

ORDINANCE NO. 07-2019

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY ANNEXING INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED FROM THE EXISTING CITY LIMITS OF RT 321 INCLUDING ALL RIGHT OF WAYS ALONG ROADWAY ENDING AT THE JOHNSON COUNTY LINE

WHEREAS, the City Council has determined that no part of the area to be annexed shall be included in the boundary of another city; and,

WHEREAS, pursuant to KRS 81A.425, notice was sent by first class-mail to affected property owner; and,

WHEREAS, said notice was mailed no later than fourteen (14) days prior to the meeting to which the ordinance proposing the annexation and stating the intention of the City of Prestonsburg to annex the territory received its second reading; and,

WHEREAS, Ordinance No. 06-2014, proposing the annexation was duly read in accordance with the Kentucky Revised Statutes, and was published and went into effect on April 30, 2014; and,

WHEREAS, more than sixty (60) days have elapsed since Ordinance No. 06-2014 went into effect, and no opposition was received from the property owner to the proposed annexation; and,

WHEREAS, all notices required by the Kentucky Revised Statutes have been provided and/or published according to law,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Prestonsburg, Kentucky that the City of Prestonsburg hereby ratifies that Mayor's signature upon and approves any and all documents necessary to effectuate the intent of this ordinance including, but not limited to the Consent to Annexation and, further, the City hereby annexes the following described unincorporated area and makes it a part of the City of Prestonsburg, Kentucky.

See property description attached as Exhibit A and incorporated herein by reference.

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.

SO RESOLVED, ORDAINED AND ADOPTED THIS 18 DAY OF NOV, 2019.

LS
Les Stapleton, Mayor

Attest: Sharon Setser
Sharon Setser, City Clerk

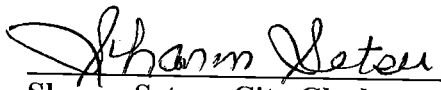
RECEIVED AND FILED
DATE April 5, 2021

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kardie Adenon

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 November 18, 2019; 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 24 day of Nov., 2021.


Sharon Setser, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 07-2019

ORDINANCE NO. 06-2014

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY BY WHICH THE CITY STATES ITS INTENT TO ANNEX INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED FROM THE EXISTING CITY LIMITS OF RT 321 INCLUDING ALL RIGHT OF WAYS ALONG ROADWAY ENDING AT THE JOHNSON COUNTY LINE

WHEREAS, a certain tract and boundary of unincorporated territory as more specifically described herein below, and as reflected by the Annexation Map hereto attached as Exhibit "A" is under consideration to be annexed and incorporated into the city limits of Prestonsburg, pursuant to KRS Chapter 81A; and,

WHEREAS, the area is herein below more particularly described, and reflected in Exhibit "A" hereto (Proposed Annexation Map) lies adjacent to or is contiguous to the City of Prestonsburg's current boundaries and is urban in character; and,

WHEREAS, the Prestonsburg City Council having considered the matter and determined after due discussion and deliberation that it is in the best interest of the City and best interest of the property owners whose property is contained within the area proposed to be annexed; and,

WHEREAS, the City Council, through passage of this ordinance set forth herein below, declares it desirable to annex into the corporate limits of the City of Prestonsburg that certain are more fully described below;

NOW, THEREFORE, IT IS HEREBY RESOLVED AND IS HEREBY ORDAINED BY THE CITY OF PRESTONSBURG, KENTUCKY AS FOLLOWS;

Section I. The Annexation Map attached hereto as Exhibit "A" reflects the description as hereinabove and is incorporated herein by reference as a part thereof.

Section II. Upon enactment of this ordinance on second reading and publication the territory shall become a part of the City of Prestonsburg in accordance with KRS 81A.412.

SO RESOLVED, ORDAINED AND ADOPTED THIS 28th DAY OF APRIL, 2014.


Jerry Fannin, Mayor

Attest:


Sharon Setser, City Clerk

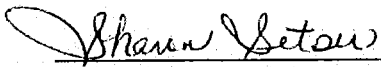
RECEIVED AND FILED
DATE April 5, 2014

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandis 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 April 28, 2014; 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 29 day of March, 2021.


Sharon Setser, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 06-2014

Ky. Rt. 321 North - Annexation

Beginning at a point situated at the northeast intersection of the right-of-way line of Ky. Rt. 1100 and the right-of-way line of the Bayes Branch Connector Road, said point having a Northing of 2,159,890.14 feet and an Easting of 2,497,557.25 feet with the point also being situated on a proposed eastern boundary of the city of Prestonsburg's corporate limits (said proposal was submitted at a prior date); thence leaving the proposed corporate limits and with the right-of-way of the Bayes Branch Connector Road for the next fifteen (15) courses and distances:

- 1) S74°54'26"E, 142.81'
- 2) S71°49'20"E, 45.16'
- 3) S61°50'07"E, 184.57'
- 4) S76°35'16"E, 300.77'
- 5) S63°50'15"E, 98.30'
- 6) S84°49'15"E, 141.72'
- 7) S80°16'23"E, 185.88'
- 8) N86°51'37"E, 234.25'
- 9) N76°06'51"E, 94.17'
- 10) N37°30'54"E, 209.96'
- 11) N10°51'52"E, 128.57'
- 12) N26°53'06"E, 242.63'
- 13) N59°21'10"E, 446.04'
- 14) N47°40'39"E, 151.51'
- 15) S82°40'19"E, 163.86'

to the beginning of a curve to the right labeled C1 having a radius of 419.78', an arc length of 166.63', a chord length of 165.54' and a chord bearing of N 34°08'29" E; thence continuing with the right-of-way for the next nine (9) courses and distances:

- 1) N44°37'15"W, 35.00'
- 2) N45°51'56"E, 67.75'
- 3) S56°41'31"E, 15.40'
- 4) N47°23'27"E, 137.14'
- 5) N23°09'37"E, 57.87'
- 6) N47°30'55"E, 312.00'
- 7) N49°10'50"E, 250.48'
- 8) N70°48'12"E, 368.41'
- 9) N52°36'51"E, 217.00'

thence crossing Levisa Fork N47°15'30"E, 160.70'; thence continuing with the right-of-way for the next eleven (11) courses and distances:

- 1) N52°36'51"E, 173.00'
- 2) N37°23'09"W, 15.00'
- 3) N52°36'51"E, 250.00'
- 4) N35°54'54"E, 52.20'
- 5) N49°45'06"E, 200.25'
- 6) N52°36'51"E, 150.00'
- 7) S37°23'09"E, 70.00'
- 8) N52°36'51"E, 250.00'
- 9) N49°45'06"E, 100.12'
- 10) N52°36'51"E, 373.75'
- 11) N63°21'15"E, 254.15'

to the beginning of a curve to the right labeled C2 having a radius of 898.90', an arc length of 582.31', a chord length of 572.18' and a chord bearing of N 81°54'44" E; thence continuing with the right-of-way for the next eight (8) courses and distances:

- 1) S71°17'49"E, 121.36'
- 2) S70°10'03"E, 250.15'
- 3) S70°10'03"E, 250.15'
- 4) S70°10'03"E, 297.37'
- 5) N19°49'57"E, 20.00'
- 6) S70°10'03"E, 300.00'
- 7) S19°49'57"W, 20.00'
- 8) S70°13'18"E, 600.32'

to the beginning of a curve to the left labeled C3 having a radius of 3957.59', an arc length of 149.89', a chord length of 149.88' and a chord bearing of S 68°39'05" E; thence N20°03'51"E, 20.00' to the beginning of a curve to the left labeled C4 having a radius of 1920.23', an arc length of 60.31', a chord length of 60.31' and a chord bearing of S 70°50'25" E to the beginning of a curve to the left labeled C5 having a radius of 1693.08', an arc length of 83.97', a chord length of 83.96' and a chord bearing of S 73°11'49" E; thence N15°22'56"E, 10.00' to the beginning of a curve to the left labeled C6 having a radius of 1683.08', an arc length of 190.92', a chord length of 190.82' and a chord bearing of S 77°52'03" E; thence S08°52'58"W, 20.00' to the beginning of a curve to the left labeled C7 having a radius of 1703.08', an arc length of 144.89', a chord length of 144.85' and a chord bearing of S 83°33'17" E; thence N04°00'29"E, 10.00' to the beginning of a curve to the left labeled C8 having a radius of 1693.08', an arc length of 96.03', a chord length of 96.02' and a chord bearing of S 87°37'01" E; thence S00°45'30"W, 20.00' to the beginning of a curve to the left labeled C9 having a radius of 1713.08', an arc length of 718.72', a chord length of 713.46' and a chord bearing of N 78°44'21" E to the beginning of a curve to the left labeled C10 having a radius of 3627.02', an arc length of 246.52', a chord length of 246.47' and a chord bearing of N 64°00'02" E; thence continuing with the right-of-way for the next two (2) courses and distances:

- 1) N62°39'20"E, 234.30'

2) N27°20'40"W, 10.00'

thence crossing Auxler Road N62°39'20"E, 8.32'; thence N62°39'20"E, 127.08' to the beginning of a curve to the left labeled C11 having a radius of 1372.50', an arc length of 157.71', a chord length of 157.62 and a chord bearing of N 59°21'51" E; thence continuing with the right-of-way for the next two (2) courses and distances:

1) N33°55'39"W, 20.00'

2) N55°37'11"E, 21.37'

to the beginning of a curve to the left labeled C12 having a radius of 1611.75', an arc length of 288.99', a chord length of 288.60' and a chord bearing of N 51°51'12" E to the beginning of a curve to the left labeled C13 having a radius of 756.30', an arc length of 66.90', a chord length of 66.88' and a chord bearing of N 42°20'21" E; thence N50°11'43"W, 10.00' to the beginning of a curve to the left labeled C14 having a radius of 746.30', an arc length of 312.33', a chord length of 310.06' and a chord bearing of N 27°48'55" E; thence S74°10'27"E, 10.00' to the beginning of a curve to the left labeled C15 having a radius of 756.30', an arc length of 271.30', a chord length of 269.85' and a chord bearing of N 05°32'57" E; thence S85°16'21"W, 164.27' to the point on the low water mark of Levisa Fork; thence continuing with the low water mark for the next twenty seven (27) courses and distances:

1) N09°37'33"W, 284.33'

2) N27°18'06"W, 118.11'

3) N24°37'56"W, 313.80'

4) N19°24'25"W, 143.92'

5) N09°59'15"W, 229.02'

6) N09°11'20"W, 343.80'

7) N18°05'06"W, 161.49'

8) N24°43'06"W, 242.83'

9) N36°12'00"W, 131.42'

10) N43°33'36"W, 244.88'

11) N49°50'44"W, 99.42'

12) N56°20'53"W, 116.60'

13) N61°32'03"W, 385.40'

14) N65°26'20"W, 194.22'

15) N58°02'44"W, 94.63'

16) N67°22'49"W, 309.69'

17) N61°20'14"W, 266.58'

18) N60°42'04"W, 380.07'

19) N57°24'53"W, 331.08'

20) N65°47'59"W, 336.46'

21) N62°21'22"W, 207.86'

22) N65°10'49"W, 533.46'

23) N69°43'11"W, 193.29'

- 24) N61°19'15"W, 150.41'
- 25) N65°38'32"W, 187.87'
- 26) N74°30'18"W, 184.84'
- 27) S63°24'53"E, 59.09'

to a point on the Johnson County line at the confluence of Johns Creek and Levisa Fork; thence leaving the right-of-way and with the county line and with the centerline of Johns Creek and crossing Rt. 321 N35°22'50"E, 225.79' to a point on the northern right-of-way; thence with the right-of-way for the next three (3) courses and distances:

- 1) S74°52'00"E, 189.26'
- 2) N15°08'00"E, 30.00'
- 3) S74°52'00"E, 29.30'

to the beginning of a curve to the right labeled C16 having a radius of 5840.00', an arc length of 530.70', a chord length of 530.51' and a chord bearing of S 72°15'48" W; thence N20°20'24"E, 20.00' to the beginning of a curve to the right labeled C17 having a radius of 5860.00', an arc length of 153.40', a chord length of 153.40' and a chord bearing of S 68°54'36" W; thence S21°50'24"W, 20.00' to the beginning of a curve to the right labeled C18 having a radius of 5840.00', an arc length of 958.24', a chord length of 957.17' and a chord bearing of S 63°27'34" W; thence continuing with the right-of-way for the next five (5) courses and distances:

- 1) S58°39'00"E, 10.02'
- 2) S31°21'00"W, 30.00'
- 3) S58°39'00"E, 250.00'
- 4) N31°21'00"E, 30.00'
- 5) S58°39'00"E, 172.39'

to the beginning of a curve to the left labeled C19 having a radius of 2754.88', an arc length of 296.16', a chord length of 296.02' and a chord bearing of S 61°43'49" E; thence continuing with the right-of-way for the next three (3) courses and distances:

- 1) S64°49'00"E, 19.61'
- 2) N25°11'00"E, 10.00'
- 3) S64°49'00"E, 38.79'

to the beginning of a curve to the right labeled C20 having a radius of 5850.01', an arc length of 204.17', a chord length of 204.16' and a chord bearing of S 63°49'00" E; thence continuing with the right-of-way for the next three (3) courses and distances:

- 1) S62°49'00"E, 161.23'
- 2) S27°11'00"W, 20.00'
- 3) S62°49'00"E, 602.67'

to the beginning of a curve to the right labeled C21 having a radius of 7388.58', an arc length of 98.84', a chord length of 98.84' and a chord bearing of S 62°33'44" E; thence N28°03'24"E, 20.00' to the beginning of a curve to the right labeled C22 having a radius of 1940.27', an arc length of 212.77', a chord length of 212.66' and a chord bearing of S 59°25'58" E; thence S34°08'54"W, 50.00'; thence S55°51'06"E, 2.71' to the beginning of a curve to the right labeled C23 having a radius of 1276.32', an arc length of 367.65', a chord length of 366.38' and a chord bearing of S 47°26'40" E; thence N50°48'27"E, 20.00' to the beginning of a curve to the right labeled C24 having a radius of 1296.32', an arc length of 268.65', a chord length of 268.17' and a chord bearing of S 33°15'19" E; thence S62°40'54"W, 15.00' to the beginning of a curve to the right labeled C25 having a radius of 1281.32', an arc length of 51.78', a chord length of 51.77' and a chord bearing of S 26°09'38" E to the beginning of a curve to the right labeled C26 having a radius of 1671.00', an arc length of 158.39', a chord length of 158.33' and a chord bearing of S 22°01'36" E and crossing Rt. 3; thence continuing with the right-of-way for the twelve (12) courses and distances:

- 1) N70°27'07"E, 10.00'
- 2) S18°23'02"E, 177.46'
- 3) S72°07'00"W, 35.00'
- 4) S17°53'00"E, 167.05'
- 5) S17°53'00"E, 7.95'
- 6) N72°07'00"E, 25.00'
- 7) S17°53'00"E, 92.70'
- 8) S16°53'00"E, 100.65'
- 9) S16°53'00"E, 57.95'
- 10) N72°12'50"E, 45.00'
- 11) S17°47'10"E, 100.00'
- 12) S17°47'10"E, 54.90'

to the beginning of a curve to the left labeled C27 having a radius of 5874.75', an arc length of 360.40', a chord length of 360.34' and a chord bearing of S 19°38'36" E; thence continuing with the right-of-way for the four (4) courses and distances:

- 1) S21°17'10"E, 128.90'
- 2) S21°17'10"E, 33.72'
- 3) S68°42'50"W, 20.00'
- 4) S20°23'00"E, 46.49'

to the beginning of a curve to the right labeled C28 having a radius of 1764.64', an arc length of 317.80', a chord length of 317.37' and a chord bearing of S 16°51'50" E to the beginning of a curve to the right labeled C29 having a radius of 936.30', an arc length of 850.44', a chord length of 821.51' and a chord bearing of S 15°54'30" W to a point on the northern right-of-way of Ky. Rt. 302; thence leaving the right-of-way of Rt. 321 and with the right-of-way of Rt. 302 S62°40'11"E, 169.82' to a point on the corporate limits of the city of Prestonsburg; thence with corporate limits and crossing Rt. 302 for the next two (2) courses and distances;

- 1) S14°16'03"W, 139.25'
- 2) S62°30'00"W, 78.73'

to a point on the southern right-of-way of Rt. 302; thence leaving the corporate limits and the right-of-way N62°40'11"W, 230.73' to a point on the right-of-way of Rt. 321; thence leaving the right-of-way of Rt. 302 and with the right-of-way of Rt. 321; said point being the beginning of a curve to the right labeled C30 having a radius of 1282.81', an arc length of 25.12', a chord length of 25.12' and a chord bearing of S 53°22'55" W; thence continuing with the right-of-way for the next two (2) courses and distances:

- 1) N36°37'46"W, 15.00'
- 2) S54°34'33"W, 130.03'

to the beginning of a curve to the right labeled C31 having a radius of 1517.50', an arc length of 198.34', a chord length of 198.20' and a chord bearing of S 58°54'42" W; thence continuing with the right-of-way for the next four (4) courses and distances:

- 1) S62°39'20"W, 127.08'
- 2) S62°39'20"W, 133.32'
- 3) N27°20'40"W, 5.00'
- 4) S62°39'20"W, 109.30'

to the beginning of a curve to the right labeled C32 having a radius of 3746.75', an arc length of 255.56', a chord length of 255.51' and a chord bearing of S 64°01'25" W to the beginning of a curve to the right labeled C33 having a radius of 1843.08', an arc length of 773.43', a chord length of 767.77' and a chord bearing of S 78°44'11" W; thence N00°45'30"E, 30.00' to the beginning of a curve to the right labeled C34 having a radius of 1793.65', an arc length of 359.94', a chord length of 359.34' and a chord bearing of N 83°33'17" W; thence S12°07'57"W, 25.00' to the beginning of a curve to the right labeled C35 having a radius of 1697.10', an arc length of 195.62', a chord length of 195.52' and a chord bearing of N 74°49'08" W to the beginning of a curve to the right labeled C36 having a radius of 1689.40', an arc length of 116.36', a chord length of 116.33' and a chord bearing of N 70°13'26" W; thence N21°16'22"E, 25.01' to the beginning of a curve to the right labeled C37 having a radius of 2360.90', an arc length of 102.45', a chord length of 102.44' and a chord bearing of N 68°16'02" W; thence continuing with the right-of-way for the next eight (8) courses and distances:

- 1) N70°12'51"W, 796.32'
- 2) S19°49'57"W, 20.00'
- 3) N70°10'03"W, 300.00'
- 4) N19°49'57"E, 20.33'
- 5) N70°09'01"W, 102.22'
- 6) N70°09'32"W, 250.15'
- 7) N70°09'32"W, 250.15'
- 8) N71°15'24"W, 102.85'

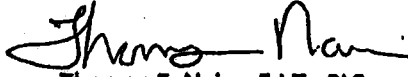
to the beginning of a curve to the right labeled C38 having a radius of 797.47', an arc length of 1021.77', a chord length of 953.30' and a chord bearing of S 63°39'07" W; thence leaving the right-of-way and crossing Rt. 321 S52°36'51"W, 683.30' to a point on the right-of-way of the Bays Branch connector road; thence continuing with said right-of-way for the next two (2) courses and distances:

- 1) S52°36'51"W, 177.54'
- 2) S49°45'06"W, 200.25'

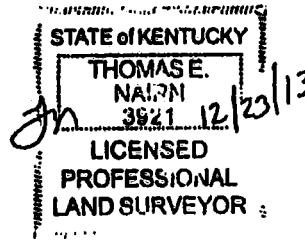
thence crossing Levisa Fork S52°36'51"W, 257.00'; thence continuing with the right-of-way for the next twenty-nine (29) courses and distances:

- 1) S81°22'17"W, 93.54'
- 2) S09°50'41"W, 128.62'
- 3) S55°49'48"E, 233.04'
- 4) S28°05'21"W, 100.00'
- 5) N60°55'30"W, 45.73'
- 6) S59°01'29"W, 49.13'
- 7) N84°49'54"W, 112.43'
- 8) S72°19'25"W, 250.20'
- 9) N79°14'51"W, 170.65'
- 10) S46°54'09"W, 251.23'
- 11) S79°09'01"W, 110.97'
- 12) S44°46'58"W, 196.66'
- 13) S48°22'45"W, 97.51'
- 14) S4°28'34"E, 153.63'
- 15) S54°23'30"W, 95.75'
- 16) S87°02'33"W, 131.55'
- 17) S31°01'51"W, 99.98'
- 18) S15°57'52"W, 444.60'
- 19) S53°32'13"W, 222.40'
- 20) S72°56'37"W, 433.12'
- 21) N88°25'14"W, 62.80'
- 22) S62°36'06"W, 165.19'
- 23) S40°17'29"W, 135.96'
- 24) S60°24'00"W, 256.54'
- 25) N76°44'41"W, 487.18'
- 26) N67°13'17"W, 265.92'
- 27) N31°03'06"W, 131.24'
- 28) N71°24'58"W, 440.00'
- 29) S70°00'06"W, 87.80'

to a point on the proposed eastern boundary of the city of Prestonsburg's corporate limits; thence leaving the right-of-way and with the corporate limits N34°01'49"E, 258.81', crossing the Bayes Branch Connector Road to the point of beginning and containing 107.80 acres more or less.



Thomas E. Nairn, E.I.T., PLS
Bocook Engineering, Inc.
259 North Arnold Avenue
Prestonsburg, KY 41653
Date: 12-23-2013



**OVERSIZE MAPS INCLUDED WITH
SUBMISSION.**

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