

MAYOR
JERRY S. FANNIN

CITY COUNCIL
PHILLIP CHAFFINS
GORMON COLLINS
DIANE FISH
DANNY H. HAMILTON
KELLY MOORE
KAY HALE ROSS
DONNA BLACKBURN WELLS
DON WILLIS



200 North Lake Drive
Prestonsburg, Kentucky 41653

(606) 886-2335
Fax (606) 886-0563

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 8/8/05, 2006; 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61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.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 23 day of Feb, 2006.


Sharon Schoolcraft, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 11-2005

RECEIVED AND FILED
DATE March 2, 2006
Duplicate Filing
TERRY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Gandhi Adkins



Home of
The Kentucky Opry • Mountain Arts Center • Thunder Ridge Racetrack • Jenny Wiley Summer Music
Theatre and State Park • Jenny Wiley Pioneer Festival • StoneCrest Golf Course



ORDINANCE NO. 11-2005

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY BY WHICH THE CITY ANNEXES INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED ON KENTUCKY ROUTE 3

WHEREAS, Enrico Ascani, M.D., 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 are more fully described below;

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

SECTION 1: The City of Prestonsburg does hereby annex into the municipal corporate limits the property described as follows:

CITY OF PRESTONSBURG
PROPOSED ANNEXATION
For
Dr. Enrico Ascani

A certain tract(s) or parcel(s) of property lying South of Ky. State Rt. 3 and being near John's Creek of the Levisa Fork of the Big Sandy River, Floyd County, Kentucky and more particularly described as follows:

Beginning at a point on the Eastern control access and right of way line of Ky. State Route 3 (Deed Book 328, Pg. 405) and being a corner of the United States of America Tract 904 (Book LP 15, Pg. 101), said point being 105' right of Ky. Rt. 3 centerline station 154+16.00; thence leaving the U.S.A. Tract 904, and with the right of way line of Ky. State Rt. 3, N 44° 39' 52" E, 272.26' to a Iron Pin/Cap Set in said Ky. State Rt.3 right of way line and being a corner to an access easement to the Lois Marshall property (Deed Book 180, Pg. 83), said point being 96.40' right of Ky. State Rt. 3 centerline station 156+90.40; thence leaving Ky. Rt. 3 right of way line and crossing a gravel road, S 80° 50' 35" E, 34.85' to a P.K. Nail Set, referenced as being in the Northern property line of Enrico and Helen Ascani (Deed Book 515, Pg. 108), said property to be included in this annexation; thence with the Northern line of the Enrico and Helen Ascani property and with the access easement, N 56° 51' 05" E, 91.02' to an Iron Pin/Cap Set and being a corner at the West end of woven wire fence and a cemetery exclusion, said corner being common with Lois Marshall and Enrico and Helen Ascani; thence leaving the access easement line and woven wire fence and with the cemetery exclusion line and the Ascani property, N 81° 14' 49" E, 17.98' to an Iron Pin/Cap Set; thence crossing a small drain and going up the hill, S 63° 14' 29" E, 52.87' to an Iron Pin/Cap Set; thence S 34° 43' 39" E, 75.85' to an Iron Pin/Cap Set near the center of the drain; thence leaving the Enrico and Helen Ascani and said Deed Book 515, Pg. 108, and going around the side of the hill, N 48° 16' 40" E, 74.45' to an Iron Pin/Cap Set; thence going down the hill, N 22° 02' 01" W, 156.59' to an Iron Pin/Cap Set near the center of a ditch in the said access easement and woven wire fence; thence leaving the cemetery exclusion line, running with the access easement and wire fence, N 45° 30' 04" E, 254.55' to an Iron Pin/Cap Set, said iron pin being a corner in the Lois Marshall line; thence leaving the access easement, and with the wire fence and the Lois Marshall line, N 76° 07' 25" E, 359.04' to an Iron Pin/Cap Set; thence S 64° 08' 24" E, 186.10' to an Iron Pin/Cap Set; thence N 06° 29' 37" W, 83.11' to an Iron Pin/Cap Set; thence N 22° 16' 25" W, 37.50' to an Iron Pin/Cap Set; thence N 53° 46' 53" W, 64.28' to an Iron Pin/Cap Set; thence N 59° 13' 22" W, 70.71' to an Iron Pin/Cap Set; thence N 57° 44' 17" W, 56.92' to an Iron Pin/Cap Set at the Northeast end of said wire fence and the edge of a grass road; thence N 88° 11' 06" E, 142.95' to an Iron Pin/Cap Set; thence N 78° 29' 56" E, 119.04' to an Iron Pin/Cap Set, on the West side of a point near a cemetery; thence around the point and cemetery, S 46° 56' 35" E, 155.46' to an Iron Pin/Cap Set; thence crossing the point N 36° 48' 53" E, 66.24' to an Iron Pin/Cap Set; thence N 52° 17' 39" W, 134.73' to an unmonumented corner on the right of

way line of Ky. State Rt. 3, said corner being 193.28' right of State Rt. 3 centerline station 169+74.16; thence leaving Lois Marshall line and the cemetery exclusion line, following the Ky. Rt. 3 right of way line, N 77° 40' 31" E, 629.15' to a point in the right of way line, said point being 260.00' right of Ky. State Rt. 3 centerline station 176+00; thence N 74° 10' 32" E, 265.11' to a point on the right of way line, said point being 279.51' right of Ky. State Rt. 3 centerline station 178+55.98 and being on the property line of Margie Morrison (Deed Book 310, Pg. 361); thence leaving the Ky. State Rt. 3 right of way line and with the Morrison line, S 13° 33' 14" E, 63.48' to a point, said point being on the existing Prestonsburg Corporate Line (Ordinance No. 12-96) at 800' elevation; thence leaving the Margie Morrison line, and with the Prestonsburg Corporate Limit Line S 44° 24' 09" W, 101.54' to a point; thence S 52° 46' 28" W, 618.02' to a point; thence S 31° 05' 55" W, 446.02' to a point; thence N 65° 37' 07" W, 249.16' to a point; thence S 40° 05' 34" W, 523.85' to a point; thence S 15° 46' 49" E, 875.08' to a point; thence S 00° 01' 22" E 235.75' to a point, said point being in the line of said United States of America Tract 904; thence with the U.S.A., Tract 904 line, N 38° 28' 29" W, 1593.24' to the point of beginning, containing 29.42 acres more or less.

Note: The above described parcel is for annexation purposes only and not intended for transfer or conveyance. The above description was based on but 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 KRS 84A.400 and certifies no easements above or underground. All deeds are duly recorded in the office of the Floyd County Court Clerk, Floyd County, Kentucky

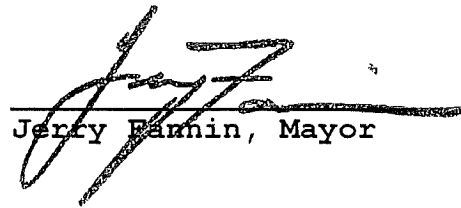
Note: All Iron Pins and Caps or P.K. Nails described in above description were either found or referenced to in Deeds.

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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 enactment of this ordinance the territory shall become a part of the City of Prestonsburg in accordance with KRS 81A.412.

SO RESOLVED, ORDAINED, AND ADOPTED, this 8th day of
August, 2005.



Jerry Hannin, Mayor

Attest:



Sharon Schoolcraft, City Clerk

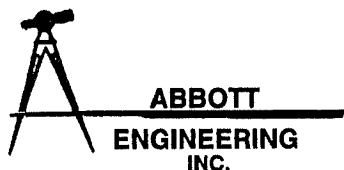
First reading: July 11, 2005
Second reading: August 8, 2005
Publication date: August 14, 2005

CITY OF PRESTONSBURG - ANNEXATION

DR. ENRICO ASCANI

KENTUCKY RT. 3 PROPERTY

August 9, 2005



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

Mayor Jerry Fannin
City of Prestonsburg
200 North Lake Drive
Prestonsburg, Kentucky, 41653

August 10, 2005

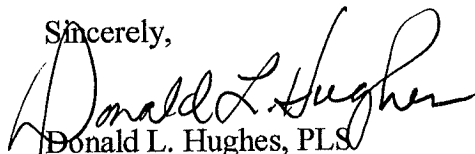
RE: Annexation Dr. Enrico Ascani.

Mayor Fannin,

Please find enclosed information needed for Dr. Ascani's property located on Kentucky State Route 3 near Thunder Ridge. This voluntary annexation is contiguous with the Stonecrest annexation, Prestonsburg City Ordinance 12-96.

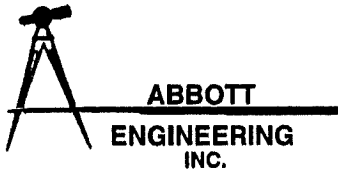
After your review if you should need anything additional or should have questions don't hesitate to call me at the Prestonsburg office.

Sincerely,


Donald L. Hughes, PLS
Abbott Engineering, Inc.

File
Enclosures

XC: Bobby Carpenter
Zoning Officer
City of Prestonsburg



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August 10, 2005

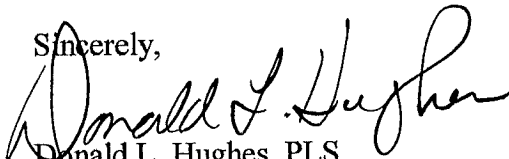
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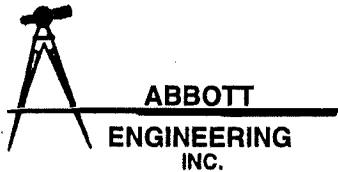
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File
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XC: Mayor Jerry Fannin
City of Prestonsburg



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DON WILLIS



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PETITION FOR VOLUNTARY ANNEXATION

I (WE) Enrico Ascani hereby swear and affirm that we are
the owner(s) of certain property located on deed attached
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.

Enrico Ascani, M.D.
Property Owner

Property Owner

4/28/05
Date



Home of
The Kentucky Opry • Mountain Arts Center • Thunder Ridge Racetrack • Jenny Wiley Summer Music
Theatre and State Park • Jenny Wiley Pioneer Festival



**PROPOSED ANNEXATION - CITY OF PRESTONSBURG
DR. ENRICO ASCANI PROPERTY
KENTUCKY STATE RT. 3**

<u>TRACT/OWNER</u>	<u>2005 PVA LISTING</u>	<u>DEED BOOK/PAGE #</u>
OLIVER H. MARSHALL C/O NANCY M. HACKWORTH 233 RIDGE ROAD RACELAND, KY. 4169	058-00-00-001.00	431/401

**NOTE: PORTION OF THIS TRACT WAS CONVEYED TO DR. ENRICO ASCANI ON APRIL 15, 2005
FOUND IN DEED BOOK 512 PAGE 239.**

MICHAEL A. DILLIAN 3520 HANOVER AVE. RICHMOND, VA. 23221	058-00-00-001.01	488/144
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**NOTE: THIS TRACT WAS CONVEYED TO DR. ENRICO ASCANI AND HELEN ON JUNE 01, 2005
FOUND IN DEED BOOK 515 PAGE 108.**

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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