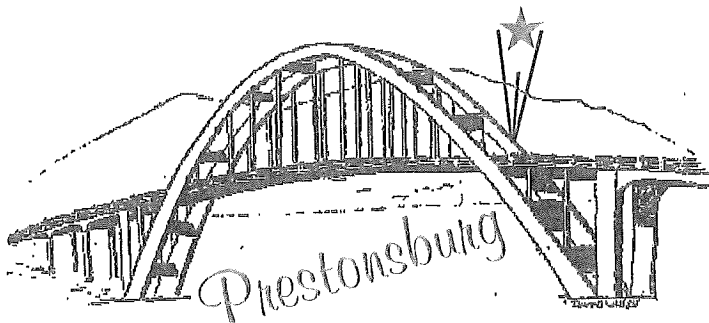


MAYOR
JERRY S. FANNIN

CITY COUNCIL
HARRY ADAMS
BOB CARPENTER
TIMOTHY C. COOLEY
DAVID GEARHEART
FREDDIE L. GOBLE
B.D. NUNNERY
ROY ROBERTS
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 12/20, 2013; 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61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.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 20 day of March, 2013.


Sharon Setser, City Clerk

RESOLUTION NO. _____

ORDINANCE NO. 09-2013

1st Reading

May 16, 2013

2nd Reading

Dec. 20, 2013

Publication

Dec 27, 2013

RECEIVED AND FILED
DATE March 24, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Harlie 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. 09-2013

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 23 SOUTH INCLUDING ALL RIGHT OF WAYS ALONG ROADWAY ENDING AT MILEPOINT 5.46(JUST SOUTH OF FREEDOM FORD)

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,

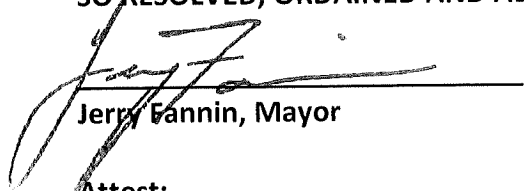
WHEREAS, the City Council, through passage of this ordinance set forth herein below, declares it desirable to annex into the corporate limits of the City of Prestonsburg that certain are more fully described below;

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

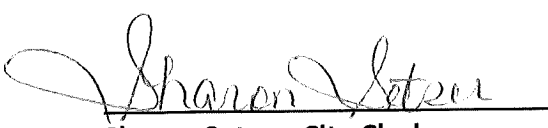
Section I. The Annexation Map attached hereto as Exhibit "A" reflects the description as hereinabove and is incorporated herein by reference as a part thereof.

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 20 **DAY OF** Dec. **,2013.**


Jerry Fannin, Mayor

Attest:


Sharon Setser, City Clerk

COPY

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 2, 2013

Secretary
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622

Re: Notice of Proposed Annexation of Portion of State Highway per KRS 81A.425

Dear Secretary:

The City of Prestonsburg hereby provides notice of its intent to annex, Ordinance No. 09-2013, a portion of a state highway as more particularly described in the intent to annex ordinance attached hereto and incorporated as Exhibit A.

The aforementioned ordinance will have a further second reading before the City Council at a special called meeting Friday December 20, 2013 at 12:00p.m. in the Prestonsburg City Hall, at 200 North Lake Drive, Prestonsburg, KY 41653. [Per the above statute, this date is at least 14 days after the date of this letter.]

If you have any questions or comments, please contact the undersigned or Prestonsburg Special Counsel for Annexation, F. Keith Brown of Pike Legal Group, PLLC, at 502-955-4400.

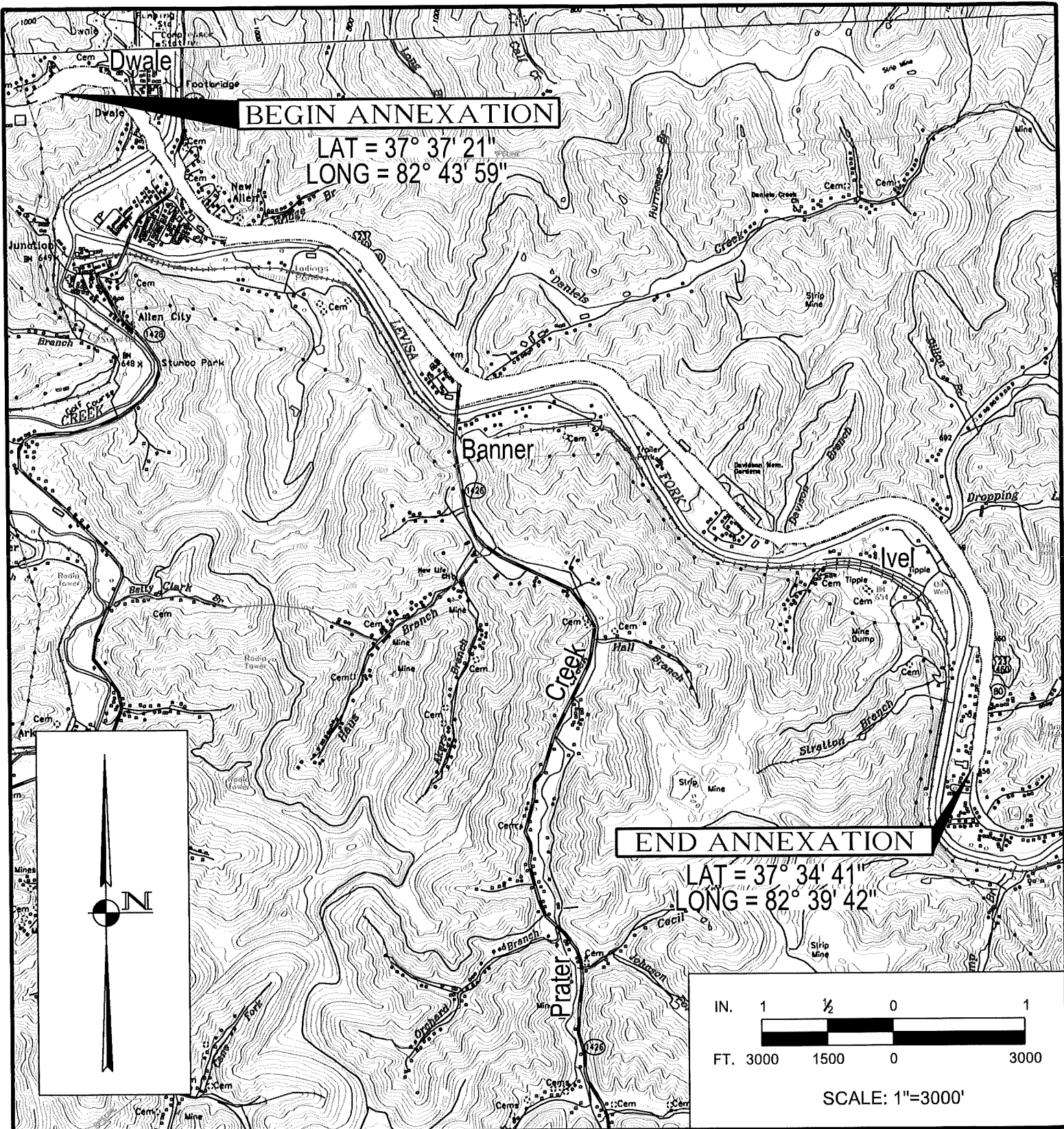
Sincerely,



Sharon Setser, City Clerk
City of Prestonsburg, KY

CC:

Department of Highways,
District Twelve
109 Loraine Street
Pikeville, Kentucky 41501
(Via Certified Mail, Return Receipt Requested)



**CITY of PRESTONSBURG
PROPOSED ANNEXATION
U.S. 23 South - Phase I**

w.o. 8547

date: 12/02/13

- Prepared By -

BOCOOK ENGINEERING, INC
CONSULTING ENGINEERS

312 TENTH STREET
PAINTSVILLE, KY 41240
(606) 789-5961 - phone
(606) 789-7671 - facsimile



259 N. ARNOLD AVE.
PRESTONSBURG, KY 41653
(606) 886-7884 - phone
(606) 886-7895 - facsimile

U.S. 23 South – Phase I - Annexation

Beginning at a point situated on the northern right-of-way line of U.S. 23, said point having a Northing of 2,123,805.27 feet and an Easting of 2,514,115.56 feet with the right-of-way also being the northern boundary of the city of Prestonsburg's corporate limits; thence leaving the corporate limits and with said right-of-way for the next eighteen (18) courses and distances:

- 1) N60°52'56"E, 380.14'
- 2) N35°58'00"E, 175.33'
- 3) N47°04'50"E, 51.66'
- 4) N59°41'18"E, 271.41'
- 5) N83°29'56"E, 441.96'
- 6) S85°11'37"E, 388.76'
- 7) S07°59'15"E, 96.00'
- 8) S72°02'58"E, 243.46'
- 9) S37°37'23"E, 178.40'
- 10) N89°15'07"E, 129.00'
- 11) S41°57'55"E, 178.56'
- 12) S20°31'17"E, 179.00'
- 13) S32°14'06"E, 147.55'
- 14) S47°59'50"E, 550.55'
- 15) S07°59'57"W, 163.38'
- 16) S55°38'21"E, 166.52'
- 17) S45°34'23"E, 103.08'
- 18) S17°07'59"E, 188.94'

thence crossing the Levisa Fork S29°23'22"E, 160.11'; thence continuing with the right-of-way for the next six (6) courses and distances:

- 1) S01°10'02"E, 181.97'
- 2) S25°49'35"E, 50.25'
- 3) S39°06'56"E, 59.52'
- 4) S36°01'46"E, 91.28'
- 5) S32°38'35"E, 202.04'
- 6) N00°42'10"W, 281.74'

thence crossing old Rt. 80, N40°13'45"E, 103.18'; thence continuing with the right-of-way for the next twelve (12) courses and distances:

- 1) S26°04'29"E, 423.12'
- 2) S08°37'57"W, 185.01'

- 3) S03°32'57"E, 67.53'
- 4) S33°57'48"E, 118.11'
- 5) S31°32'13"E, 152.29'
- 6) S32°51'41"E, 272.90'
- 7) N60°19'23"E, 130.74'
- 8) S36°50'47"E, 40.70'
- 9) S28°30'07"W, 108.59'
- 10) S32°06'55"E, 275.04'
- 11) S60°32'09"E, 453.42'
- 12) S73°37'34"E, 361.87'

thence crossing Bridge Branch, N85°27'32"E, 499.82'; thence continuing with the right-of-way for the next eleven (11) courses and distances:

- 1) S45°56'43"E, 49.50'
- 2) N81°59'58"E, 850.19'
- 3) S83°58'59"E, 391.39'
- 4) S76°57'54"E, 323.50'
- 5) S56°40'13"E, 1077.64'
- 6) S32°15'32"E, 400.92'
- 7) S37°02'33"E, 1026.77'
- 8) S36°55'39"E, 1881.53'
- 9) S52°26'00"E, 121.76'
- 10) S68°30'37"E, 286.34'
- 11) S57°12'05"E, 90.69'

thence crossing Daniels Creek and Daniels Creek Rd., S74°36'35"E, 187.54'; thence continuing with the right-of-way for the next twenty-eight (28) courses and distances:

- 1) N76°59'04"E, 280.59'
- 2) N81°46'57"E, 367.58'
- 3) N72°40'38"E, 613.16'
- 4) N80°47'53"E, 366.05'
- 5) N80°43'26"E, 440.88'
- 6) S88°05'26"E, 283.05'
- 7) S70°25'32"E, 608.96'
- 8) S49°00'27"E, 369.16'
- 9) S22°38'01"E, 213.86'
- 10) S54°16'15"E, 261.21'
- 11) S58°07'35"E, 259.62'
- 12) S42°29'03"E, 300.00'
- 13) S24°44'22"E, 262.49'
- 14) S38°15'48"E, 271.74'

- 15) S47°30'57"W, 60.00'
- 16) S42°29'03"E, 579.00'
- 17) N79°24'24"E, 53.00'
- 18) S57°08'45"E, 177.79'
- 19) S42°29'03"E, 900.00'
- 20) S37°30'27"E, 714.67'
- 21) N47°30'15"E, 10.00'
- 22) S43°08'18"E, 538.89'
- 23) S67°39'47"E, 55.90'
- 24) S70°21'31"E, 126.71'
- 25) S19°27'28"W, 6.11'
- 26) S74°24'03"E, 176.65'
- 27) N43°43'24"E, 23.76'
- 28) S78°56'49"E, 95.68'

thence crossing Davison Branch, S79°49'25"E, 198.82'; thence continuing with the right-of-way for the next ten (10) courses and distances:

- 1) N72°08'47"E, 185.47'
- 2) N78°19'18"E, 539.86'
- 3) N51°20'04"E, 221.50'
- 4) N66°19'26"E, 500.90'
- 5) N68°15'44"E, 383.22'
- 6) N72°53'59"E, 441.89'
- 7) N83°38'10"E, 262.61'
- 8) S84°43'58"E, 362.78'
- 9) S68°58'58"E, 482.83'
- 10) S47°19'20"E, 425.44'

thence crossing Ivy Creek, S32°57'48"E, 497.54'; thence continuing with the right-of-way for the next ten (10) courses and distances:

- 1) S37°25'26"E, 403.74'
- 2) S26°13'28"E, 815.96'
- 3) S35°21'40"E, 319.17'
- 4) S14°06'27"E, 759.19'
- 5) S00°12'08"W, 215.84'
- 6) S06°56'24"W, 536.53'
- 7) S01°25'01"E, 413.76'
- 8) S21°15'40"W, 206.16'
- 9) S14°34'35"E, 215.41'
- 10) S16°49'49"W, 329.62'

thence crossing Toms Creek, S00°53'05"W, 226.38'; thence continuing with the right-of-way for the next five (5) courses and distances:

- 1) S07°13'30"W, 714.00'
- 2) S16°37'33"W, 153.06'
- 3) S33°47'24"W, 122.98'
- 4) S06°32'53"W, 227.73'
- 5) S22°26'14"E, 39.82'

thence leaving the eastern right-of-way and crossing U.S. 23 to a point on the western right-of-way, N82°56'31"W, 235.33'; thence continuing with the right-of-way and crossing Toms Creek N07°03'49"E, 2480.87'; thence continuing with the right-of-way for the next two (2) courses and distances:

- 1) N10°20'59"W, 374.36'
- 2) N85°29'06"W, 219.05'

to a point on the low water mark on the east side of Levisa Fork; thence continuing with the low water mark for the next twenty-nine (29) courses and distances:

- 1) N09°40'17"E, 257.47'
- 2) N05°54'26"E, 287.23'
- 3) N02°58'16"W, 196.47'
- 4) N09°34'25"W, 219.34'
- 5) N18°21'26"W, 282.97'
- 6) N28°27'34"W, 255.77'
- 7) N34°13'09"W, 254.88'
- 8) N34°43'24"W, 269.54'
- 9) N31°31'31"W, 339.01'
- 10) N33°03'52"W, 255.67'
- 11) N26°02'57"W, 162.13'
- 12) N51°33'59"W, 94.73'
- 13) N35°26'05"W, 128.91'
- 14) N43°22'23"W, 73.23'
- 15) N52°54'27"W, 157.12'
- 16) N62°03'49"W, 168.67'
- 17) N70°05'25"W, 178.04'
- 18) N82°31'59"W, 184.90'
- 19) S85°12'45"W, 201.40'
- 20) S75°00'34"W, 187.01'
- 21) S68°11'56"W, 298.47'
- 22) S63°14'35"W, 420.32'
- 23) S68°00'53"W, 263.95'
- 24) S64°45'46"W, 93.19'

- 25) S71°01'24"W, 103.63'
- 26) S70°44'54"W, 267.78'
- 27) S76°45'39"W, 67.33'
- 28) S68°38'08"W, 136.62'
- 29) S73°17'01"W, 111.11'

thence leaving the low water mark and continuing with the right-of-way for the next three (3) courses and distances:

- 1) N03°55'16"W, 77.78'
- 2) S88°56'37"W, 448.55'
- 3) S46°16'54"W, 191.20'

thence crossing Davison Branch, N41°28'25"W, 229.24'; thence continuing with the right-of-way for the next fourteen (14) courses and distances:

- 1) N67°51'13"W, 466.54'
- 2) N69°27'06"W, 112.73'
- 3) N51°56'58"W, 149.85'
- 4) N48°09'02"W, 70.42'
- 5) N43°24'37"W, 537.43'
- 6) S68°33'12"W, 69.64'
- 7) N42°29'03"W, 50.00'
- 8) N15°30'38"E, 47.17'
- 9) N42°29'03"W, 105.00'
- 10) N44°11'38"W, 670.30'
- 11) N38°48'21"W, 701.44'
- 12) N42°29'03"W, 579.00'
- 13) N45°17'26"W, 816.98'
- 14) S80°05'24"W, 242.22'

to a point on the low water mark on the east side of Levisa Fork; thence continuing with the low water mark for the next twelve (12) courses and distances:

- 1) N33°12'59"W, 630.03'
- 2) N41°22'59"W, 104.23'
- 3) N53°46'37"W, 211.86'
- 4) N67°34'14"W, 199.48'
- 5) N84°14'24"W, 205.59'
- 6) S87°44'26"W, 178.54'
- 7) S80°55'21"W, 250.10'
- 8) S78°44'37"W, 462.50'
- 9) S76°25'10"W, 438.14'
- 10) S79°37'58"W, 324.23'

11) S77°59'31"W, 679.54'

12) S74°27'53"W, 543.80'

to a point on the right-of-way of Rt. 1428; thence leaving the low water mark and continuing with the right-of-way for the next five (5) courses and distances:

1) N05°52'26"E, 130.01'

2) N06°33'04"E, 131.48'

3) N06°08'58"E, 78.25'

4) N07°49'58"E, 74.63'

5) N14°06'18"E, 89.61'

to a point on the right-of-way of U.S. 23; thence leaving the right-of-way of Rt. 1428, crossing 1428 and continuing with the U.S. 23 right-of-way for the next fourteen (14) courses and distances:

1) N56°16'45"W, 81.01'

2) N46°23'06"W, 199.83'

3) N36°11'03"W, 429.30'

4) N48°22'19"W, 307.04'

5) N37°02'33"W, 690.00'

6) N47°39'44"W, 162.79'

7) N35°24'21"W, 350.14'

8) N53°44'30"W, 208.81'

9) N02°03'02"W, 122.07'

10) N37°49'51"W, 726.82'

11) N38°30'12"W, 285.01'

12) N08°41'06"W, 80.55'

13) N52°44'24"W, 552.17'

14) S41°12'39"W, 120.83'

to a point on the low water mark on the north side of Levisa Fork; thence continuing with the low water mark for the next thirteen (13) courses and distances:

1) N53°04'22"W, 73.47'

2) N57°01'19"W, 188.40'

3) N70°17'50"W, 149.44'

4) N72°38'21"W, 151.40'

5) N83°29'03"W, 290.48'

6) N87°56'41"W, 160.41'

7) S88°27'58"W, 155.36'

8) S88°55'15"W, 223.45'

9) S80°58'02"W, 188.55'

10) S88°05'14"W, 168.86'

11) S86°03'58"W, 293.25'

12) S86°50'02"W, 334.90'

13) S81°21'52"W, 289.87'

thence leaving the low water mark and continuing with the right-of-way for the next eleven (11) courses and distances:

1) N18°12'47"E, 192.52'

2) N82°07'25"W, 324.11'

3) N20°36'51"W, 189.42'

4) N42°36'29"W, 268.14'

5) N44°37'12"W, 238.43'

6) N51°03'47"W, 108.89'

7) N25°23'55"W, 107.86'

8) N34°49'47"W, 255.58'

9) N49°54'52"W, 95.15'

10) N01°59'15"E, 95.96'

11) S75°41'26"W, 36.73'

to a point on the corporate limits on the city of Allen; thence leaving the right-of-way and with the Allen corporate limits, crossing old Rt. 80, N43°28'40"W, 130.46'; thence leaving the Allen corporate limits and continuing with the right-of-way for the next three (3) courses and distances:

1) N17°21'38"W, 179.97'

2) N39°57'50"W, 136.47'

3) N32°14'58"W, 402.03'

thence crossing Levisa Fork, N45°53'41"W, 302.45'; thence continuing with the right-of-way for the next fifteen (15) courses and distances:

1) N06°00'10"W, 173.99'

2) N23°00'22"W, 101.12'

3) N41°39'42"W, 28.44'

4) N61°09'39"W, 117.34'

5) N09°34'31"E, 73.00'

6) N32°03'00"W, 335.01'

7) N39°30'00"W, 339.26'

8) N30°11'56"W, 273.76'

9) N25°13'41"W, 190.71'

10) N76°38'12"W, 38.92'

11) N87°24'59"W, 207.00'

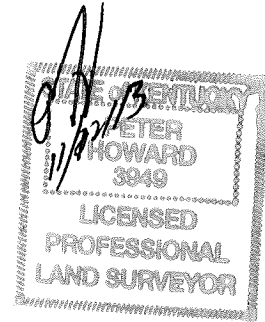
12) N81°06'16"W, 438.02'

13) S64°02'32"W, 715.79'

14) S68°25'48"W, 303.06'

15) S64°12'17"W, 60.24'

to a point on the city of Prestonsburg's southern corporate limits; thence leaving the right-of-way and with the corporate limits N26°54'30"W, 359.60', crossing U.S. 23 to the point of beginning and containing 275.90 acres more or less.



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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