

RECEIVED AND FILED
DATE July 25, 2018

**CITY OF VANCEBURG
KENTUCKY**

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randie Adkinson

ORDINANCE NO. 110. 10

**AN ORDINANCE ANNEXING A 1.78 ACRE PARCEL OF REAL
PROPERTY ADJOINING THE EXISTING CORPORATION
LIMITS OF THE CITY OF VANCEBURG ALONG
KY HIGHWAY 59**

WHEREAS, Vanceburg Senior Apartments, Ltd., a Kentucky Limited Partnership, (the "Owner") owns a tract of real property adjoining the existing corporation limits of the City of Vanceburg, along Kentucky Route 59, (the Real Property") and which is more particularly described as follows, viz:

A certain tract or parcel of land in Lewis County, Kentucky, on Dry Run Branch, and more particularly described as follows, to-wit:

Beginning at a post at the southwest corner of David Cooper and at a new corner to Sevmanco, Inc.; thence with new lines to said Sevmanco, Inc., S. 26 deg. 00' W. 150 feet to a 6" pine; thence S. 22 deg. 15' W. 41.9 feet to a corner to Guy Horsley; thence with said Guy Horsley's line S. 73 deg. 00' E. 431.86 feet to the center of Dry Run Creek; thence down the creek with its meanders S. 43 deg. 00' E. 10.44 feet; thence continuing with the center of Dry Run Creek with its meanders, a general course of N. 04 deg. 06' E. 185.3 feet to the south line of David Cooper's property in Dry Run Creek; thence with said south line of David Cooper N. 73 deg. 00' W. 370 feet to the beginning, containing 1.78 acres (after excepting road right of way). The above description is from a survey by David Borden, RLS #1852.

There is excepted from the above described property a 12-foot wide road easement described in Deed from Bruce Cooper, et al. to Herbert Kennedy, dated June 13, 1968, recorded in Deed Book 110, Page 599, Lewis County Court Records.

Being the same property conveyed to Vanceburg Senior Apartments, Ltd., by deed from James R. Horsley and Tonya R. Horsley, his wife, by deed dated October 7, 1993, and recorded in Deed Book 166, Page 161, Lewis County Clerk's Records. In said deed James R. Horsley and Tonya R. Horsley, his wife, reserved for themselves, their heirs and assigns, the right to the use of an entryway running westerly from the westerly right of way of Kentucky Rt. 59, and including a wooden Bridge, and extending westerly and then southerly through an 18-foot blacktop driveway to property retained by them and not included in said conveyance.

EXHIBIT 1

WHEREAS, the Real Property by reason of commercial use of land is urban in character and is suitable for development for urban purposes without unreasonable delay, and

WHEREAS, no part of the Real Property is included within the boundary of another incorporated city, and

WHEREAS, the owner of record of the Real Property has given prior written consent in writing to the annexation of the Real Property, and

WHEREAS, the City Council of the City of Vanceburg has determined that it is desirable to annex said unincorporated territory,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VANCEBURG, KENTUCKY:

Section 1. Purpose and Authority.

A. It is the purpose of this ordinance to annex the hereinabove described unincorporated territory.

B. This Ordinance is enacted under the power vested in the city by KRS 82.082, KRS 81A.400, 81A.410 and 81A.412.

Section 2. Annexation of Unincorporated Territory. The hereinabove described real property is hereby annexed to and made a part of the City of Vanceburg and the boundaries of the City of Vanceburg are hereby extended so as to include said real property.

Section 3. Roads and Streets.

A. All roads and streets necessary for the development of said annexed area shall be the sole expense of the owners of said real property.

B. All roads and streets hereinafter constructed in the annexed area shall meet the standards established by the City.

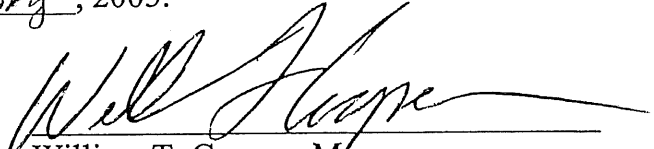
Section 4. Conflicting Ordinances Repealed. All other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 5. Effective Date. This ordinance shall take full force and effect immediately upon enactment, publication required by law, and the filing of same with

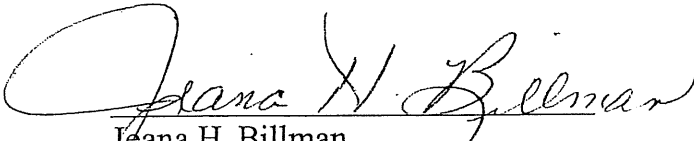
the Lewis County Clerk, the Secretary of State of the Commonwealth of Kentucky, and the Department of Local Government of the Commonwealth of Kentucky.

Given the first reading on the 7th day of February, 2005.

Given the second reading and duly enacted by the City Council of the City of Vanceburg, on the 17th day of February, 2005.


William T. Cooper, Mayor

ATTEST:

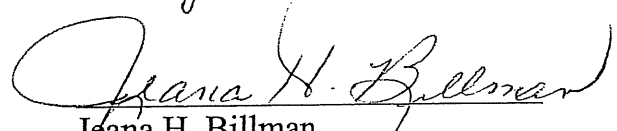

Jeana H. Billman,
City Clerk

Certification

I, Jeana H. Billman, City Clerk of Vanceburg, Kentucky, do hereby certify that the foregoing is a full, true and complete copy of Ordinance No. 110. 10, as appears of record in my office.

I further certify that a summary of said Ordinance was duly published in the 2/21 2005 edition of the *Lewis County Herald*.

In testimony whereof, I have hereunto set my hand and affixed the seal of the City of Vanceburg, Kentucky, on this 17th day of February, 2005.


Jeana H. Billman,
City Clerk