

KRS 81A.470 FILINGS CERTIFICATION

I certify that I am the duly qualified City Clerk of the City of Prestonsburg, Kentucky, and the following 3 pages of Ordinance No. 20-88 dated 10/24/88 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on 10/24/88, all as appears in the official records of said City.

WITNESS, my hand and Seal this 1<sup>st</sup> day of May, 2023.



Sharon Setser, City Clerk

(seal)

RECEIVED AND FILED  
DATE August 29, 2023

MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY [Signature]

## ORDINANCE NO. 20-88

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY  
RELATING TO THE FINAL ANNEXATION OF CERTAIN REAL  
PROPERTY LOCATED CONTIGUOUS TO THE SOUTHERN CITY  
LIMITS OF THE CITY OF PRESTONSBURG

WHEREAS, at the regular meeting of the City Council of the City of Prestonsburg, Kentucky, on October the 10th, 1988, a request was made from the owners of certain real property known as the Holiday Inn, owned by Prestonsburg Inn, Incorporated, to be annexed into the City of Prestonsburg pursuant to K.R.S. 81A.412, et. seq. and

WHEREAS, at said meeting, the City Council of the City of Prestonsburg, Kentucky adopted Ordinance No. 19-88 proposing to annex certain real property located at the southern city limits of the City of Prestonsburg, Kentucky, being the same real property owned by Prestonsburg Inn, Incorporated, pursuant to their request; and

WHEREAS, the City Council of the City of Prestonsburg, Kentucky finds that it would be desirable and advantageous to the City of Prestonsburg to annex the subject real property pursuant to the specific provisions of annexation Ordinance No. 19-88 as hereinabove referenced,

BE IT HEREBY ORDAINED BY THE CITY OF PRESTONSBURG, KENTUCKY:

Section 1. That the City Council of the City of Prestonsburg, Kentucky, hereby adopts the provisions of annexation Ordinance No. 19-88 pursuant to the terms set out therein, and annexes to the City of Prestonsburg, Kentucky the following described real property, to-wit:

Beginning at a point of land near the City's southern boundary, which is currently the site of the Arby's Restaurant, where same joins the right-of-way to U.S. 23, and being a 20 foot section of right-of-way running parallel to U.S. 23 from the western or south-western boundary of said right-of-way up the hill in a southerly direction, a width of twenty feet to where said line would intersect and adjoin the following described property, which is currently the site of the Prestonsburg Holiday Inn, which property is bounded and described as follows:

"Beginning at a point 80.00 feet right of station 82 + 65 of U.S. 23 south of Prestonsburg, Kentucky; thence S 11 27' 32" E for 397.99 feet to an iron pin; thence S 88 21' 26" W for 380.21 feet to an iron pin approximately 20 feet up the hill from the top of a rock highwall; thence N 45 31' 16" W for 209.09 feet to an iron pin above the rock wall; thence N 14 30' 36" E for 203.00 feet to an iron pin

above the rock wall; thence N 11 07' 29" W for 392.65 feet to an iron pin near and up hill from a concrete right-of-way marker. Thence N 40 41' 41" E for 15.75 feet to said right-of-way marker being 170.00 feet right of U.S. 23 Station 77 + 00. Thence N 45 11' 22" E for 90.00 feet to an iron pin marking the right-of-way 80.00 feet right of Highway Station 77 + 00. Thence S 44 49' 00" E for 77.36 feet to a point 80.00 feet right of Highway Station 77 + 77.37; thence S 44 25' 45" E for 274.65 feet to a point 80.00 feet right of Station 80 + 52.55. Thence S 44 29' 11" E for 53.66 feet to a point 80.00 feet right of Station 81 + 06; thence S 45 04' 21" E for 95.04 feet to a point 80.00 feet right of Station 82 + 00; thence S 46 47' 02" E for 67.62 feet to the point of beginning, containing 6.26 acres, more or less."

Section 2. Action by a court of competent jurisdiction declaring any section, sub-section, phrase or word of this ordinance to be invalid, unconstitutional and/or void shall not affect the remainder of this ordinance which shall remain in full force and effect.

Section 3. This ordinance shall be in full force and effect from and after its adoption and publication, as required by law.

Section 4. All ordinances or any parts in conflict with the provisions are expressly appealed to the extent of such conflict.

Adopted this the 24th day of October, 1988.

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ANN R. LATTI, MAYOR

ATTEST:

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SUE WEBB, CITY CLERK

AMENDMENT TO ORDINANCE NO. 20-88

RELATING TO ANNEXATION OF REAL PROPERTY LOCATED  
CONTIGUOUS TO SOUTHERN CITY LIMITS OF THE CITY OF  
PRESTONSBURG, KENTUCKY

WHEREAS: On the 24th day of October, 1988 the City of Prestonsburg passed Ordinance No. 20-88 incorporating certain real property located contiguous to the southern City limits of the City of Prestonsburg, Kentucky, pursuant to the written petition of the property owners, being the real property upon which the Holiday Inn is located; and

WHEREAS: The description set out in the petition was not sufficient to accurately include all real property originally designed to be included in the annexation ordinance; and

WHEREAS: In order to accurately define the area designed to be included in the above referenced ordinance an addition should be made to cross U.S. Highway 23 and follow the existing right-of-way back to the current City limits at Prestonsburg Village,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF PRESTONSBURG:

SECTION 1: That Ordinance No. 20-88 is hereby amended so as to include in its description a call to cross U.S. 23 at the Holiday Inn and follow the existing right-of-way of said highway in a northerly direction back to the existing City limits at Prestonsburg Village.

SECTION 2: That an emergency exists in order to clarify the area to be incorporated in the City limits whereupon this ordinance shall be effective as of the date passage of Ordinance No. 20-88, nunc pro tunc, on 10/24/88, to which this amendment is attached, the same as if set out at length therein.

SECTION 3: Action by a court of competent jurisdiction declaring any section, sub-section, phrase or word of this ordinance to be invalid, unconstitutional and/or void shall not affect the remainder of this ordinance which shall remain in force and effect.

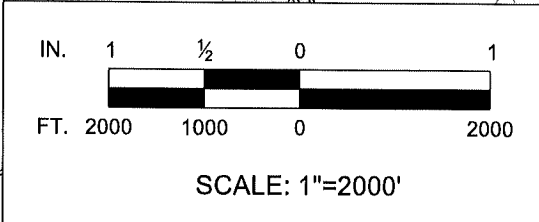
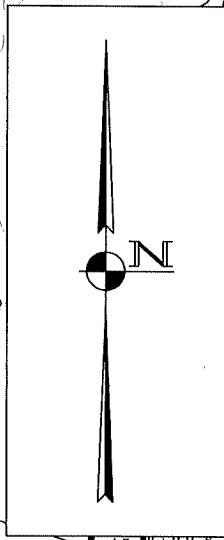
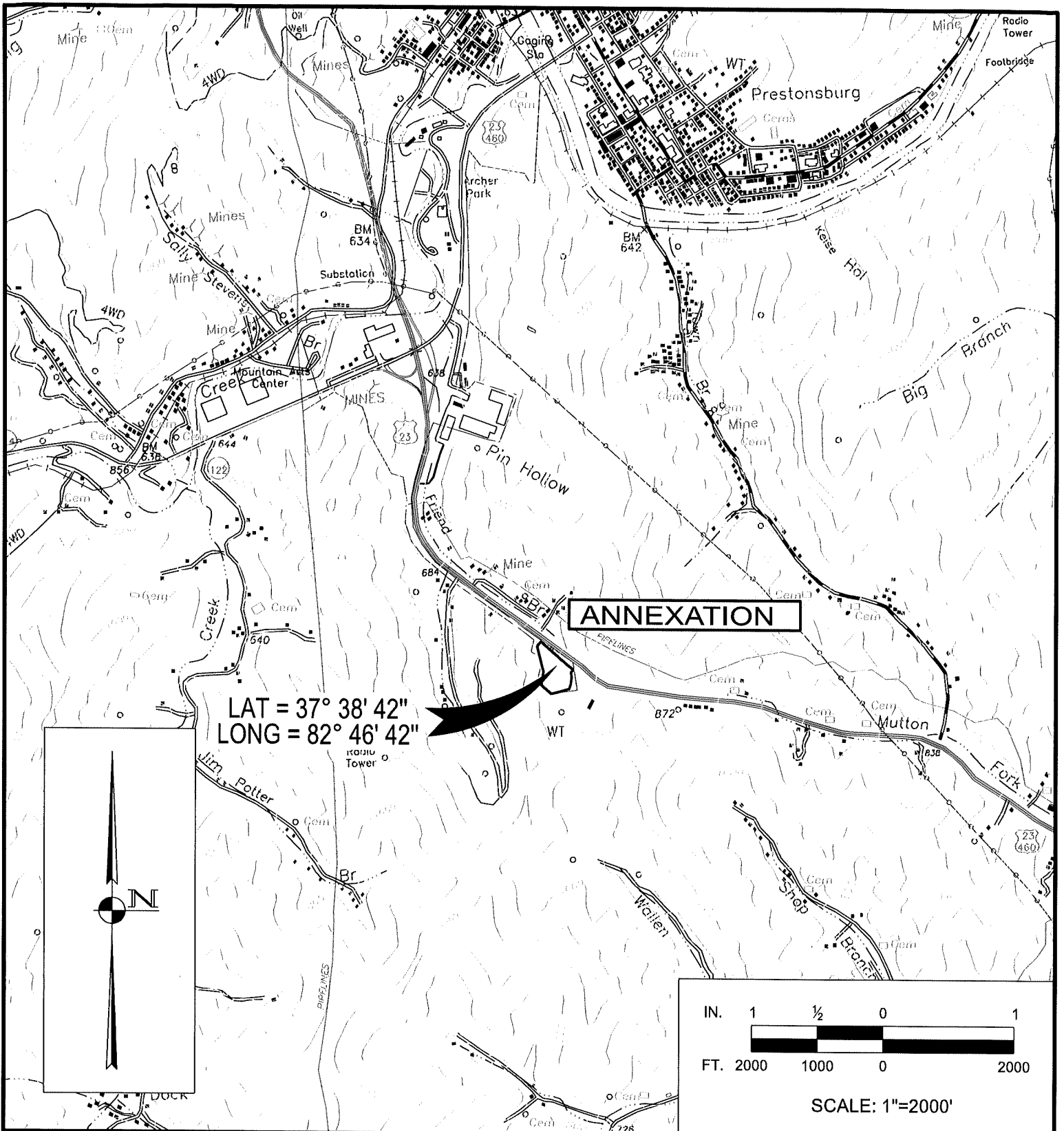
SECTION 4: All ordinances or any parts in conflict with the provisions herein are expressly repealed to the extent of such conflict.

ADOPTED THIS THE 28TH DAY OF NOVEMBER, 1988.

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ANN R. LATTI, MAYOR

ATTEST:

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SUE WEBB, CITY CLERK



**Vicinity Map for  
CITY of PRESTONSBURG  
ANNEXATION  
U.S. Route 23**

w.o. 10381

date: 05/03/23

- Prepared By -

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