

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 7/10/2006, 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61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.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 12 day of July, 2006.


Sharon Schoolcraft, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 14-2006

RECEIVED AND FILED
DATE August 22, 2006

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkinson



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. 14-2006

AN ORDINANCE OF THE CITY OF PRESTONSBURG, KENTUCKY BY WHICH THE CITY ANNEXES INTO THE CITY CORPORATE LIMITS CERTAIN REAL PROPERTY LOCATED ALONG STEPHEN'S BRANCH

WHEREAS, property owner, Oples E. Reynolds, within 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 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,

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

ANNEXATION DESCRIPTION OPLES E. REYNOLDS

A certain tract(s) or parcel(s) of land lying along Stephen's Branch Road of Stephen's Branch of the Levisa Fork of the Big Sandy River near Prestonsburg, Floyd County, Kentucky and more particularly described as follows:

Beginning at a point, said point being on the line of existing Prestonsburg Corporation line (Ordinance 10-2006) and within the right of way of the CSX Transportation (Deed Book 10, Page 493) and on the assumed right of way line of the entrance to Mikeal Ranch Road; thence leaving the existing Prestonsburg Corporation line and following the right of way line of Mikeal Ranch Road and crossing the railroad tracks of said CSX Transportation, N 55° 37' 01" E, 48.50' to a point; thence N 50° 26' 09" E, 17.27' to a point, said point being in the

western right of way line of said Mikeal Ranch Road; thence crossing said Mikeal Ranch Road, N 58° 01' 15" E, 26.22' to a point, said point being a common line with the right of way line of said CSX Transportation and Edna Music (Widow-Deed Book 365, Page 464; thence with the lines of Edna Music and CSX Transportation, S 31° 53' 10" E, 11.81' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878, said iron pin being a corner to said Edna Music and Oples Reynolds Property (Deed Book 524, Page 83; thence leaving the CSX Transportation right of way line, with the Edna Music and Oples Reynolds line, N 57° 30' 31" E, 150.02' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878; said iron pin being the top of the river bank of the Levisa Fork of the Big Sandy River and being the southeastern corner of the Edna Music property; thence leaving Edna Music's line, running down the bank of said river, to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878; said iron pin set at the edge of the low water mark of the Levisa Fork of the Big Sandy River; thence with the edge of the water, S 33° 11' 31" E, 207.28' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS 2878; thence leaving the edge of the water, running up the river bank, S 56° 35' 28" W, 75.19' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878; said iron pin being near a fence post corner; thence with the fence line, S 56° 41' 00" W, 106.08' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS 2878, said iron pin being a corner to said Oples Reynolds property and on the eastern right of way line of Mikeal Ranch Road; thence leaving the Oples Reynolds line, crossing Mikeal Ranch Road the railroad tracks of the CSX Transportation, S 56° 41' 00" W, 82.65' to a point on the line of said Prestonsburg Corporation Ordinance 10-2006; thence with the Prestonsburg Corporation line, N 31° 25' 01" W, 182.75' to a point; thence N 40° 28' 33" W, 34.18' to a point; thence crossing the entrance to Mikeal Ranch Road to the point of beginning containing 1.28 acres more or less.

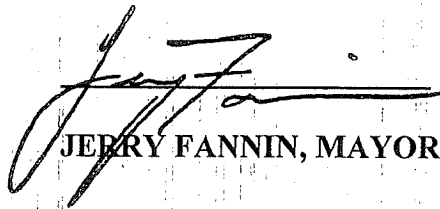
Note: All Iron Pins Set are ½" x 18" rebars with caps stamped "Abbott Engineering PLS 2878" unless otherwise stated or described. All deeds are duly recorded in the office of the Floyd County Court Clerk, Floyd County, Kentucky

Note: This description is intended for annexation purposes only and is not intended for property transfer. The above described is a proposed Annexation boundary and does not represent exact property corners or property lines.

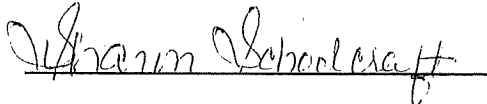
Section II. The Annexation Map attached hereto as Exhibit "A" reflects the descriptions of hereinabove stated and is incorporated herein by reference as a part of hereof.

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 10 **DAY OF** July,
2006.


JERRY FANNIN, MAYOR

ATTEST:

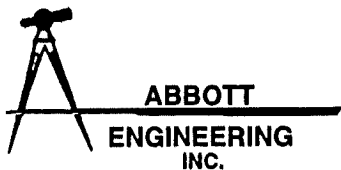


Sharon Schoolcraft, City Clerk

CITY OF PRESTONSBURG - ANNEXATION

**OPLER REYNOLDS
15 MIKEAL RANCH ROAD
PRESTONSBURG, KY. 41653**

June 26, 2006



ABBOTT ENGINEERING, INC.
CONSULTING ENGINEERS/LAND SURVEYORS

3073, Ky. Rt. 321
Prestonsburg, Kentucky 41653

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

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

June 26, 2006

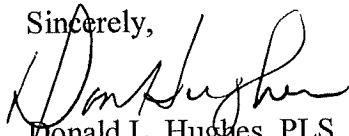
RE: Proposed Annexation.
Stephens Branch.

Mayor Fannin,

Please find enclosed a proposed annexation for the City of Prestonsburg. This area is located at 15 Mikeal Ranch Road. This area is contiguous with City Ordinance 10-2006.

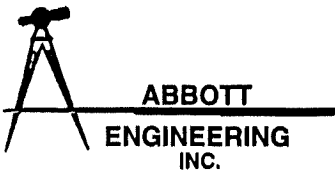
After your review if you should need anything additional or should have questions don't hesitate to call me at the Prestonsburg office.

Sincerely,


Donald L. Hughes, PLS
Abbott Engineering, Inc.

File
Enclosures

XC: Mr. Bob Carpenter
Zoning Officer



ABBOTT ENGINEERING, INC.
CONSULTING ENGINEERS/LAND SURVEYORS

3073, Ky. Rt. 321
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Mr. Bob Carpenter, Zoning Officer
City of Prestonsburg
200 North Lake Drive
Prestonsburg, Kentucky, 41653

June 26, 2006

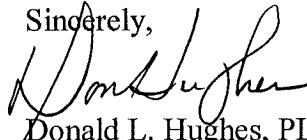
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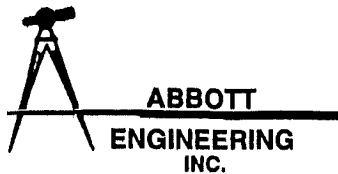
Sincerely,



Donald L. Hughes, PLS
Abbott Engineering, Inc.

File
Enclosures

XC: Mayor Jerry Fannin
City of Prestonsburg



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CONSULTING ENGINEERS/LAND SURVEYORS

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ANNEXATION DESCRIPTION
OPLES E. REYNOLDS

A certain tract(s) or parcel(s) of land lying along Stephen's Branch Road of Stephen's Branch of the Levisa Fork of the Big Sandy River near Prestonsburg, Floyd County, Kentucky and more particularly described as follows:

Beginning at a point, said point being on the line of existing Prestonsburg Corporation line (Ordinance 10-2006) and within the right of way of the CSX Transportation (Deed Book 10, Page 493) and on the assumed right of way line of the entrance to Mikeal Ranch Road; thence leaving the existing Prestonsburg Corporation line and following the right of way line of Mikeal Ranch Road and crossing the railroad tracks of said CSX Transportation, N 55° 37' 01" E, 48.50' to a point; thence N 50° 26' 09" E, 17.27' to a point, said point being in the western right of way line of said Mikeal Ranch Road; thence crossing said Mikeal Ranch Road, N 58° 01' 15" E, 26.22' to a point, said point being a common line with the right of way line of said CSX Transportation and Edna Music (Widow-Deed Book 365, Page 464; thence with the lines of Edna Music and CSX Transportation, S 31° 53' 10" E, 11.81' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878, said iron pin being a corner to said Edna Music and Oples Reynolds Property (Deed Book 524, Page 83; thence leaving the CSX Transportation right of way line, with the Edna Music and Oples Reynolds line, N 57° 30' 31" E, 150.02' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878; said iron pin being the top of the river bank of the Levisa Fork of the Big Sandy River and being the southeastern corner of the Edna Music property; thence leaving Edna Music's line, running down the bank of said river, to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878; said iron pin set at the edge of the low water mark of the Levisa Fork of the Big Sandy River; thence with the edge of the water, S 33° 11' 31" E, 207.28' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS 2878; thence leaving the edge of the water, running up the river bank, S 56° 35' 28" W, 75.19' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS #2878; said iron pin being near a fence post corner; thence with the fence line, S 56° 41' 00" W, 106.08' to an Iron Pin W/Cap, Stamped Abbott Engineering, PLS 2878, said iron pin being a corner to said Oples Reynolds property and on the eastern right of way line of Mikeal Ranch Road; thence leaving the Oples Reynolds line, crossing Mikeal Ranch Road the railroad tracks of the CSX

Transportation, S 56° 41' 00" W, 82.65' to a point on the line of said Prestonsburg Corporation Ordinance 10-2006; thence with the Prestonsburg Corporation line, N 31° 25' 01" W, 182.75' to a point; thence N 40° 28' 33" W, 34.18' to a point; thence crossing the entrance to Mikeal Ranch Road to the point of beginning containing 1.28 acres more or less.

Note: All Iron Pins Set are ½" x 18" rebars with caps stamped "Abbott Engineering PLS 2878" unless otherwise stated or described. All deeds are duly recorded in the office of the Floyd County Court Clerk, Floyd County, Kentucky

Note: This description is intended for annexation purposes only and is not intended for property transfer. The above described is a proposed Annexation boundary and does not represent exact property corners or property lines.



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JERRY S. FANNIN

CITY COUNCIL
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GORMON COLLINS
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DANNY H. HAMILTON
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DONNA BLACKBURN WELLS
DON WILLIS



200 North Lake Drive
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PETITION FOR VOLUNTARY ANNEXATION

I (WE) Roger And Orlan Reynolds hereby swear and affirm that we are
the owner(s) of certain property located on 15 MUSICAL RANCH RD.
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.

Orlan Reynolds
Property Owner

Roger Reynolds
Property Owner

4/18/06
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

**OPLES REYNOLDS
15 MIKEAL RANCH ROAD
PRESTONSBURG, KY. 41653**

<u>TRACT/OWNER</u>	<u>2006 PVA LISTING</u>	<u>DEED BOOK/PAGE #</u>
OPLES REYNOLDS 15 MIKEAL RANCH ROAD PRESTONSBURG, KY. 41653	044-00-00-149.00	524/83

Book 524 Page 83**DEED OF CONVEYANCE**

This Deed of Conveyance made and entered into this 9 day of May, 2006, by and between JERRY FANNIN, 279 Mikeal Ranch Road, Prestonsburg, Kentucky 41653, hereinafter referred to as Party of the First Part, and OPLES REYNOLDS, of 15 Mikeal Ranch Road, Prestonsburg, Kentucky 41653, hereinafter referred to as party of the second part, for her life, with the remainder in fee simple to JERRY FANNIN, 279 Mikeal Ranch Road, Prestonsburg, Kentucky 41653.

WITNESSTH: That for and in consideration of the love and affection that the party of the first part has for the party of the second part, a receipt of which is hereby acknowledged, does hereby grant and convey to the Party of the second party a life estate in the above styled property, all of their rights, title and interest in and to the following described property.

TRACT NO. 2

A certain tract or parcel of land lying and being upon the waters of the Levisa Fork of the Big Sandy River, in Floyd County, near the town of Prestonsburg, Kentucky, and being the same land conveyed to the Party of the First Part by Deed Dated October 14, 1997 from Estill Lee Carter and Peggy Carter, and recorded in deed Book 412, Page 197 of the Floyd County Court Clerk's Office and being more particularly described as follows:

Beginning at an iron pin (set) in the existing right of way of the Chesapeake and Ohio Railway, also being a common corner to tract 1; thence leaving tract 1 and running with the railroad right-of-way along a curve to the left having a Radius of 865.14 feet a Long Chord of 299.06 feet, and a Chord bearing of N 03d 17m 10s W to an iron pin (set), being a corner to Estill Lee and Peggy Carter, thence leaving the right-of-way and across the field with the Cart tract N 70d 49m 10s E, 209.73 feet to an iron pin set on the bank of the Levisa Fork of the Big Sandy River; thence continuing with the Carter line down the bank S 70d 49m 10s W, 100.00 feet to the low water mark of the river; thence leaving the Carter line and up the river S 12d 20m 58s E, 289.68 feet to a point, being a corner to tract 1; thence leaving the river and up the bank with tract 1, S 70d 49m 10s W, 100 feet to an iron pin (set) on top of the river bank; thence continuing with the line W, 257.18 feet to the point of beginning and containing 2.1395 acres as determined by survey.

A 20 foot wide access easement is also to be granted beginning at the current existing railroad crossing and running parallel with the existing railroad right-of-way to the above described lots.

TRACT NO. 3

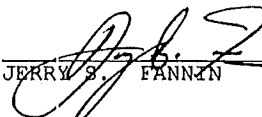
A certain tract or parcel of land lying and being upon the waters of the Levisa Fork of the Big Sandy River, in Floyd County, near the town of Prestonsburg, Kentucky and being the same land conveyed to the Party of the First Part from Estill Lee Carter and Peggy Carter, by Deed Dated, January 21, 1998 and recorded in Deed Book 415, Page 206 of the Floyd County Court Clerk's Office and being more particularly described as follows:

Beginning at the C & O railway right-of-way and box alder near Albert Dotson's house and running toward the Big Sandy River and Albert Dotson's line to Big Sandy River, thence up Big Sandy River to the mouth of Stevens Branch, thence with Steven's Branch to the CSO Railway; thence turning down the railroad with the C & O Railway right-of-way to the box alder bush, the place of beginning.

TO HAVE AND TO HOLD the same together with all the appurtenances thereunto belonging unto the party of the second part and his heirs and assigns forever, with covenant of general warranty.

NO ABSTRACT WAS REQUESTED OR PERFORMED, AND THE DESCRIPTION WAS PROVIDED BY THE PARTIES HERETO.

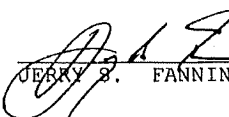
IN TESTIMONY WHEREOF, the party of the first part has hereunto subscribed his name on the day and date first written above.

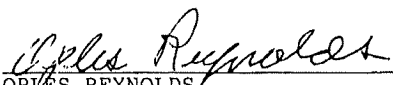

JERRY S. FANNIN

We, **Jerry S. Fannin**, Grantor and **Oples Reynolds** Grantee, do certify, pursuant to KRS Chapter 382, that the true and correct fair cash value for the property herein conveyed is twenty five thousand dollars (\$25,000) and we understand that falsification of the stated full estimated value is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.

Grantors:

Grantee:


JERRY S. FANNIN


OPLES REYNOLDS

STATE OF KENTUCKY
COUNTY OF FLOYD

I, Kristi Howard, a Notary Public in and for the said County and State do hereby certify that the foregoing Deed and Consideration was this day produced to me in said county and duly subscribed, sworn and acknowledged before me, by **JERRY S. FANNIN**, Grantor thereto, to be true and correct and his free act and deed.

Given under my hand this the 9 day of May, 2006.

Commission expires: 9-16-07

Kristi Howard
NOTARY PUBLIC

STATE OF KENTUCKY
COUNTY OF FLOYD

I, Kristi Howard, a Notary Public in and for the said County and State do hereby certify that the foregoing Deed and Consideration was this day produced to me in said county and duly subscribed, sworn and acknowledged before me, by **OPLES REYNOLDS**, Grantor thereto, to be true and correct and her free act and deed.

Given under my hand this the 9 day of May, 2006.

Commission expires: 9-16-07

Kristi Howard
NOTARY PUBLIC

STATE OF KENTUCKY
COUNTY OF FLOYD

I, Cheri Waugh, Clerk of the County Court, in and for the County and State aforesaid, certify that the foregoing deed, was duly lodged for record, whereupon I have duly recorded the same, together with the certificate thereto annexed, and this my certificate in my said office.

No tax pd on same.

Witness my hand this 9th day of May, 2006

Cheri Wankle
CLERK

By: Myra Martha Lawton

This instrument was prepared by:

Jimmy Webb
WEBB LAW OFFICE
Jimmy C. Webb
187 E. Court Street
Prestonsburg, KY 41653
(606) 886-8899

END OF DOCUMENT

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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