

RECEIVED AND FILED  
DATE August 3, 2018

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

**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 July 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61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.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 25 day of July, 2018.

Sharon Setser  
Sharon Setser, City Clerk

RESOLUTION NO. \_\_\_\_\_

ORDINANCE NO. D3-2016

**ORDINANCE NO. 03-2016**

**AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY BY WHICH THE CITY ANNEXES INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED ALONG US 23 (MANN LAND PRESTONSBURG LLC)**

**Whereas**, the territory intended to be annexed, approximately 5.51 acres of land along highway US 23 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 agricultural district; and,

**Whereas**, all of the real property owners within the territory proposed to be annexed have given consent to be annexed by signature on Commercial Water and Consent to Annexation form dated August 26, 2011; and,

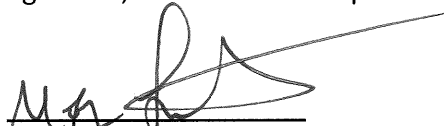
**Whereas**, the City declares it desirable to annex the approximately 5.51 acres further described in this ordinance and its attachment (Exhibit A).

**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 effect the validity of the remainder of this Ordinance.

3. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on July 18, 2016, with the second reading on June 20, 2016, 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.

  
\_\_\_\_\_  
Les Stapleton, Mayor

Attest:  
  
\_\_\_\_\_  
Sharon Setser, City Clerk

## ANNEXATION DESCRIPTION

Beginning at a point along the eastern right-of-way of Ky. Rt. 23 in Floyd County, said point having Kentucky State Plane NAD83 south zone coordinates of N=2,131,336.50, E=2,501,240.17, said right-of-way being part of the corporate limits of the city of Prestonsburg; Thence leaving the right-of-way and the corporate limits and with the proposed annexation for the next seven (7) courses and distances:

- 1) S24°02'05"W, 232.12'
- 2) S31°23'01"W, 164.82'
- 3) S31°16'26"W, 88.24'
- 4) S85°53'52"W, 90.32'
- 5) S75°42'58"W, 66.87'
- 6) S85°52'59"W, 134.36'
- 7) N48°37'36"W, 177.05'

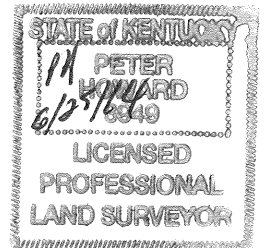
To a point on the edge of an existing access road; Thence with the access road N09°39'58"E, 199.54' to a point on the edge of a concrete drainage ditch; Thence with the ditch for the next six (6) courses and distances:

- 1) N74°56'33"E, 26.50'
- 2) N74°52'30"E, 98.17'
- 3) N72°44'36"E, 79.96'
- 4) N17°39'47"E, 93.97'
- 5) N06°11'08"E, 100.93'
- 6) N07°55'13"W, 67.08'

Thence leaving the ditch N47°03'43"E, 52.95' to a point on said right-of-way; Thence with the right-of-way and the corporate limits for the next five (5) courses and distances:

- 1) S54°07'13"E, 51.56'
- 2) S57°09'35"E, 104.16'
- 3) S60°09'16"E, 104.39'
- 4) S63°09'26"E, 104.16'
- 5) S66°09'28"E, 39.41'

To the point of beginning and containing 5.51 acres or 239,875.08 sq. ft. more or less.



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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