

ORDINANCE NUMBER 2008-12-315-A

WHEREAS, Ordinance Number 315 was enacted on November 12, 1985 by the Whitesburg City Council; and,

WHEREAS, said ordinance was "an ordinance stating an intention to annex certain unincorporated territory contiguous to the City of Whitesburg"; and,

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of Whitesburg it has become necessary to now adopt an ordinance carrying out the stated intention in the said Ordinance Number 315 to complete the annexation of the territory as described in the aforesaid ordinance; and,

WHEREAS, more than sixty days have elapsed since Ordinance Number 315 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420.

NOW THEREFORE, be it, and it is hereby ordained, by the City Council of the City of Whitesburg that the territory described in Ordinance Number 315 be, and it is hereby annexed to, and incorporated in, the territorial boundaries of the City of Whitesburg.

FURTHER, the description of the annexed territory is incorporated herein by reference to the said Ordinance Number 315 as if fully copied at length.

This Ordinance shall become effective after passage and publication as required by law.

Dated this 12 day of August, 2008.

First Reading August 12, 2008

Second Reading August 14, 2008

Published August 20, 2008

Garrett R. Sutton  
City Clerk

John H. Craft  
Mayor

RECEIVED AND FILED  
DATE Sept. 8, 2008

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Adkins

DESCRIPTION OF  
ORDINANCE NO. 2008-12-315-A  
FOR  
THE CITY OF WHITESBURG

Situated in the Commonwealth of the Kentucky, in the County of Letcher on the waters of The North Fork of The Kentucky River and more particularly described with all bearings and distances referenced to the magnetic meridian of the 1983 Kentucky South coordinate system. All Iron Pins set, mentioned in this description are a minimum of 24 inches in length and 1½ inches in diameter with a plastic cap stamped LS # 3144.

Beginning at a point in the center of The North Fork of the Kentucky River, being more particularly referenced as N 89°04'21" E a distance of 70.25' from the intersection of the center line of the L&N Railroad and the center of Crafts Colly Creek as called for in Ordinance # 315 adopted November 17, 1987, having a Northing of 1,940,028.83 and a Easting of 2,502,433.38 based on the 1983 Kentucky South Coordinate System.

Thence N 88°14'21" E a distance of 272.24' leaving the Kentucky River and crossing U.S Highway 119 to a called for iron pin (not found at time of this survey) on the South Eastern right-of way line at 80.00' feet right of center line station 50+40.00 and at a corner to property formerly conveyed to Mae Amburgey, and the Mae Amburgey Subdivision as recorded in Plat Book 2, Page 35 (now The Letcher County Board of Education in Deed Book 361, Page 161);

Thence N 69°48'46" E a distance of 145.60' leaving the highway right-of-way running with the outside line of said property formerly conveyed to Mae Amburgey, (NOTE TO THE READER), any monuments called for in Ordinance # 315 or called for in Plat Book 2, Page 35 have been destroyed due to construction of the Letcher County Central High School, the next 13 consecutive called are taken from various sources and surveys;

Thence N 64°42'46" E a distance of 327.16';

Thence N 64°57'46" E a distance of 135.46';

Thence N 77°08'46" E a distance of 166.77';

Thence N 77°15'46" E a distance of 293.48';

Thence S 27°15'10" W a distance of 134.96';

Thence S 33°58'15" W a distance of 117.88';

Thence S 33°34'21" W a distance of 163.06';

Thence S 34°57'34" W a distance of 217.89';

Thence S 26°32'19" W a distance of 67.19';

Thence S 80°18'03" W a distance of 141.30';

Thence S 73°21'22" W a distance of 136.78';

Thence S 79°27'40" W a distance of 183.76';

Thence S 88°31'28" W a distance of 126.60' to a point in the South edge of U.S. 119 Highway being 93.28 feet right of highway center line station 46+99.89;

Thence S 08°46'56" E a distance of 55.14' to a point in the South edge of U.S. 119 Highway;

Thence S 06°42'13" W a distance of 384.53' continuing with said Highway;

Thence S 29°10'23" W a distance of 99.91' to a point in the South edge of U.S. 119 Highway being 108.96' feet right of highway center line station 42+16.04;

Thence S 29°20'03" W a distance of 240.18';

Thence S 41°03'28" W a distance of 215.87';

Thence S 52°56'24" W a distance of 303.81';

Thence S 40°31'23" W a distance of 353.55';

Thence S 48°39'11" W a distance of 150.00';

Thence S 51°19'37" W a distance of 364.40';

Thence S 30°45'13" W a distance of 169.19';

Thence S 28°01'23" W a distance of 90.82' to a point in the South edge of U.S. 119 Highway being 217.00' feet right of highway center line station 23+90.00;

Thence S 84°06'59" W a distance of 89.63';

Thence S 60°31'24" W a distance of 160.43';

Thence S 37°07'33" W a distance of 155.13';

Thence S 33°38'05" W a distance of 84.90';

Thence N 58°21'18" W a distance of 88.89';

Thence S 46°21'45" W a distance of 125.10';

Thence S 41°20'49" E a distance of 70.00';

Thence S 46°40'41" W a distance of 145.09' to a point in the South edge of U.S. 119 Highway being 180.00' feet right of highway center line station 16+30.00;

Thence N 41°20'49" W a distance of 70.00';

Thence S 45°32'25" W a distance of 392.91';

Thence S 54°54'52" W a distance of 184.12';

Thence S 33°23'22" W a distance of 66.10';

Thence S 51°41'55" W a distance of 29.92';

Thence S 77°21'50" W a distance of 217.20';

Thence S 87°41'49" W a distance of 37.22' to a point, a common line to Ordinance # 260;

Thence N 18°56'07" E a distance of 833.42' to the Northeast corner of Ordinance # 260 being to a point in the South edge of L&N Railroad, also a common line to Ordinance # 289;

Thence S 13°52'25" W a distance of 394.72' with Ordinance # 289 to a point between L&N main railroad line and a spur line;

Thence S 06°59'52" E a distance of 172.26' to a X called for in Ordinance No. 289 dated June 29, 1984 (not found at time of this survey), said X has been destroyed due to construction to the Highway Bridge;

Thence N 05°19'35" E a distance of 95.64' to a center of river;

Thence N 26°29'54" E a distance of 123.17' to a center of river;

Thence N 46°58'06" E a distance of 73.07' to a center of river;

Thence N 52°57'41" E a distance of 97.00' to a center of river;

Thence N 38°23'22" E a distance of 167.98' to a center of river;

Thence N 26°52'45" E a distance of 139.28' to a center of river;

Thence N 27°25'02" E a distance of 190.00' to a center of river;

Thence N 34°40'00" E a distance of 79.27' to a center of river;

Thence N 51°59'14" E a distance of 933.95' to a center of river;

Thence N 64°48'27" E a distance of 85.77' to a center of river;

Thence N 78°09'47" E a distance of 48.61' to a center of river;

Thence N 61°19'37" E a distance of 468.58' to a center of river;

Thence N 47°31'05" E a distance of 141.16' to a center of river;  
Thence N 46°59'23" E a distance of 197.50' to a center of river;  
Thence N 56°09'18" E a distance of 101.68' to a center of river;  
Thence N 38°31'58" E a distance of 39.43' to a center of river;  
Thence N 30°42'55" E a distance of 375.80' to a center of river;  
Thence N 01°33'52" E a distance of 79.95' to a center of river;  
Thence N 17°49'46" W a distance of 61.44' to a center of river;  
Thence N 11°08'03" W a distance of 506.56' which is the point of beginning,  
having an area of 39.15 acres according to a survey by Richard W. Hall in  
March and April of 2008.

Being the same land described in Ordinance # 315 found recorded in the  
Whitesburg City Clerks office in Ordinance Book 1, Page 297 and  
Ordinance # 2008-12-315-A and adopted August 14, 2008.

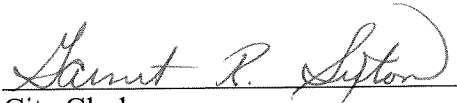
*Richard Hall*      *3144*      *8-29-2008*  
\_\_\_\_\_  
Surveyor                      RLS                      Date



## CERTIFICATION

I, Garnet R. Sexton, Clerk of the City of Whitesburg do hereby certify that, the above Ordinance 2008-12-315-A is a true and correct copy as was presented to the City Council of the City of Whitesburg for a first reading at their regular schedule meeting dated August 12, 2008 and a special called meeting dated August 14, 2008 for the second reading of said Ordinance.

Given under my hand this 14<sup>th</sup> day of August, 2008.

  
City Clerk

(SEAL)

Upon motion of John Swisher seconded by Roy Sturgill and carried, Ordinance #315,  
is hereby adopted after its second reading and reads as follows:

ORDINANCE NO. 315

AN ORDINANCE PROPOSING ANNEXATION OF UNINCORPORATED  
TERRITORY CONTIGUOUS TO THE CITY OF WHITESBURG

WHEREAS, the City Council of the City of Whitesburg deem it necessary and in the best interest and welfare of the City and its residents to annex certain unincorporated territory contiguous to the City's boundaries, as hereinafter defined, and

WHEREAS, the City Council hereby declares that it is desirable to annex said unincorporated territory,

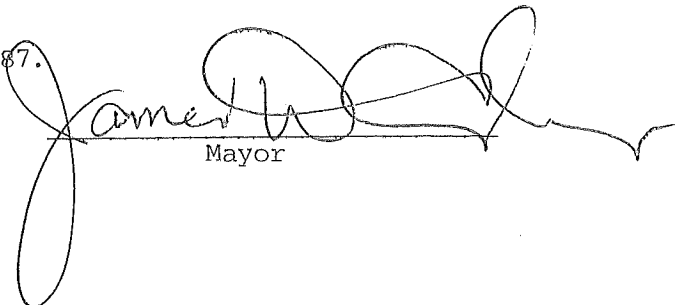
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITESBURG, AS FOLLOWS:

That the City of Whitesburg hereby states its intention to annex the following boundaries of unincorporated territory with the description as follows:

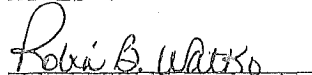
Beginning at a point in the center of the North Fork of the Kentucky river at a corner to the present city limits of the City of Whitesburg being home particularly referenced as S89 18' 45" E 70.28 feet from the intersection of the centerline of the L&N railroad with the center of Crafts Colly Creek; thence crossing the Kentucky River and U.S. highway 119 to an iron pin on the South side of the highway at a corner to property conveyed to Mae Amburgey in Deed Book 266, Page 50, dated March 30, 1983 and recorded in the Letcher County Clerk's Office, thence leaving the highway right of way and with the outside line of Mae Amburgey so as to include said property and the Mae Amburgey Subdivision as recorded in Plat Book 2, Page 35, N 74 26' 00" E 145.60 feet to an iron pin; thence N 69 20' 00" E 327.16 feet to an iron pin; thence N 69 35' 00" E 135.46 feet to an iron pin; thence N 81 46' 00" E 166.77 feet to an iron pin; thence N 81 53' 00" E 289.46 feet to an iron pin on top of the ridge at the line of the Hall Heirs; thence down the hill S 28 17' 00" W 44.56 feet; thence S 34 15' 00" W 130.00 feet; thence S 35 29' 00" W 83.00 feet; thence S 37 40' 00" W 232.00 feet; thence S 37 46' 00" W 170.00 feet; thence S 81 58' 00" W 93.00 feet; thence S 83 26' 00" W 94.00 feet; thence S 75 30' 00" W 184.00 feet; thence S 87 19' 00" W 111.00 feet; thence S 01 12' 00" W 146.00 feet; thence S 58 24' 00" W 30.06 feet to an iron pin in the right of way line for U.S. highway 119; thence in a Southwesterly direction with said right of way along the South side of the highway to a point in the present city limits for the City of Whitesburg; thence in a Northeasterly direction with the city limits to a chisled "X" at the intersection of the center of the river and the centerline of U.S. highway 119, said point being in the median of the concrete bridge over the North Fork of the Kentucky River; thence continuing up the river with the present city limits of Whitesburg N 06 56' 35" E 95.64 feet; thence N 28 06' 54" E 123.17 feet; thence N 48 35' 06" E 73.07 feet; thence N 54 34' 41" E 97.00 feet; thence N 40 00' 22" E 167.98 feet; thence N 28 29' 45" E 139.28 feet; thence N 29 02' 02" E 190.00 feet; thence N 36 17' 38" E 79.27 feet; thence N 53 36' 14" E 933.95 feet; thence N 66 25' 27" E 85.77 feet; thence N 78 46' 47" E 48.61 feet; thence N 62 56' 37" E 468.58 feet; thence N 49 08' 05" E 141.16 feet; thence N 48 36' 23" E 197.50 feet; thence N 57 46' 18" E 101.68 feet; thence N 40 08' 58" E 39.43 feet; thence N 32 19' 55" E 375.80 feet; thence N 03 10' 52" E 79.95 feet; thence N 16 12' 46" W 61.44 feet; thence N 09 31' 03" W 506.56 feet to the point of beginning containing 42 acres, more or less.

This description was prepared from information available from previous annexation records, highway plans and USGS quadrangle map and does not represent an actual on the ground survey.

Adopted this 17th day of November, 1987.

  
Mayor

ATTEST:

  
City Clerk

I, Robin B. Watko, City Clerk for the City of Whitesburg do hereby certify that the above Ordinance is a true and correct copy as it appears in Minutes Book No. 11, Pages 8-9, records are of the City of Whitesburg.

Given under my hand this 17th day of November, 1987.

Robin B. Watko  
City Clerk

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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