



Suzie M. Gibeaut, CKMC, CMC
City Clerk

City of Raceland
711 Chinn St.
Raceland, KY 41169
606-836-4522 Phone
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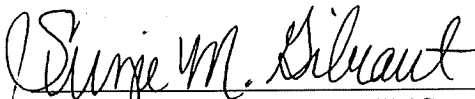
March 19, 2025

Re: Annexation

To Whom It May Concern:

I hereby certify that I am the duly qualified City Clerk for the City of Raceland in Raceland, Kentucky, and the foregoing Ordinance 2025-01 is a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on March 11, 2025, all as appears in the official records of the City.

So certified this 19th day of March 2025.


Suzie M. Gibeaut, CKMC, CMC
City Clerk, Raceland, KY

RECEIVED AND FILED
DATE March 20
2025
MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY James Phillips

ORDINANCE NO. 2025-01

**AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY INTO
THE CITY OF RACELAND, KENTUCKY, FOR THE PURPOSE OF PROMOTING
ECONOMIC DEVELOPMENT AND GROWTH**

WHEREAS, the City of Raceland, Kentucky, pursuant to KRS Chapter 81A, possesses the authority to annex unincorporated territory that is contiguous to its existing boundaries; and

WHEREAS, the property described herein is contiguous to the City's current boundaries, and the property owners have provided written consent to this annexation pursuant to KRS 81A.412; and

WHEREAS, the annexation serves a valid municipal purpose by promoting economic development and growth, enhancing the City's ability to attract new businesses, improve infrastructure, and create opportunities for increased commercial activity; and

WHEREAS, the annexation will extend critical municipal services, including police protection and utility services, to the annexed area to support its development and integration into the City; and

WHEREAS, no residents reside within the annexed area, and all procedural requirements under KRS Chapter 81A have been or will be satisfied.

NOW, THEREFORE, be it ordained by the City Council of the City of Raceland, Kentucky, as follows:

SECTION 1 - General Provisions

(A) Each section is enacted separately and will continue in force even if another section is declared unconstitutional; and all conflicting ordinances are specifically repealed to the extent of said conflict only.

(B) This Ordinance will become effective and enforceable upon its passage, approval, and publication as required by law.

(C) The facts and recitations set out in the recitals of this Ordinance are adopted and incorporated as a part hereof, and the terms defined in the recitals will have the same meanings when used herein.

Section 2 - Annexation of Territory

(A) The following described property is hereby annexed and incorporated into the corporate limits of the City of Raceland, Kentucky:

Being an annexation for the City of Raceland, Kentucky, of the Right-of-Way of Legion Drive, The SOMC Title Holding Company Property (D.B. 682 P.G. 221), and The Bonzo Properties LLC Property (D.B. 632 P.G. 175). Being City Ordinance #01-2025. Located in Greenup County, Kentucky.

Unless stated otherwise, any monument referred to herein as an "Iron Pin Set" is a set 1/2" rebar, twenty-four inches (24") in length, with a surveyor's cap stamped "Howerton, P.L.S. #3582" and "Iron Pin Found" is a 5/8" Iron Pin Found with an aluminum surveyor's cap stamped (Biggs P.L.S. #1965) unless stated otherwise. North is rotated Kentucky State plane North Zone NAD83.

Beginning at an Iron Pin Found in the Southern Right-of-Way of Old US 23 and the Eastern Right-of-Way of Legion Drive whose coordinates are: (N011hing: 384015.77, Easting: 2070666.59). Said Iron Pin Found being a common comer to the City of Raceland. See ordinance #2007-9 surveyed by Richard L. Howerton, dated December 29, 2008.
Thence, leaving Old US 23 and with the East Right-of-Way of Legion Drive for the next 4 calls; S 15° 47' 41" W a distance of 348.16' to an Iron Pin Found.

Thence, S 20° 36' 59" W a distance of 245.80' to an Iron Pin Found. Thence, S 20° 29' 12" W a distance of 17.77' to an Iron Pin Found.

Thence, S 29° 29' 57" W a distance of 426.52' to an Iron Pin Found in the North Right-of-Way of US-23 at Highway Station 1225+35.00 100.00' L of Centerline.

Thence, with the North Right-of-Way of US-23 for the next 12 calls and crossing Legion Drive N 57° 03' 15" W a distance of 65.15' to an Iron Pin Found at Highway Station 1224+75.00 125.00' Left of Centerline. Said Iron Pin Found being a common comer to the SOMC Title Holding Company Property (D.B. 682 P.G. 221). For reference a Iron Pin Found bears N 30° 57' 27" Ea distance of 238.84'.

Thence, with the SOMC Property for the next 4 calls; N 72° 40' 28" W a distance of 277.22' to an Iron Pin Set at Highway Station 1222+00.00 160.00' Left of Centerline.

Thence, S 61° 37' 26" W a distance of 64.40' to an Iron Pin Found at Highway Station 1221+50.00 120.00' Left of Centerline.

Thence, N 71° 23' 06" W a distance of 99.97' to a 1/2" Iron Pin Found (MDR PLS# 3487). Said Iron Pin Found being a common comer to the Bonzo Properties LLC. Property (D.B. 632 P.G. 175) and being the Southwest corner of the said SOMC Property.

Thence, Leaving the said SOMC Property and with the said Bonzo Property for the next 8 calls; N 71° 22' 19" W a distance of 202.96' to an Iron Pin Found at Highway Station 1218+50.00 165.00' Left of Centerline.

Thence, N 85° 11' 57" W a distance of 130.59' to an Iron Pin Found at Highway Station 1217+20.00 149.30' Left of Centerline.

Thence, N 85° 17' 45" W a distance of 40.10' to an Iron Pin Found at Highway Station 1216+80.00 149.30' Left of Centerline.

Thence, N 85° 09' 16" W a distance of 481.85' to an Iron Pin Found at Highway Station 1212+00.00 105.00' Left of Centerline.

Thence, N 80° 31' 57" W a distance of 69.98' to an Iron Pin Found at Highway Station 1211+30.00 104.20' Left of Centerline.

Thence, N 80° 32' 32" W a distance of 380.16' to an Iron Pin Found at Highway Station 1207+50.00 100.00' Left of Centerline.

Thence, N 48° 48' 45" W a distance of 67.84' to a 5/8" Iron Pin Found (No Cap) at Highway Station 1206+91.99 135.00' Left of Centerline.

Thence, N 83° 50' 06" W a distance of 81.86' to an Iron Pin Found whose coordinates are: (Northing: 383429.30, Easting: 2068379.32). Said Iron Pin Found being a common corner to the Thornsberry Family Trust Property (D.B. 637 P.G. 617).

Thence, leaving US-23 Right-of-Way and with the Said Thornsberry Property and with the Bonzo Property N 16° 17' 48" Ea distance of 299.88' to an Iron Pin Found. Said Iron Pin Found being the Northeast corner of the said Thornsberry Property and being in the Right-of-Way of Altawood Avenue.

Thence, with the Right-of-Way of Altawood Avenue and with the John & Vicky Webb Property (D.B. 464 P.G. 308) N 16° 16' 21" Ea distance of 215.00' to an Iron Pin Found. Said Iron Pin Found being a common corner to the said Webb Property and to a 20' Alley.

Thence, with said Alley S 73° 43' 58" Ea distance of 380.06' to an Iron Pin Found. Said Iron Pin Found being a common corner to said Alley and to the Sandra & Richard Loperfido Property (D.B. 658 P.G. 298).

Thence, with the said Loperfido Property and with the Bonzo Heirs Property (D.B. 474 P.G. 067) S 73° 42' 29" E 819.67' to an Iron Pin Found. Said Iron Pin Found being a common corner to the Bonzo Heirs Property.

Thence, with the Bonzo Heirs Property S 80° 25' 43" Ea distance of 268.14' to an 1/2" Iron Pin Found (MDR PLS #3487). Said Iron Pin Found being a common corner to the said SOMC Property.

Thence, with the Bonzo Heirs Property and with the SOMC Property S 80° 25' 40" Ea distance of 492.32' to an Iron Pin Found in the Right-of-Way of Legion Drive. For Reference an Iron Pin Found bears S 16° 59' 49" W a distance of 1.00'.

Thence, with the Right-of-Way of Legion Drive for the remainder of this survey N 20° 46' 00" Ea distance of 245.08' to an Iron Pin Found.

Thence, N 15° 47' 25" E a distance of 181.30' to an Iron Pin Found.

Thence, N 15° 46' 51" Ea distance of 166.20' to a Point Not Monumented in the Right-of-Way of Old US-23.

Thence, with the Right-of-Way of Old US-23 and the Right-of-Way of Legion Drive S 81° 59' 29" Ea distance of 60.56' back to the Point of Beginning. Containing a total of 20.13 acres, 4.00 acres being the SOMC Title Holding Company Property (D.B. 682 P.G. 221), 14.71 Acres being the Bonzo Properties LLC. Property (D.B. 632 P.G. 175), and 1.42 Acres being the Right-of-Way of Legion Drive.

The above-described parcel is subject, however, to the rights of way and public utility easements, if any, that may be on legal recording covering said premises.

A more detailed description, see project #405-034/Drawing #1558 of survey, by: Richard L. Howerton PLS # 3582 of Howerton Engineering & Surveying PLLC in Greenup, KY dated December 30, 2024.

(B) This property is deemed contiguous to the current city boundaries under the definition set forth in KRS 81A.410.

(C) A survey of the annexed territory was conducted, and a copy of the plat is attached to this Ordinance, making it hereby incorporated by reference.

Section 3 - Municipal Services Provided

(A) Upon annexation, the City of Raceland will extend the following municipal services to the annexed property:

1. **Police Protection:** The Raceland Police Department will provide police protection services.
2. **Utility Services:** The City of Raceland will provide access to water, sewage, and trash collection services as applicable.
3. **Fire Protection:** Fire protection services will be provided once the requirements of KRS Chapter 75 have been satisfied.

(B) These services are intended to support the development of the annexed property and its integration into the economic framework of the City.

Section 4 - Zoning Classification

The annexed territory will be zoned for commercial activity.

Section 5 - Economic Development Purpose

The City of Raceland seeks to:

1. Create opportunities for business and commercial development.
2. Encourage infrastructure improvements to support economic activity.
3. Increase the City's tax base and enhance its ability to provide municipal services.

SECTION 6 – Tax Obligations for Future Businesses

If businesses are established within the annexed territory, the following tax obligations will apply:

(A) Occupational Tax Responsibilities:

1. All businesses operating within the annexed territory will be subject to the City's occupational tax as outlined in applicable municipal ordinances.
2. Businesses must register with the City for occupational tax purposes within thirty (30) days of commencing operations.

(B) Property Tax Responsibilities:

1. The property owner will be responsible for payment of all applicable City property taxes from the effective date of this ordinance.
2. Businesses leasing or occupying property within the annexed territory may be held jointly liable with the property owner for any unpaid taxes as permitted by law.

(C) Notification of Tax Obligations:

1. The City will notify property owners and businesses of their tax obligations upon annexation and prior to the commencement of operations within the annexed territory.
2. Notices will include details about tax rates, payment deadlines, and methods of compliance.

(D) Compliance and Enforcement:

1. The City reserves the right to enforce tax compliance through penalties, interest, or other measures provided by law.
2. Non-compliance with City tax obligations may result in the suspension or revocation of business licenses and permits.

Section 7 - Notification and Compliance

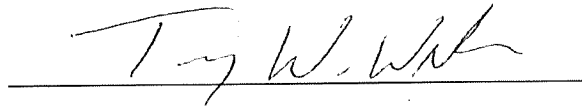
(A) The City Clerk will be directed to:

1. File a copy of this ordinance, including the legal description, with the Greenup County Clerk's Office as required by KRS 81A.470.
2. Notify the Greenup County Fiscal Court and other relevant authorities of the annexation.

3. Publish this ordinance in accordance with KRS Chapter 424.

(B) The City Council affirms that all statutory notice and procedural requirements under KRS Chapter 81A have been or will be satisfied.

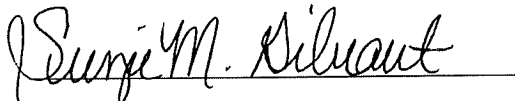
APPROVED BY:



TONY WILSON, MAYOR

CITY OF RACELAND, KENTUCKY

ATTEST:



SUZIE M. GIBEAUT, CITY CLERK

CITY OF RACELAND

FIRST READING: 2-18-2025

SECOND READING: 3-11-2025

PUBLISHED: 3-20-2025

SUMMARY OF ORDINANCE NO. 2025-01

The City of Raceland has enacted Ordinance No. 2025-01, annexing unincorporated territory, including the right-of-way of Legion Drive, SOMC Title Holding Company Property, and Bonzo Properties LLC Property. The annexation aims to promote economic development, expand municipal services, and enhance infrastructure. The newly annexed area will be zoned for commercial activity, with police, fire, and utility services extended to support growth.

Although it outlines tax obligations for businesses operating in the annexed territory no new taxes will be created for the citizens of Raceland by this ordinance. A full copy of the ordinance with the legal description of the property and survey plat is available for public inspection at Raceland City Hall during regular business hours.

Published March 20, 2025

Description

Being an annexation for the City of Raceland, Kentucky, of the Right-of-Way of Legion Drive, The SOMC Title Holding Company Property (D.B. 682 P.G. 221), and The Bonzo Properties LLC Property First Tract (D.B. 632 P.G. 175). Being City Ordinance #01-2025. Located in Greenup County, Kentucky.

Unless stated otherwise, any monument referred to herein as an "Iron Pin Set" is a set 1/2" rebar, twenty-four inches (24") in length, with a surveyor's cap stamped "Howerton, P.L.S. #3582" and "Iron Pin Found" is a 5/8" Iron Pin Found with an aluminum surveyor's cap stamped (Biggs P.L.S. #1965) unless stated otherwise. North is rotated Kentucky State plane North Zone NAD83.

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Thence, leaving Old US 23 and with the East Right-of-Way of Legion Drive for the next 4 calls; S 15° 47' 41" W a distance of 348.16' to an Iron Pin Found.

Thence, S 20° 36' 59" W a distance of 245.80' to an Iron Pin Found.

Thence, S 20° 29' 12" W a distance of 17.77' to an Iron Pin Found.

Thence, S 29° 29' 57" W a distance of 426.52' to an Iron Pin Found in the North Right-of-Way of US-23 at Highway Station 1225+35.00 100.00' L of Centerline.

Thence, with the North Right-of-Way of US-23 for the next 12 calls and crossing Legion Drive N 57° 03' 15" W a distance of 65.15' to an Iron Pin Found at Highway Station 1224+75.00 125.00' Left of Centerline. Said Iron Pin Found being a common corner to the SOMC Title Holding Company Property (D.B. 682 P.G. 221). For reference a Iron Pin Found bears N 30° 57' 27" E a distance of 238.84'.

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Portsmouth

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**HOWERTON
ENGINEERING &
SURVEYING PLLC**

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Thence, N 85° 09' 16" W a distance of 481.85' to an Iron Pin Found at Highway Station 1212+00.00 105.00' Left of Centerline.

Thence, N 80° 31' 57" W a distance of 69.98' to an Iron Pin Found at Highway Station 1211+30.00 104.20' Left of Centerline.

Thence, N 80° 33' 07" W a distance of 141.03' to an Iron Pin Found in the East Right-of-Way of Poplar Street and at Highway Station 1209+89.03 102.65' Left of Centerline. Said Iron Pin Found being a common corner to the Bonzo Properties LLC Tract 2 (D.B. 632 P.G. 175) and also bears S 80° 31' 38" E a distance of 80.50' from an Iron Pin Found.

Thence, Leaving the Right-of-Way of US-23 and with the East Right-of-Way of Poplar Street and with the said Bonzo Properties Property N 16° 20' 43" E a distance of 500.78' to an Iron Pin Found in the Right-of-Way of Poplar Street and being a common corner to the Sandra & Richard Loperfido Property (D.B. 658 P.G. 298). Said Iron Pin Found bears S 73° 40' 35" E a distance of 80.00' from an Iron Pin Found.

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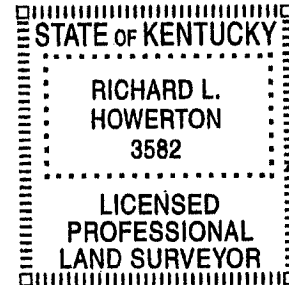
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A more detailed description, see project #405-034/Drawing #1558 of survey, by: Richard L. Howerton PLS # 3582 of Howerton Engineering & Surveying PLLC in Greenup, KY dated December 30, 2024.

Richard L. Howerton 2, 4, 25

Richard L. Howerton PLS # 3582



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