

**CITY OF SHELBYVILLE
ORDINANCE NO. 2022-11-03(A)**

**AN ORDINANCE ANNEXING PROPERTY
TO THE CITY OF SHELBYVILLE**

BE IT ORDAINED BY THE CITY OF SHELBYVILLE, KENTUCKY:

SECTION ONE: The City of Shelbyville finds that certain real property owned by Protegrity Properties of Kentucky, Inc., consisting of two (2) parcels totaling eight (8) acres, and more particularly described herein, is contiguous to the City of Shelbyville and is suitable for development for urban purposes without unreasonable delay. The Shelbyville City Council further finds that said property is not included within the bounds of any other incorporated city, that the owners of said property have executed a written consent to be annexed within the limits of the City of Shelbyville, and that it is desirable that said property be annexed into the City of Shelbyville.

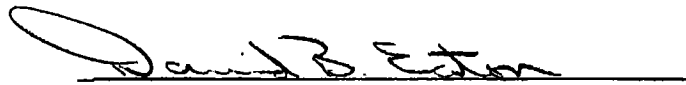
SECTION TWO: Based upon the aforementioned findings, there is hereby annexed to the City of Shelbyville, and its boundary line is extended so as to include within the limits of the City of Shelbyville, the property described as follows:

Property owned by Protegrity Properties of Kentucky, Inc., which is more particularly described in **Appendix A** to this Ordinance (which includes a Request and Consent to Annex letter from the property owner, a property description, and a plat of the property), and which Appendix is incorporated by reference herein as if set forth in its entirety.

This ordinance may be published in summary.

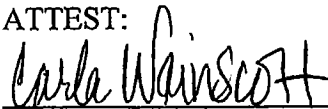
Introduced, seconded and given first reading at a duly convened meeting of the City Council of the City of Shelbyville on the 20th day of October, 2022.

Given a second reading and enacted at a duly convened meeting of the City Council of the City of Shelbyville on the 3rd day of November, 2022.



David B. Eaton, Mayor

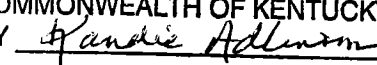
ATTEST:



Carla Wainscott, City Clerk

RECEIVED AND FILED

DATE February 23, 2023

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 

I, Carla Wainscott, City Clerk, City of Shelbyville, Kentucky, do hereby certify that the foregoing is a true and accurate copy of City of Shelbyville Ordinance No. 2022-11-03(A).



Carla Wainscott, City Clerk

Date: November 4, 2022

September 30, 2022

Mayor David B. Eaton
City of Shelbyville
315 Washington Street
Shelbyville, Kentucky 40065

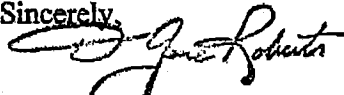
Re: Request and Consent to Annex

Dear Mayor Eaton:

Pursuant to KRS 81A.412, Protegrity Properties of Kentucky, Inc. requests that property we currently own on Shelbyville Road (PVA # 031A-06-029 and 031-06-030), in Shelby County, Kentucky, identified more specifically in the attached property description and plat, be annexed into the City of Shelbyville. Please consider this letter to be our official Request and Consent to Annex for the purpose stated herein.

We appreciate your consideration of this request and initiating the process for annexation. Should you have any questions or need additional information, please contact me as necessary.

Sincerely,



Gene Roberts, Managing Member

October 4, 2022

BOUNDARY DESCRIPTION FOR ANNEXATION

Protegrity Properties of Kentucky, Inc.
2279 & 2251 Shelbyville Road, Shelby County, KY

Being two adjoining tracts of land situated on the north side of Shelbyville Road and being approximately 500 feet west of the KY-55 / Shelbyville Road intersection in Shelby County Kentucky and being more particularly described as follows:

PARCEL A

Beginning at a found iron pin (PLS 2123) in the north right-of-way of US-60 (Shelbyville Road) and being the southeast corner of Russell and Patsy Anderson as recorded in Deed Book 590 Page 702; thence with Anderson N 12°45'39" E a distance of 1,002.35 feet to a found iron pin (PLS 2123) in the south line of 55 Bypass LLC as recorded in Deed Book 685 Page 874; thence with 55 Bypass LLC S 71°54'29" E a distance of 127.95 feet to a found iron pin and being the northwest corner of Protegrity Properties of Kentucky, Inc. as recorded in Deed Book 633 Page 871 and Deed Book 696 Page 755; thence with Protegrity Properties of Kentucky, Inc S 09°51'47" W a distance of 1,013.56 feet to a set iron pin (1/2" rebar with 4113 ID cap) in the north right-of-way of US-60; thence with the right-of-way N 70°16'49" W a distance of 179.96 feet to the point of beginning and containing 3.53 acres.

PARCEL B

Beginning at a found iron pin (PLS 3678) in the south line of 55 Bypass LLC as recorded in Deed Book 685 Page 874 and being the northwest corner of Protegrity Properties of Kentucky, Inc as recorded in Deed Book 634 Page 806; thence with Protegrity Properties of Kentucky, Inc S 01°47'44" W a distance of 454.06 feet to a found iron pin and being the northwest corner of the Kentucky Transportation Cabinet as recorded in Deed Book 513 Page 502; thence with the Kentucky Transportation Cabinet S 01°55'40" W a distance of 454.40 feet to a found iron pin (PLS 221) and being the northeast corner of Gerry Benningfield as recorded in Deed Book 454 Page 258 and Deed Book 150 Page 573; thence with Benningfield for the next three calls: N 68°59'32" W a distance of 178.79 feet to a found iron pin (PLS 221), S 45°10'17" W a distance of 74.10 feet to a found iron pin (PLS 221), and S 15°42'57" W a distance of 75.02 feet to a found iron pin (PLS 221) in the north right-of-way of US-60; thence with said right-of-way N 70°16'49" W a distance of 50.00 feet to a set iron pin (1/2" rebar with

4113 ID cap) and being the southeast corner of Protegrity Properties of Kentucky, Inc as recorded in Deed Book 537 Page 522; thence with Protegrity Properties of Kentucky, Inc N 09°51'47" E a distance of 1,013.56 feet to a found iron pin in the south line of 55 Bypass LLC; thence with 55 Bypass LLC S 71°44'10" E a distance of 150.32 feet to the point of beginning and containing 4.47 acres.

This property is subject to all easements, rights-of-way, appurtenances, and/or restrictions apparent or of record.

Being the same property conveyed to Protegrity Properties of Kentucky, Inc. as recorded in Deed Book 633 Page 871, Deed Book 696 Page 755, and Deed Book 526 Page 045 as recorded in the Office of the Shelby County Clerk.

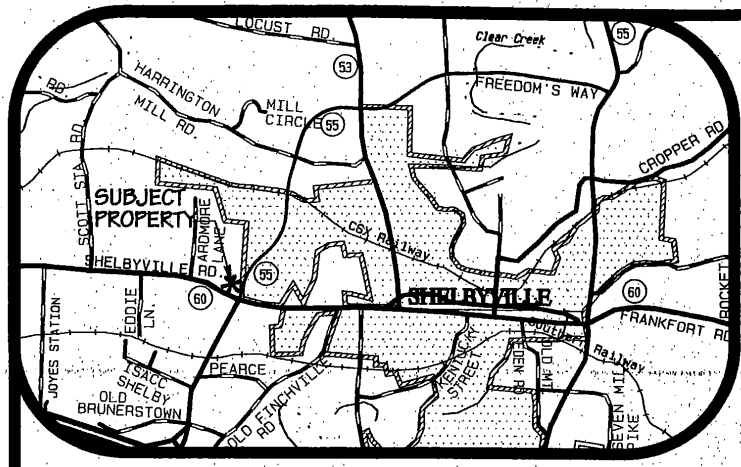
I hereby certify that this survey was prepared by me or under my direct supervision and complies with the standards of practice for surveying in the state of Kentucky as set forth in 201 KAR 18:150.

10/4/22

William H. Hagan III PLS 4113

Date

STATE of KENTUCKY
WILLIAM H.
HAGAN III
4113
LICENSED
PROFESSIONAL
LAND SURVEYOR



VICINITY MAP

Bearings were based on GNSS observations recorded on September 26 & 27, 2022. See the GPS note on the face of this plat.

GLOBAL POSITIONING SYSTEM NOTE	
This Survey was performed using a Spectra Precision SP85, multi-frequency GNSS receiver. The type of GNSS survey employed was:	
RTK	Horizontal Accuracy = 8 mm + 1 ppm RMS x D Vertical Accuracy = 15 mm + 1 ppm RMS x D
RTK (Network) <u>X</u>	Horizontal Accuracy = 8 mm + 0.5 ppm RMS x D Vertical Accuracy = 15 mm + 0.5 ppm RMS x D
Static or Fast Static	Horizontal Accuracy = 8 mm + 0.5 ppm RMS x D Vertical Accuracy = 5 mm + 0.5 ppm RMS x D
High-Precision Static	Horizontal Accuracy = 8 mm + 0.1 ppm RMS x D Vertical Accuracy = 3.5 mm + 0.4 ppm RMS x D
Horizontal Datum: NAD83 - KY Single Zone	
Vertical Datum:	
Geoid Model: Geoid 2012B	

GENERAL NOTES:

1. Surveyor has made no investigation for easements of record, encumbrance ownership title evidence, or any other current title exam may disclose.
2. This survey is subject to all easements on the face of plat or of record.
3. Unless plat is signed and stamped below, this survey is made on the date indicated below.

FLOOD NOTE:

The subject property is not located in a F.E.M.A. designated flood zone, according to FIRM #21211C0160C, effective date, September 2, 2004.

PURPOSE OF PLAT:

1. To retrace the boundary of the property described in Deed Book 531 x Page 522 and to rename said property; PARCEL "A" for annexation into the City of Shelbyville from Shelby County.
2. To retrace the boundary of Tracts 1 and 2 of Exhibit "A" of the property described in Deed Book 633 x Page 871 and Exhibit "A" of the property described in Deed Book 696 x Page 755 (Woodlawn Drive and 30' Easement - DB 150 x Pg. 573). These tracts are to be combined to create PARCEL "B" for annexation into the City of Shelbyville from Shelby County.

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND THAT WE HEREBY ADOPT THIS PLAN WITH OUR FREE CONSENT. THIS DIVISION, CONSOLIDATION, OR AMENDMENT DOES NOT VIOLATE ANY PRIVATE SUBDIVISION RESTRICTIONS.



FVA ID: 040
55 Bypass LL
125 Aiken Rd
Shelbyville, KY
DB 685 x Pg.
PC 004 x 514
Zoned: C-4

FVA ID: 031A-06
Russell W

FVA ID: 031A-06
Russell W

GLOBAL POSITIONING SYSTEM NOTE

This Survey was performed using a Spectra Precision SP85, multi-frequency GNSS receiver. The type of GNSS survey employed was:

RTK	Horizontal Accuracy = 8 mm + 1 ppm RMS x D Vertical Accuracy = 15 mm + 1 ppm RMS x D
RTK (Network) X	Horizontal Accuracy = 8 mm + 0.5 ppm RMS x D Vertical Accuracy = 15 mm + 0.5 ppm RMS x D
Static or Fast Static	Horizontal Accuracy = 8 mm + 0.5 ppm RMS x D Vertical Accuracy = 5 mm + 0.5 ppm RMS x D
High-Precision Static	Horizontal Accuracy = 8 mm + 0.1 ppm RMS x D Vertical Accuracy = 3.5 mm + 0.4 ppm RMS x D
Horizontal Datum:	NAD83 = KY Single Zone
Vertical Datum:	
Geoid Model:	Geoid 2012B

GENERAL NOTES:

1. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title exam may disclose.
2. This survey is subject to all easements and rights of ways shown on the face of plat or of record.
3. Unless plat is signed and stamped by Surveyor it is void and null. This survey is made on the date indicated to the owner/client listed below.

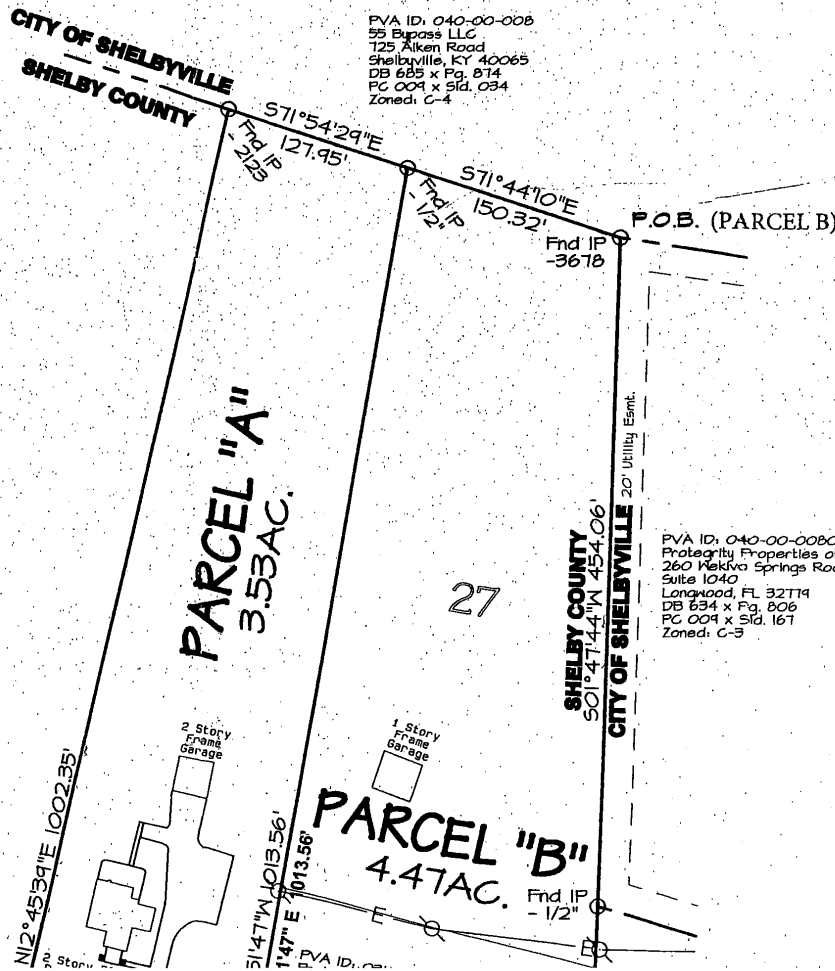
LAND SURVEYORS CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON DEPICTS A SURVEY MADE BY ME, OR UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE. ALONG WITH GNSS OBSERVATIONS, THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE EXCEEDS 1: 55341 AND WAS NOT ADJUSTED. THE RELATIVE POSITIONAL ACCURACY OF THE GNSS MEASUREMENTS EXCEEDS ±0.05' (100 PPM). THE SURVEY SHOWN HEREON IS AN URBAN/RURAL X.C. SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL SPECIFICATIONS OF THIS CLASS. THIS SURVEY COMPLIES WITH 201 KAR 18

10/4/22

DATE

PROFESSIONAL LAND SURVEYOR



PVA ID: 040-00-008
55 Bypass LLC
125 Aiken Road
Shelbyville, KY 40065
DB 685 x Pg. 874
PC 004 x Sld. 034
Zoned: C-4

PVA ID: 040-00-008C
Protegrity Properties of Kentucky, Inc.
260 Wakiva Springs Road
Suite 1040
Longwood, FL 32719
DB 634 x Pg. 806
PC 004 x Sld. 167
Zoned: C-3

PVA ID: 031A-06-001
Russell W. ...

EXAMINATION EXHIBIT PLAT
 PROTEGRITY PROPERTIES OF KY, INC
 251 SHELBYVILLE ROAD

CERTIFICATE OF OWNERSHIP

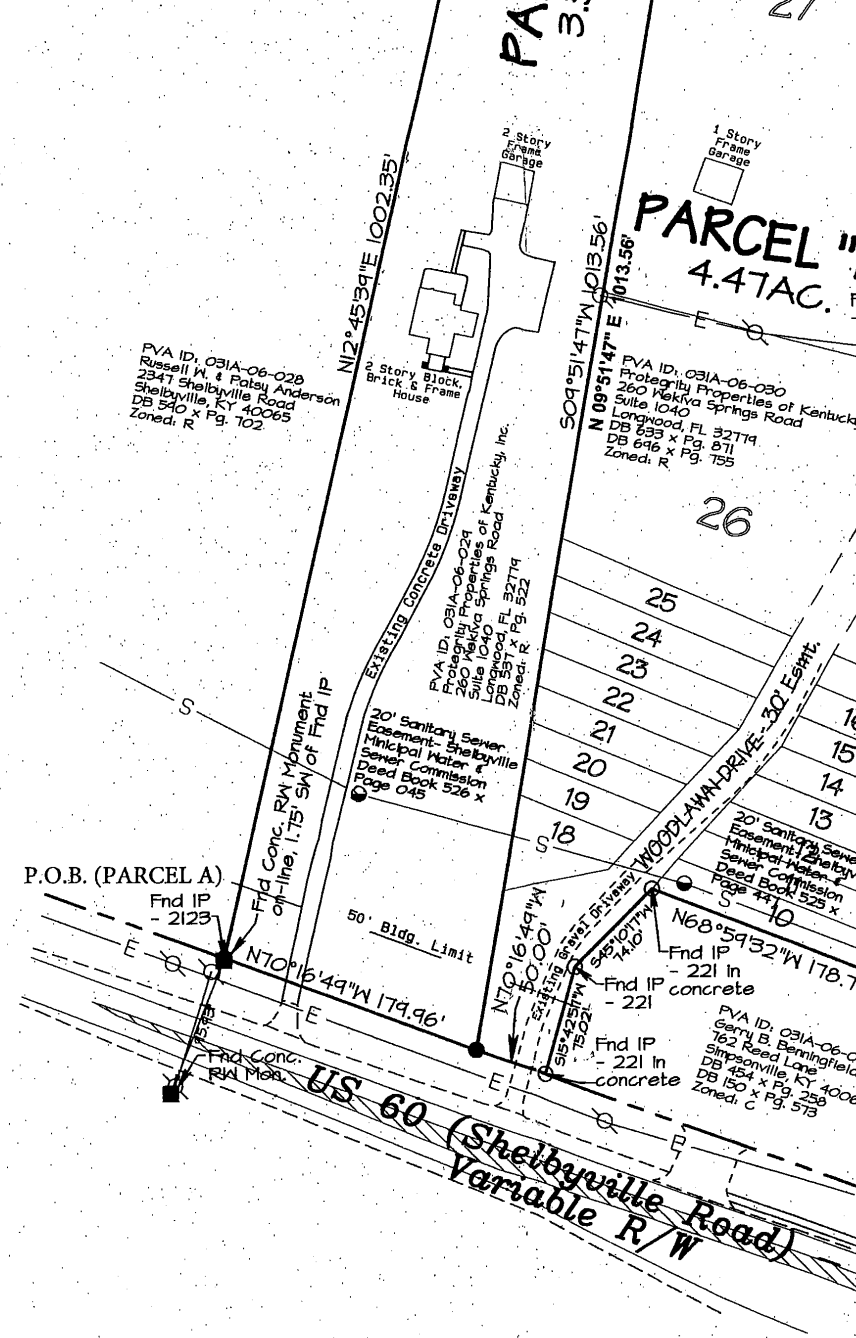
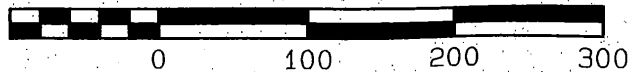
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND THAT WE HEREBY ADOPT THIS PLAN WITH OUR FREE CONSENT. THIS DIVISION, CONSOLIDATION, OR AMENDMENT DOES NOT VIOLATE ANY PRIVATE SUBDIVISION RESTRICTIONS.

DATE	OWNER
DATE	OWNER
DATE	OWNER
DATE	OWNER

LEGEND

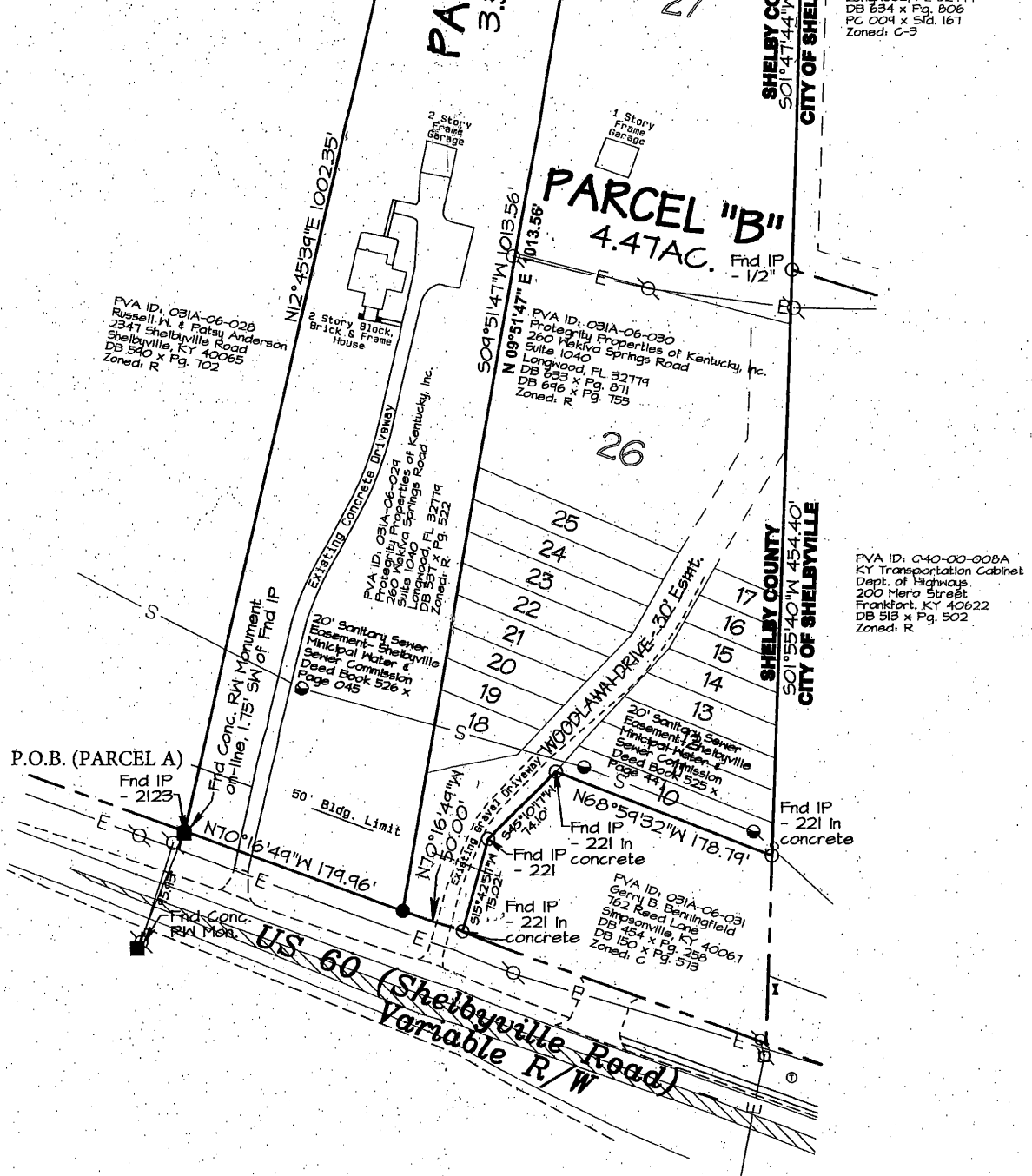
- SET IRON PIN STAMPED PLS 4113 (1/2" Rebar 18" long W/Plastic cap)
- FOUND IRON PIN-1/2" REBAR (PLS NOTED ON PLAT), UNLESS OTHERWISE NOTED
- ⊠ FOUND STONE
- ⊕ EXISTING POST
- ⊕ RAILROAD SPIKE OR MAG SPIKE
- ◇ MAGNETIC NAIL
- R/W MARKER
- X — FENCE LINE
- BOUNDARY LINE
- - - ADJOINING PROPERTY LINE (Not Surveyed)
- ⊕ FIRE HYDRANT
- BENCH MARK
- || — WATER LINE
- - - EASEMENT LINE
- - - BUILDING LIMIT

GRAPHIC SCALE 1"=100'



ANNEXATION EXHIBIT

PARCELS "A" & "B" - PROTEGRITY F 2279 AND 2251 SHELBYV



DB 634 x Pg. 806
PC 009 x Sid. 167
Zoned: C-3