

RECEIVED AND FILED
DATE August 3, 2018

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kenzie Adkinson

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 April 16, 2018; 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61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.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 18th day of May, 2018.

Sharon Setser
Sharon Setser, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 05-2018

ORDINANCE NO. 05-2018

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY BY WHICH THE CITY ANNEXES INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED ALONG STEPHENS BRANCH ROAD.

Whereas, the territory intended to be annexed is contiguous to the City of Prestonsburg; and,

Whereas, the territory intended to be annexed is either urban in character or suitable for urban development without unreasonable delay because many of the residential and commercial lots in the area are in receipt of city services; and,

Whereas, the proposed territory to be annexed is all situated within the County of Floyd, Kentucky, and not within another incorporated city or in the process of being incorporated, nor within an agriculture district; and,

Whereas, all the real property owners within the territory proposed to be annexed have given consent by written agreement on March 7, 2018; and,

Whereas, the City declares it desirable to annex the property further described in this ordinance and its attachment (Exhibit A):

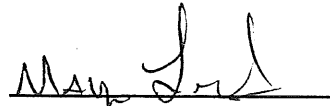
David and Gaye Cooley

Beginning at a telephone pole; thence running with the Stephens Branch Road up the creek to a point approximately 20 or 25 feet beyond the barn; thence running toward the branch and running to a stake; thence running down the creek to a stake; thence running to the telephone pole beside the road, the point of beginning.

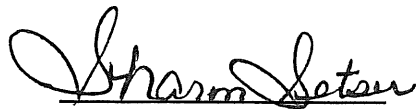
NOW, THEREFORE, BE IT ORDAINED by the City of Prestonsburg, as follows:

1. Pursuant to KRS 81A.420, the City of Prestonsburg hereby declares it desirable to annex and hereby publishes through the enactment of this ordinance the territory described and shown on the map attached to this ordinance as Exhibit A. Exhibit A is incorporated into this ordinance by reference as if copied in full.
2. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith repealed and the provisions of this Ordinance are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.
3. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on March 19, 2018, with the second reading on April 16, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in accordance with KRS 81A.060 and KRS Chapter 424.

Done this 16th day of April, 2018.


Les Stapleton, Mayor

Attest:


Sharon Setser, City Clerk

PETITION FOR VOLUNTARY ANNEXATION

I (We) David + Gaye Cooley hereby swear and affirm that we are the owner(s) of certain property located on Stephens Branch Road Floyd County, Kentucky. We hereby request and petition the City Council, City of Prestonsburg, Kentucky, to annex said property into the city of Prestonsburg, which action is taken voluntarily as of the date and year set out below.

Please return completed with a copy of the property deed that has been filed with County Clerk.

David Cooley

Property Owner

Gaye Cooley

Property Owner

3/7/2018

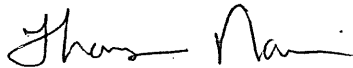
Date

ANNEXATION DESCRIPTION
Of The
DAVID & GAY COOLEY PROPERTY
Deed Book 571, Page 130

A TRACT OF LAND SITUATED IN THE COMMUNITY OF CLIFF, STEPHENS BRANCH ROAD, FLOYD COUNTY, KENTUCKY, AND BEING ALL OF RECORD SOURCE DEED BOOK 571, PAGE 130 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING on an axel found on the south side of Stephens Branch Road, said axel also being a common corner to the corporate limits of the City of Prestonsburg; said point having NAD83 Kentucky state plane south zone coordinate system values of North 2,152,475 and East 2,500,929; said point also being a common corner to David and Gay Cooley, deed book 571, page 130 and Michael and Deborah Conn, deed book 444, page 528; thence leaving deed book 444, page 528 and with deed book 571, page 130 and with the corporate limits and Stephens Branch Road N 64°53'47" E, a distance of 98.58' to a fence post; thence N 61°40'03" E, a distance of 100.23' to a service pole; thence leaving Stephens Branch Road and the corporate limits and continuing with deed book 571, page 130 S 08°14'45" E, a distance of 127.90' to a point; said point being a common corner to David and Gay Cooley, deed book 442, page 532; thence continuing with deed book 571, page 130 and deed book 442, page 532 S 82°30'46" W, a distance of 181.37' to a fence post; said fence post being a common corner to deed book 444, page 528; thence leaving deed book 442, page 532 and with deed book 571, page 130 and deed book 444, page 528 N 14°45'01" W a distance of 62.89' to the beginning and containing 0.40 acres or 17,432.69 sq. ft. The boundary depicted by this description is for annexation purposes only.



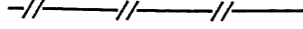



Bocook Engineering's file of this annexation can be found in W:\9000\9129cooley - Prestonsburg City\Microstation Files\9129cooley -Annexation.dgn

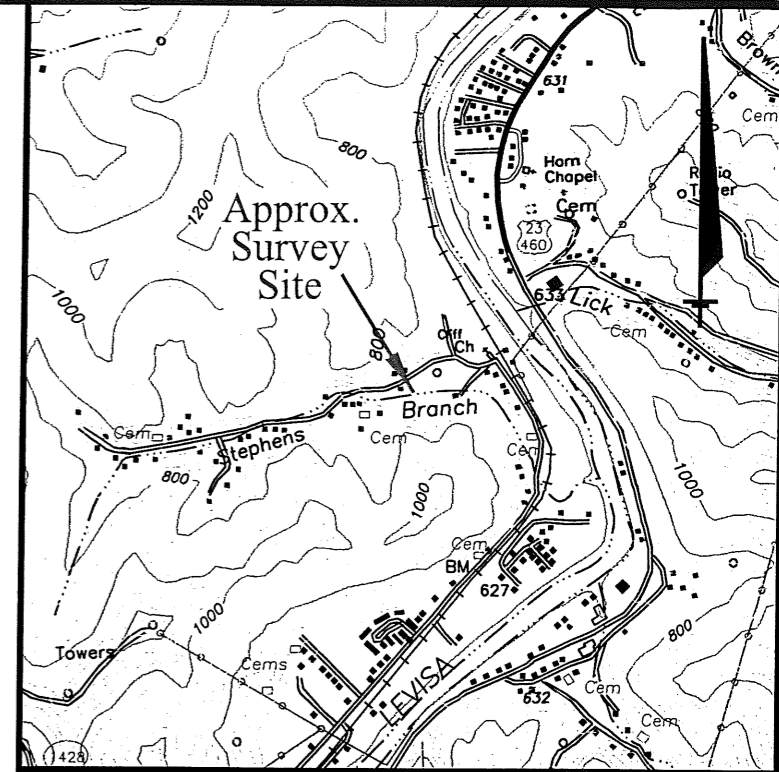
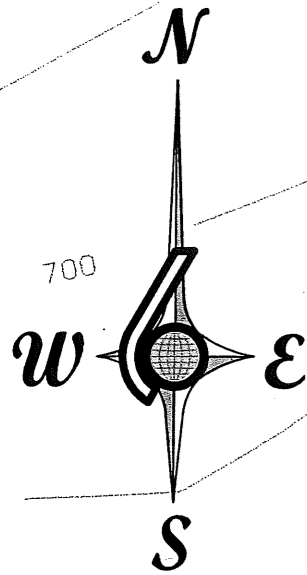


Thomas E. Nairn, PLS #3921
Bocook Engineering, Inc.
259 North Arnold Ave., Prestonsburg, Ky. 41653
May 8th, 2018

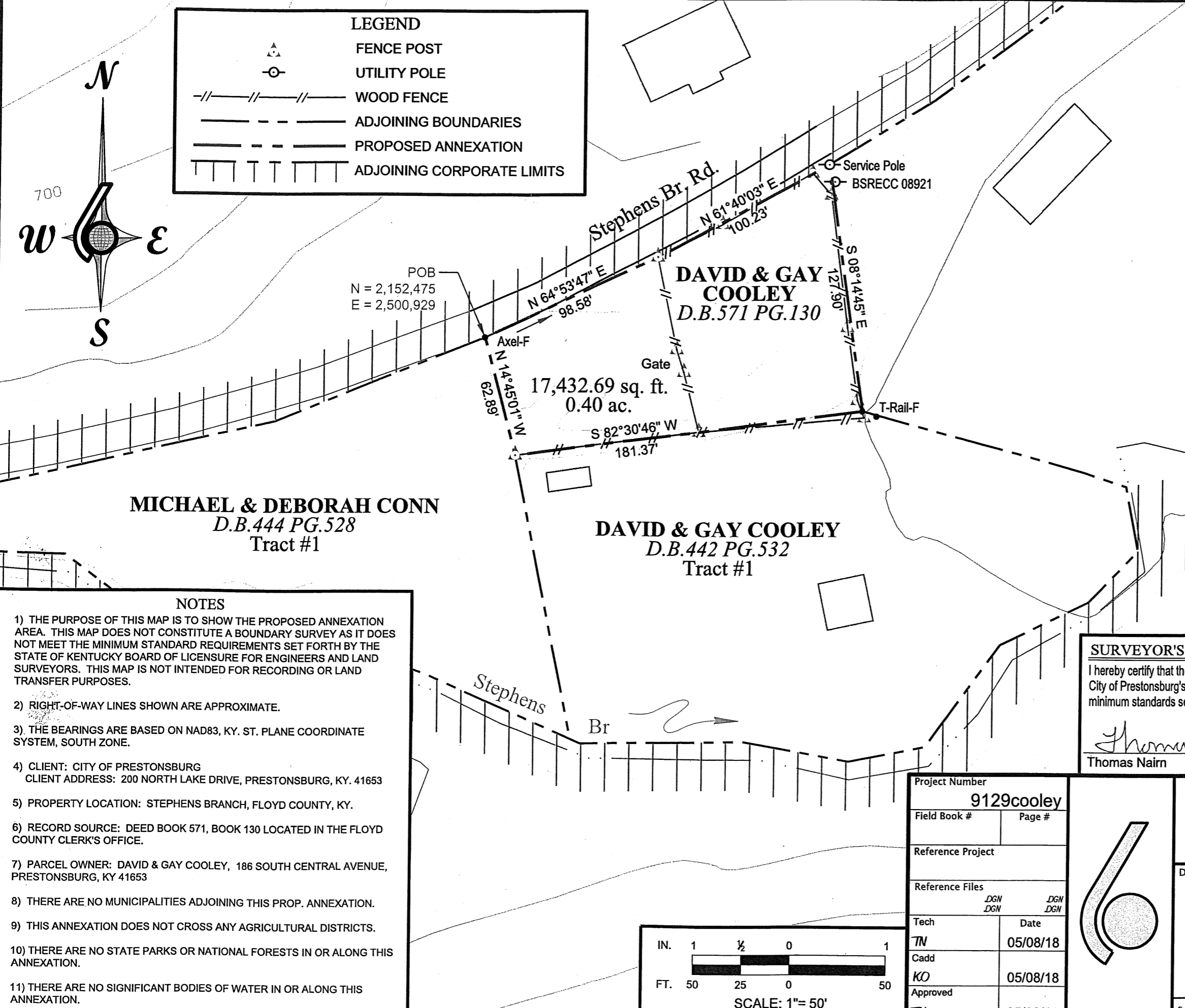


LEGEND

-  FENCE POST
-  UTILITY POLE
-  WOOD FENCE
-  ADJOINING BOUNDARIES
-  PROPOSED ANNEXATION
-  ADJOINING CORPORATE LIMITS



VICINITY MAP
Taken from: Prestonsburg Quadrangle Scale: 1"=2000'



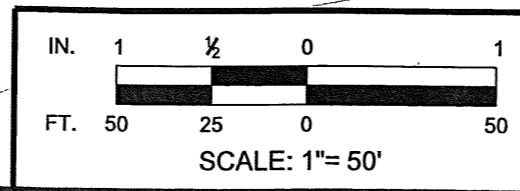
STATE OF KENTUCKY
THOMAS E. NAIRN
3921 5/8/18
LICENSED PROFESSIONAL LAND SURVEYOR

- NOTES**
- 1) THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED ANNEXATION AREA. THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY AS IT DOES NOT MEET THE MINIMUM STANDARD REQUIREMENTS SET FORTH BY THE STATE OF KENTUCKY BOARD OF LICENSURE FOR ENGINEERS AND LAND SURVEYORS. THIS MAP IS NOT INTENDED FOR RECORDING OR LAND TRANSFER PURPOSES.
 - 2) RIGHT-OF-WAY LINES SHOWN ARE APPROXIMATE.
 - 3) THE BEARINGS ARE BASED ON NAD83, KY. ST. PLANE COORDINATE SYSTEM, SOUTH ZONE.
 - 4) CLIENT: CITY OF PRESTONSBURG
CLIENT ADDRESS: 200 NORTH LAKE DRIVE, PRESTONSBURG, KY. 41653
 - 5) PROPERTY LOCATION: STEPHENS BRANCH, FLOYD COUNTY, KY.
 - 6) RECORD SOURCE: DEED BOOK 571, BOOK 130 LOCATED IN THE FLOYD COUNTY CLERK'S OFFICE.
 - 7) PARCEL OWNER: DAVID & GAY COOLEY, 186 SOUTH CENTRAL AVENUE, PRESTONSBURG, KY 41653
 - 8) THERE ARE NO MUNICIPALITIES ADJOINING THIS PROP. ANNEXATION.
 - 9) THIS ANNEXATION DOES NOT CROSS ANY AGRICULTURAL DISTRICTS.
 - 10) THERE ARE NO STATE PARKS OR NATIONAL FORESTS IN OR ALONG THIS ANNEXATION.
 - 11) THERE ARE NO SIGNIFICANT BODIES OF WATER IN OR ALONG THIS ANNEXATION.

SURVEYOR'S CERTIFICATION

I hereby certify that the boundary depicted by this plat is for annexation purposes only, it is adjacent to the City of Prestonsburg's corporate limits and does not constitute a boundary survey as this plat does not meet minimum standards set forth by the State of Kentucky Board of Licensure for Engineers and Land Surveyors.

Thomas Nairn
Thomas Nairn
PLS #3921
Date 5/8/18



Project Number 9129cooley	
Field Book #	Page #
Reference Project	
Reference Files	
	DGN DGN
Tech	Date
TN	05/08/18
Cadd	
KO	05/08/18
Approved	
TN	05/08/18

BOCOOK ENGINEERING, INC.
CONSULTING ENGINEERS
312 TENTH STREET PAINTSVILLE, KY 41240
259 N. ARNOLD AVE. PRESTONSBURG, KY 41653

Desc. **Proposed Annexation for CITY of PRESTONSBURG located in Stephens Branch Floyd County, KY**

Scale 1"=50' Sheet 1 of 1 Rev Drawing number 9129cooley - Annexation