

JAMES HITE HAYS

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SHELBYVILLE, KENTUCKY 40066-0088

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November 5, 2008

RECEIVED AND FILED
DATE Nov. 7, 2008

Secretary of State Office
Capital Annex, Room T40
Frankfort, KY 40601

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Atkinson

ATTN: MS. KANDIE ATKINSON

IN RE: City of Simpsonville Annexation Ordinance No. 89-2
(74.91 owned by Shelby County Flea Market et al)

Dear Ms. Atkinson:

In compliance with KRS 81A.470 and 81A.475, you will find enclosed a certified copy of a recent annexation by the City of Simpsonville which was published in accordance with Chapter 424 on February 10, 1989. This certification includes a detailed map of the annexed property and a metes and bounds description of said property for your records. Copies of this Annexation Ordinance will be filed in the Shelby County Clerk's Office, Secretary of State's Office and the Governor's Office of Local Development in accordance with the statutes.

If you have any questions whatsoever, please feel free to contact me at your convenience.

Very truly yours,



James Hite Hays
City of Simpsonville Attorney

JHH/krj

Enclosure

cc City of Simpsonville
Brad McDowell, Shelby County PVA

RECEIVED AND FILED
DATE Nov. 7, 2008

CITY OF SIMPSONVILLE
CERTIFICATION OF ANNEXATION ORDINANCE

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkins

I certify that I am the duly qualified City Clerk of the City of Simpsonville, and the attached City of Simpsonville Ordinance No. 89-2 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on February 7, 1989, all as appears in the official records of said City.

Witness my hand, this 14th day of November, 2008.

CITY OF SIMPSONVILLE

BY: Debbie Batliner
DEBBIE BATLINER, CITY CLERK

ATTEST:

James Hite Hays
JAMES HITE HAYS, CITY ATTORNEY

CITY OF SIMPSONVILLE
ORDINANCE NO. 89-2

AN ORDINANCE OF THE CITY OF SIMPSONVILLE, KENTUCKY,
ANNEXING CERTAIN UNINCORPORATED TERRITORY PURSUANT
TO KRS 81A.420 AND DEFINING THE BOUNDARY OF THE
ANNEXED TERRITORY.

BE IT ORDAINED BY THE CITY OF SIMPSONVILLE, KENTUCKY,
acting through its lawful legislative body, the Simpsonville City Commission,
as follows:

WHEREAS, pursuant to Chapter 81A of the Kentucky Revised Statutes
(KRS 81A.240), the City of Simpsonville, Kentucky, has proposed by Ordinance
No. 88-2, approved and adopted October 5, 1988, and published according to
law on November 11, 1988, to annex the unincorporated territory hereinafter
described, and a period of more than sixty (60) days has expired since said
publication, and no petition in opposition has been received by the Mayor,
nor has any petition in opposition been presented or received by any official
of the City of Simpsonville;

NOW THEREFORE, the following described territory is hereby annexed
and declared for all purposes a part of the City of Simpsonville, Kentucky:

Beginning at a point located in the south right-of-way of the
Southern Railroad, said point being the southeast corner of
the tract annexed into the city of Simpsonville in 1983;
thence with the line of the 1983 annexation the following
calls:
N 04° 13' 40" E 465.32 feet to a point,
S 85° 37' E 92.00 feet to a point,
N 20° 35' 06" E 830.45 feet to a point on an arc. Thence
along an arc for a distance of 1264.88 feet (Chord = N 07°
31' E 1264.14 feet). Thence N 04° 25' E 729.27 feet to the
center of U.S. Highway 60. Thence with the center of U.S.
Highway 60 S 80° 35' E 110 feet to a point. Thence with the
east right-of-way of Kentucky Highway 1848 the following
calls:
S 04° 25' W 729.27 feet to a point. Thence along an arc
for a distance of 1276.90 feet (Chord = S 07° 31' W 1276.34
feet). Thence
S 07° 22' 28" W 786.28 feet to a point,
S 85° 37' E 26.32 feet to a point,
S 12° 10' W 179.07 feet to the south right-of-way of the
Southern Railroad. Thence with the south right-of-way of
Southern Railroad S 76° 23' W 68.27 feet. Thence
continuing with the east right-of-way of Kentucky Highway
1848 the following calls:
S 12° 23' W 261.60 feet to a point,
N 78° 21' W 38.30 feet to a point,
S 12° 03' W 806.87 feet to a point,
N 75° 58' E 43.60 feet to a point and
S 12° 10' W 368.17 feet to a point, Thence leaving
Highway 1848
S 77° 50' E 500.00 feet to a point,
N 12° 10' E 353.87 feet to a point,
S 77° 50' E 1087.00 feet to a point and
S 12° 10' W 1000.00 feet to a point in the north
right-of-way of I-64.

Thence with the north right-of-way of Interstate Highway 64 the following calls:

N 77° 56' W 770.00 feet to a point,
N 54° 19' W 883.38 feet to a point,
N 77° 50' W 170.00 feet to a point,
S 56° 39' W 177.62 feet to a point,
S 75° 14' 30" W 84.70 feet to a point
S 75° 08' 10" W 416.86 feet to a point

N 77° 49' 50" W 989.77 feet to a point located in the intersection of the north right-of-way of I-64 with the south right-of-way of the Southern Railroad. Thence with the south right-of-way of the Southern Railroad the following calls:

N 39° 41' 10" E 116.01 feet to a point,
N 45° 14' E 146.62 feet to a point,
N 52° 11' 30" E 158.45 feet to a point,
N 59° 12' 10" E 160.21 feet to a point,
N 63° 31' 30" E 147.72 feet to a point,
N 64° 11' 20" E 301.04 feet to a point,
S 35° 16' 30" W 58.07 feet to a point,
N 64° 11' 20" E 129.26 feet to a point,
S 16° 30' 20" E 105.20 feet to a point,
N 67° 58' 50" E 163.48 feet to a point,
N 13° 41' W 145.00 feet to a point,
N 60° 34' E 100.18 feet to a point,
N 53° 25' 30" E 153.87 feet to a point,
N 44° 34' 10" E 156.42 feet to a point,
N 38° 32' E 153.87 feet to a point,
N 36° 57' 20" E 187.64 feet to a point,
N 38° 02' 40" E 203.26 feet to a point,
N 43° 10' 30" E 73.68 feet to the point of beginning and containing 74.91 acres.

NOTE: This description was compiled using Highway Department Right-of-Way Plans, deeds of record and a survey of the Joseph W. Wimsatt property made in May, 1987.

Properties include Shelby County Flea Market, Marshall Planning Mill Inc., Arthur L. Hintz and Joseph W. Wimsatt, also the Right-of-Way to the East of Highway 1848.

Further, Be It Ordained in accordance with the recommendation of the Triple S Planning and Zoning Commission pursuant to its public hearing of September 20, 1988, that the existing applicable zoning goals, objectives, regulations and classifications are hereby adopted and shall be effective for the respective tracts of the annexed area, to be construed in conjunction with the Comprehensive Zoning Regulations of the City of Simpsonville Ordinance No. 83-2.

This Ordinance shall be effective upon adoption by the Simpsonville City Commission and publication according to law.

GIVEN FIRST READING AND PASSED: January 16, 1989
GIVEN SECOND READING AND ADOPTED February 7, 1989
Published in Sentinel-News: FEBRUARY 10, 1989

APPROVED: [Signature]
Mayor, City of Simpsonville

ATTEST: [Signature]
Simpsonville City Clerk

NOTICE

CITY OF SIMPSONVILLE
ORDINANCE NO. 89-2

AN ORDINANCE OF THE CITY OF SIMPSONVILLE, KENTUCKY, ANNEXING CERTAIN UNINCORPORATED TERRITORY PURSUANT TO KRS 81A.420 AND DEFINING THE BOUNDARY OF THE ANNEXED TERRITORY.

BE IT ORDAINED BY THE CITY OF SIMPSONVILLE, KENTUCKY, acting through its lawful legislative body, the Simpsonville City Commission, as follows:

WHEREAS, pursuant to Chapter 81A of the Kentucky Revised Statutes (KRS 81A.240), the City of Simpsonville, Kentucky, has proposed by Ordinance No. 88-2, approved and adopted October 5, 1988, and published according to law on November 11, 1988, to annex the unincorporated territory hereinafter described, and a period of more than sixty (60) days has expired since said publication, and no petition in opposition has been received by the Mayor, nor has any petition in opposition been presented or received by any official of the City of Simpsonville:

NOW THEREFORE, the following described territory is hereby annexed and declared for all purposes a part of the City of Simpsonville, Kentucky:

Beginning at a point located in the south right-of-way of the Southern Railroad, said point being the southeast corner of the tract annexed into the city of Simpsonville in 1983; thence with the line of the 1983 annexation the following calls:

N 04° 13' 40" E 465.32 feet to a point,

S 85° 37' E 92.00 feet to a point,

N 20° 35' 06" E 830.45 feet to a point on an arc.

Thence along an arc for a distance of 1264.88 feet (Chord = N 07° 31' E 1264.14 feet). Thence N 04° 25' E 729.27 feet to the center of U.S. Highway 60. Thence with the center of U.S. Highway 60 S 80° 35' E 110 feet to a point. Thence with the east right-of-way of Kentucky Highway 1848 the following calls:

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S 07° 22' 28" W 786.28 feet to a point,

S 85° 37' E 26.32 feet to a point,

S 12° 10' W 179.07 feet to the south right-of-way of the Southern Railroad. Thence with the south right-of-way of Southern Railroad S 76° 23' W 68.27 feet. Thence continuing with the east right-of-way of Kentucky Highway 1848 the following calls:

S 12° 23' W 261.60 feet to a point,

N 78° 21' W 38.30 feet to a point,

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N 75° 58' E 43.60 feet to a point and

S 12° 10' W 368.17 feet to a point, Thence leaving Highway 1848

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N 12° 10' E 353.87 feet to a point,

S 77° 50' E 1087.00 feet to a point and

S 12° 10' W 1000.00 feet to a point in the north right-of-way of I-64.

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S 75° 08' 10" W 416.86 feet to a point,

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N 64° 11' 20" E 301.04 feet to a point,

S 35° 16' 30" W 58.07 feet to a point,

N 64° 11' 20" E 129.26 feet to a point,

S 16° 30' 20" E 105.20 feet to a point,

N 67° 58' 50" E 163.48 feet to a point,

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N 60° 34' E 100.18 feet to a point,

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N 44° 34' 10" E 156.42 feet to a point,

N 38° 32' E 153.87 feet to a point,

N 36° 57' 20" E 187.64 feet to a point,

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This Ordinance shall be effective upon adoption by the Simpsonville City Commission and publication according to law.

GIVEN FIRST READING AND PASSED: January 3, 1989.

GIVEN SECOND READING AND ADOPTED: January 16, 1989

APPROVED: Wayne D. Lawrence
Mayor, City of Simpsonville

ATTEST: Tina Ball
Simpsonville City Clerk

RESOLUTION 2008-005

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkins

A RESOLUTION ADOPTING A MAP EXHIBIT TO CLARIFY THE
DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY
ORDINANCE NO. 89-2

WHEREAS, the City of Simpsonville, Kentucky, has enacted numerous ordinances annexing property into the corporate limits of the City of Simpsonville; and

WHEREAS, each individual annexation contains a description often prepared by now unknown individuals, and further references documentation that is no longer in existence; and

WHEREAS, the territory described in said descriptions cannot be mapped without using additional local knowledge; and

WHEREAS, the City wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and geographically identifiable map exhibit of the territory previously annexed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SIMPSONVILLE, KENTUCKY:

SECTION 1. That the City Commission of the City of Simpsonville hereby adopts the following map exhibit, (Exhibit "A") attached hereto as prepared by Kerry P. Magan, Licensed Professional Land Surveyor No. 1994 as a geographically identifiable depiction of the property previously annexed into the corporate city limits of the City of Simpsonville, by Ordinance 89-2, dated February 7, 1989, a copy of which is attached hereto as Exhibit "B", as the official legal map for all purposes when referencing this prior annexation.

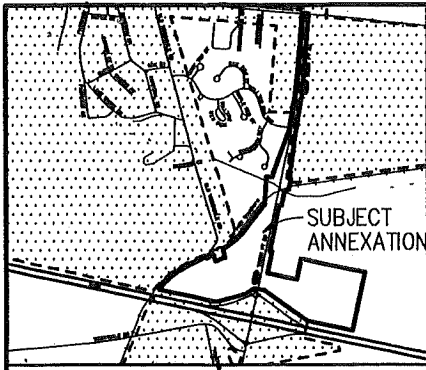
CITY OF SIMPSONVILLE

BY: 
STEVE EDEN, MAYOR

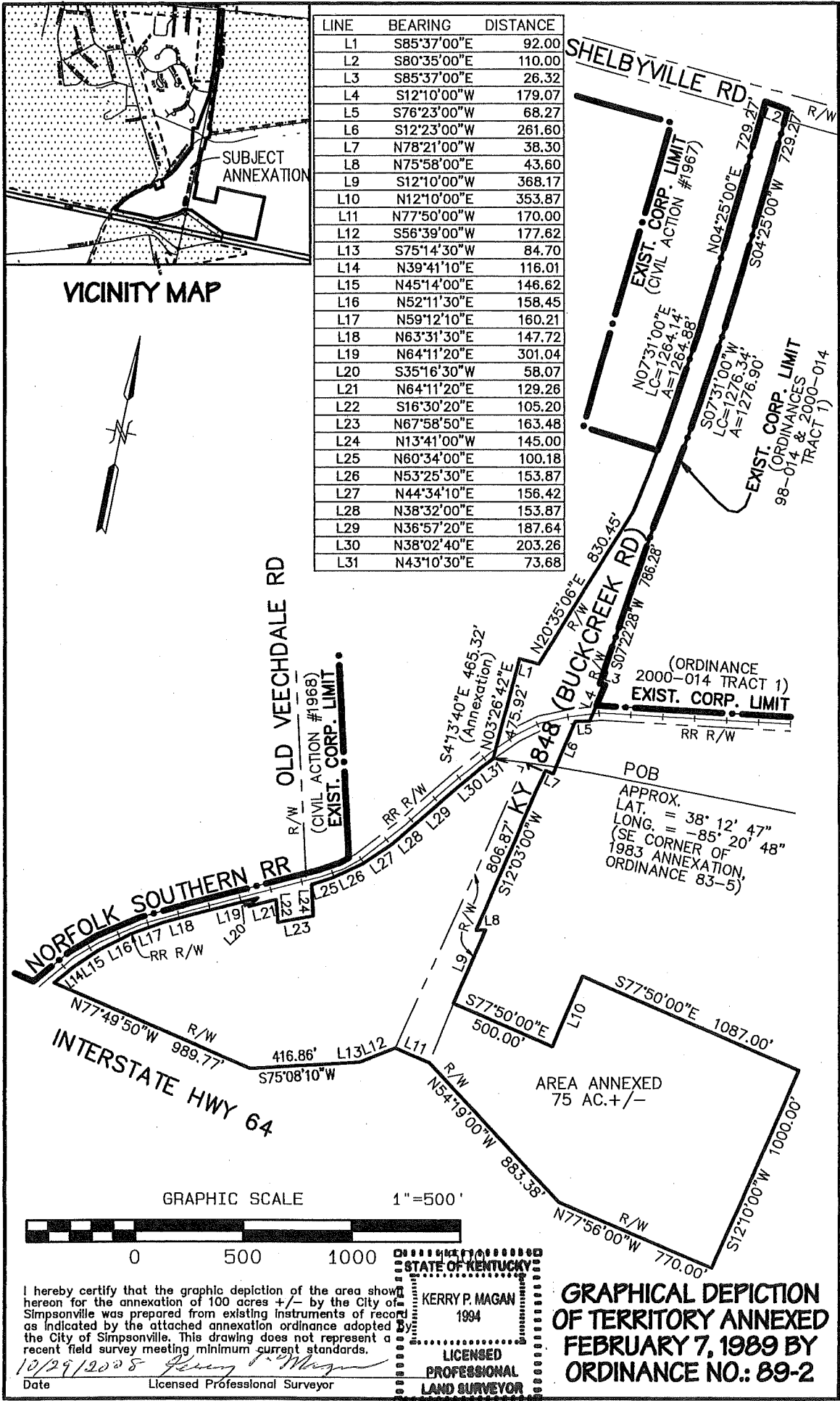
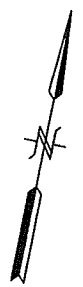
ATTEST:


DEBBIE BATLINER, CITY CLERK

LINE	BEARING	DISTANCE
L1	S85°37'00"E	92.00
L2	S80°35'00"E	110.00
L3	S85°37'00"E	26.32
L4	S12°10'00"W	179.07
L5	S76°23'00"W	68.27
L6	S12°23'00"W	261.60
L7	N78°21'00"W	38.30
L8	N75°58'00"E	43.60
L9	S12°10'00"W	368.17
L10	N12°10'00"E	353.87
L11	N77°50'00"W	170.00
L12	S56°39'00"W	177.62
L13	S75°14'30"W	84.70
L14	N39°41'10"E	116.01
L15	N45°14'00"E	146.62
L16	N52°11'30"E	158.45
L17	N59°12'10"E	160.21
L18	N63°31'30"E	147.72
L19	N64°11'20"E	301.04
L20	S35°16'30"W	58.07
L21	N64°11'20"E	129.26
L22	S16°30'20"E	105.20
L23	N67°58'50"E	163.48
L24	N13°41'00"W	145.00
L25	N60°34'00"E	100.18
L26	N53°25'30"E	153.87
L27	N44°34'10"E	156.42
L28	N38°32'00"E	153.87
L29	N36°57'20"E	187.64
L30	N38°02'40"E	203.26
L31	N43°10'30"E	73.68



VICINITY MAP



I hereby certify that the graphic depiction of the area shown hereon for the annexation of 100 acres +/- by the City of Simpsonville was prepared from existing instruments of record as indicated by the attached annexation ordinance adopted by the City of Simpsonville. This drawing does not represent a recent field survey meeting minimum current standards.

10/29/2008 *Kerry P. Magan*
 Date Licensed Professional Surveyor

STATE OF KENTUCKY
 KERRY P. MAGAN
 1994
 LICENSED PROFESSIONAL LAND SURVEYOR

GRAPHICAL DEPICTION OF TERRITORY ANNEXED FEBRUARY 7, 1989 BY ORDINANCE NO.: 89-2