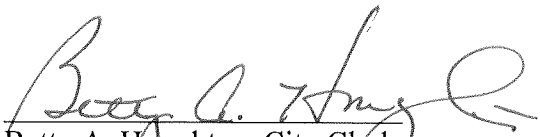


**CERTIFICATE OF CITY CLERK**

I, Betty A. Houghton, hereby certify that I am duly qualified and acting City Clerk of the City of Richmond, Kentucky, and that Ordinance 06-10 is a true and correct copy of this ordinance and was approved and adopted April 11, 2006 at a duly held City Commission meeting 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61.825, that a quorum was present for this meeting and that said ordinance has not been modified, amended, revoked, or repealed and that same is now in full force and effect.

**IN TESTIMONY WHEREOF**, witness my signature as City Clerk and the official Seal of said City this the October 27, 2009.

  
Betty A. Houghton, City Clerk

(Seal of City)

RECEIVED AND FILED  
DATE October 30, 2009

\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Alderman

## ORDINANCE NO. 06-10

### **AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY, ANNEXING APPROXIMATELY 8.051 ACRES OF LAND ADJACENT TO THE CITY LIMITS.**

**WHEREAS**, the owner of record of the unincorporated territory described below would like to have annexed to the incorporated area of the City of Richmond, Kentucky approximately 8.051 acres of land adjacent to the City Limits, and

**WHEREAS**, 25 South Properties, LLC, the sole owner of the land being proposed for annexation has by letter dated February 6, 2006 applied for voluntary annexation.

**WHEREAS**, it is the intent of the Richmond City Board of Commissioners to annex this land described below as per annexation procedures established by Ordinance No. 96-17, adopted February 20, 1996.

**WHEREAS**, the proposed annexation meets the requirement of KRS 81A.410, and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412, and

**WHEREAS**, it is declared pursuant to KRS 81A.420 that it is desirable to annex this unincorporated territory and the Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 for its recommendation as to zone classifications and any zoning map amendments.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Commissioners of the City of Richmond that:

### **SECTION I**

#### **I-2 Tract**

A certain tract of land located on the west side of US Highway 25 and lying approximately 0.38 miles south of the intersection of US 25 and the Richmond Bypass (SR 876) Richmond, Madison County, Kentucky, and being more particularly described as follows:

Unless otherwise stated any corner set this survey is a 1/2" diameter rebar, 18" long with a plastic cap stamped "LS 670". Bearings are based on a magnetic bearing observed on 7/22/05 along the white line of highway 25 and calculated on all other lines.

Beginning at a found 1/2" iron pipe at the common corner with a parcel of the Burnam Estate leased by the Lowes' Companies, Inc. (deed book 551 page 556) and the west right of way of US 25. Thence, with said right of way S05°10'25"E 50.00' to a set steel

pin and cap common corner with Lot #3. Thence, leaving the right of way of US 25 and continuing with the line of Lot #3 S84°50'53"W 285.29' to a corner of Lot #3. Thence, S02°38'18"E 92.73' to a set steel pin and cap. Thence, S07°13'48"E 257.11' to a set steel pin and cap set at the corner of Lot #3 and common corner with the Burnam Heirs (deed book 551 page 556). Thence, with the Caperton Burnam Heirs (deed book 551 page 556), S84°47'45"W 373.25' to corner post, reference pins set at 1' each side and on line. Thence, continuing with said tract of the Caperton Burnam Heirs, 3 calls, N05°14'25"W 400.00' post, reference pins set 2' each side and on line. Thence, N05°09'38"W 238.49' to a pk nail found in the corner fence post, reference pins set 1' each side and on line. Thence, N84°43'55"E 374.22' to a .5" id iron pipe found at the common corner with the Lowe's lease lot. Thence, still with the Lowe's lot S05°18'12"E 239.32' to a ½" steel pipe found. Thence, N84°50'53"E 279.07' to the point of beginning and containing 5.7609 acres.

This survey for which this description was based was performed under the direction of Charles E. Black, a duly licensed Land Surveyor in the state of Kentucky, on 7/22/05 with an unadjusted error of closure of 1 foot in 36,154 feet and the bearings and distances shown hereon have not been adjusted.

### **B-3 Tract**

A certain tract of land located on the west side of US Highway 25 and lying approximately 0.38 miles south of the intersection of US 25 and the Richmond Bypass (SR 876) Richmond, Madison County, Kentucky, and being more particularly described as follows:

Unless otherwise stated any corner set this survey is a ½" diameter rebar, 18" long with a plastic cap stamped "LS 670". Bearings are based on a magnetic bearing observed on 7/22/05 along the white line of highway 25 and calculated on all other lines.

Beginning at a found ½" iron pipe at the common corner with a parcel of the Burnam Estate leased by the Lowes' Companies, Inc. (deed book 551 page 556) and the west right of way of US 25. Thence, with said right of way S05°10'25"E 50.00' to a set steel pin and cap in the West right of way of US 25, the real point of beginning, S05°10'25"E 349.33' to a set steel pin and cap, corner with the Caperton Burnam Heirs (deed book 551 page 556). Thence, leaving the right of way of US 25 and continuing with the line of the Burnam Heirs, S84°47'45"W 280.17' to a steel pin and cap set in the line with Burnam Heirs. Thence, leaving the Burnam Heirs with the line of Lot #3, N07°13'48"W 257.11' to a set steel pin and cap. Thence, N02°38'18"W 92.73' to a set steel pin and cap. Thence, N84°50'53"E 285.29' to the point of beginning and containing 2.290 acres.

This survey for which this description was based was performed under the direction of Charles E. Black, a duly licensed Land Surveyor in the state of Kentucky, on 7/22/05 with an unadjusted error of closure of 1 foot in 36,154 and the bearings and distances shown hereon have not been adjusted.

**SECTION II**

The Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 on November 23, 2006 and recommended the zoning classification of subject property be B-3 and I-2. The property shall be so zoned in accordance with that recommendation.

**SECTION III**

The City Clerk shall cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

**Date of First Reading:** March 28, 2006

**Motion By:** Commissioner Brewer

**Seconded By:** Commissioner Barnes

<b>Vote:</b>	<b>Yes</b>	<b>No</b>
Commissioner Barnes	X	
Commissioner Blythe	X	
Commissioner Brewer	X	
Commissioner Jones	X	
Mayor Lawson	X	

**Date of Second Reading:** April 11, 2006

**Motion By:** Commissioner Brewer

**Seconded By:** Commissioner Jones

<b>Vote:</b>	<b>Yes</b>	<b>No</b>
Commissioner Barnes	X	
Commissioner Blythe	X	
Commissioner Brewer	X	
Commissioner Jones	X	
Mayor Lawson	X	

\_\_\_\_\_  
**Mayor**

**Attest:**

\_\_\_\_\_  
**City Clerk**

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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