10) N37°49'51"W, 726.82'
- 11) N38°30'12"W, 285.01'
- 12) N08°41'06"W, 80.55'
- 13) N52°44'24"W, 552.17'
- 14) S41°12'39"W, 120.83'

to a point on the low water mark on the north side of Levisa Fork; thence continuing with the low water mark for the next thirteen (13) courses and distances:

- 1) N53°04'22"W, 73.47'
- 2) N57°01'19"W, 188.40'
- 3) N70°17'50"W, 149.44'
- 4) N72°38'21"W, 151.40'
- 5) N83°29'03"W, 290.48'
- 6) N87°56'41"W, 160.41'
- 7) S88°27'58"W, 155.36'
- 8) S88°55'15"W, 223.45'
- 9) S80°58'02"W, 188.55'
- 10) S88°05'14"W, 168.86'
- 11) S86°03'58"W, 293.25'
- 12) S86°50'02"W, 334.90'
- 13) S81°21'52"W, 289.87'

thence leaving the low water mark and continuing with the right-of-way for the next eleven (11) courses and distances:

- 1) N18°12'47"E, 192.52'
- 2) N82°07'25"W, 324.11'
- 3) N20°36'51"W, 189.42'
- 4) N42°36'29"W, 268.14'
- 5) N44°37'12"W, 238.43'
- 6) N51°03'47"W, 108.89'
- 7) N25°23'55"W, 107.86'
- 8) N34°49'47"W, 255.58'
- 9) N49°54'52"W, 95.15'
- 10) N01°59'15"E, 95.96'
- 11) S75°41'26"W, 36.73'

to a point on the corporate limits on the city of Allen; thence leaving the right-of-way and with the Allen corporate limits, crossing old Rt. 80, N43°28'40"W, 130.46'; thence leaving the Allen corporate limits and continuing with the right-of-way for the next four (4) courses and distances:

- 1) N17°21'38"W, 179.97'

- 2) N39°57'50"W, 136.47'
- 3) N32°14'58"W, 402.03'
- 4) N45°53'41"W, 27.95'

thence leaving the southern right-of-way and crossing U.S. 23 and said bridge N58°22'28"E, 253.02' to the point of beginning and containing 243.70 acres more or less.



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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