

ORDINANCE NO.: 8-2004

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY BY WHICH THE CITY ANNEXES INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED ON U.S. 23 SOUTH

WHEREAS, Floyd Skeans, owner of property contained within that 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", have given prior consent in writing and petitioned the City for annexation and incorporation into the city limits of Prestonsburg said property; and,

WHEREAS, the area as hereinbelow 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,

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 hereinbelow, declares it desirable to annex into the corporate limits of the City of Prestonsburg that certain area 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 City of Prestonsburg does hereby annex into the municipal corporate limits the property described as follows:

A certain tract(s) or parcel(s) of property lying along U.S. Route 23 on Mutton Fork of the Levisa Fork of the Big Sandy River, near Prestonsburg, Floyd County, Kentucky and more particularly described as follows:

Beginning on a point and being a portion of the Floyd Skeans 22.62 acre tract, (Deed Book 363, Page 785), thence with a line in said property, S 56° 12' 51" E, 369.59' to a point, said point being a corner to the Allen First Baptist Church (Deed Book 485, Page 511) and the existing Prestonsburg Annexation line, thence with the line of Floyd Skeans property, the Allen First Baptist Church, and the existing Annexation line, S 23° 51' 35" E, 175.17' to a corner of said lines, said corner being described as a roof bolt, thence S 42° 50' 12" W, 111.05' to a Iron Pin (Set) corner, said corner being on the U.S. 23 Right of Way Line (Deed Book 209, Pg 211) and being 136.00' left U.S. 23 centerline station 157+03, thence, leaving the Allen First Baptist Church property and existing Annexation line and

RECEIVED AND FILED
DATE Feb. 16, 2005

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Jamie Adkins

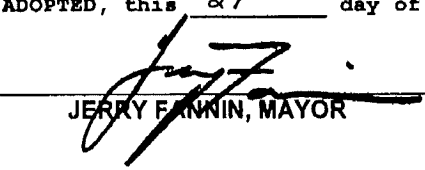
with the U.S. 23 right of way line, N 52° 40' 58" W, 123.60' to a point, said point being 147.65' left of U.S. 23 centerline station 155+76, thence N 61° 38' 06" W, 37.93' to a point, said point being 144.77' left of U.S. 23 centerline station 155+39, point, thence N 69° 03' 08", 46.91' to a point, said point being 134.09' left of U.S. 23 centerline station 154+90, thence N 64° 50' 08" W, 42.56' to a point, said point being 127.53' left of centerline station 154+47, thence staying on the U.S. 23 right of way line, N 57° 41' 41" W, 68.74' to a point, said point being 124.91' left of U.S. 23 centerline station 153+77, thence, N 77° 30' 06" W, 56.85' to a point, said point being 102.65' right of U.S. 23 centerline station 153+23, thence with the right of way line, N 63° 49' 21" W, 58.44, to a point, said point being 92.25' right of U.S. 23 centerline station 152.63, thence, N 52° 38' 16" W, 71.83' to a point, said point being 92.76' right of U.S. 23 centerline station 151+91, thence leaving U. S. 23 right of way line, N 33° 47' 09" E, 237.46' to the Point of Beginning. Containing 2.37 Acres +/-.

Note: The above described parcel is for annexation purposes only and not intended for transfer or conveyance. The above description was based and not limited to actual field surveys, information from the Property Valuation Office as well as areas previously annexed and surveys of others. This description meets all criteria of HB 619 and certifies no easements above or underground.

Section II. The Annexation map attached hereto as Exhibit "A" reflects the descriptions as hereinabove stated and is incorporated herein by reference as a part of hereof.

Section III. Upon the enactment of this ordinance the territory shall become a part of the City of Prestonsburg in accordance with Kentucky Revised Statute 81A.412.

SO RESOLVED, ORDAINED, AND ADOPTED, this 27th day of Dec, 2004.


JERRY FANNIN, MAYOR

ATTEST:


CITY CLERK

1st Reading: 12/13/2004

2nd Reading: 12/27/2004

Now or Formerly
Allen First Baptist Church
Deed Book 485, Page 511

STATE OF KENTUCKY, COUNTY OF FLOYD, S.S.
I, CHRIS WAUGH, Clerk of Floyd County certify that the
foregoing Misc was on the
11 day of Feb, 2005 at 11 o'clock
P.m. lodged for record whereupon the same with
the foregoing and this certificate have been duly recorded
in my office.
Witness my hand, this 11 day of Feb, 2005
CHRIS WAUGH, CLERK By: Shea K. Kiser D.C.

In Accordance with KRS 84A.400, this map of the proposed Annexation Boundaries for the city of Prestonsburg, State of Kentucky, was prepared under my direct supervision based on available information, including but not limited to actual field surveys, information from the Property Valuation Mapping, previously annexed areas of the city, adjoining surveys by others as well as mapping and surveys from the Kentucky Dept. of Transportation. The basis of bearings for survey is Global Positioning Points observed on March 03, 2003 with the field work completed on May 15, 2003 with an unadjusted closure of 1/29000'.



Donald L. Hughes 2878 12/14/04
Donald L. Hughes, PLS Reg. No. Date

Property Lying on the Mutton Fork
of Bull Creek, Floyd County, Kentucky.



3073 Ky. Route 321
Prestonsburg, Ky. 41653
(606) 886-1221

PROPOSED ANNEXATION MAP
TO THE CITY OF PRESTONSBURG

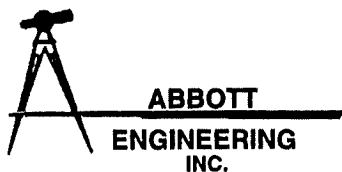
Showing Property of
Floyd Skeans (Portion of)
dba Skeans Marathon
468 U.S. Hwy. 23 N
Allen, Kentucky 41601

Drawn By: AutoCAD\ J. Belcher	Scale: 1"=50'	Revised:
Drawing No: G:\MUTTONFORK\PBURG_MARATHON.DWG	Date: 12-14-04	

CITY OF PRESTONSBURG - ANNEXATION

**SKEANS MARATHON
468 U.S. HWY. 23 NORTH**

DECEMBER 14, 2004



ABBOTT ENGINEERING, INC.
CONSULTING ENGINEERS/LAND SURVEYORS

3073, Ky. Rt. 321
Prestonsburg, Kentucky 41653

Office (606) 886-1221
Fax Number (606) 886-6986

Box 674
Holden, West Virginia 25625-0674

Office (304) 475-4095
Fax Number (304) 475-4098

Mr. Bob Carpenter, Zoning Officer
City of Prestonsburg
200 North Lake Drive
Prestonsburg, Kentucky, 41653

December 14, 2004

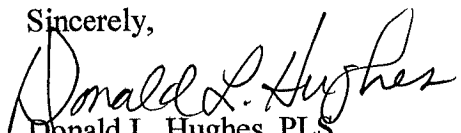
RE: Proposed Annexation

Mr. Carpenter,

Please find enclosed a proposed annexation to be added to the City of Prestonsburg. This area includes the Skeans Marathon Convenience Store, which is a portion of the Floyd Skeans property found in Deed Book 363 Page 585 recorded in the office of the Floyd County Court Clerk. This annexation is the Southern end of the Flea Market area contiguous with the Allen First Baptist Church property

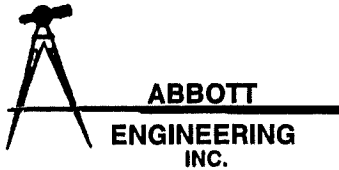
After your review if you should need anything additional or should have questions don't hesitate to call me at the Prestonsburg office.

Sincerely,


Donald L. Hughes, PLS
Abbott Engineering, Inc.

File
Enclosures

XC: Mayor Jerry Fannin
Mr. Jimmy C. Webb
City Attorney



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CITY OF PRESTONSBURG
PROPOSED ANNEXATION
SKEANS MARATHON TRACT
468 U.S. HWY. 23 N.
ALLEN, KY. 41601

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**PROPOSED ANNEXATION - CITY OF PRESTONSBURG
SKEANS MARATHON CONVENIENCE STORE
468 U.S. HWY. 23 NORTH
DECEMBER 14, 2004**

<u>TRACT/OWNER</u>	<u>PVA LISTING</u>	<u>DEED BOOK/PAGE #</u>
FLOYD AND EDITH SKEANS P.O BOX 0248 DWALE, KY. 41621-0248	046-00-00-026.00 046-00-00-026.01	363/785

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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