

MAY 1 1996

ORDINANCE NO. 1996-02

SECRETARY OF STATE
COMMONWEALTH OF KY
By K. Adkinson

**AN ORDINANCE OF THE CITY OF WILLIAMSTOWN, KENTUCKY
ANNEXING INTO THE CITY OF WILLIAMSTOWN, KENTUCKY
CERTAIN TERRITORY OWNED BY MELVIN SHOEMAKER AND
NADINE SHOEMAKER, HUSBAND AND WIFE, AND CONTAINING
SEVENTY-FIVE (75) ACRES MORE OR LESS.**

WHEREAS, on January 5, 1996, Melvin and Nadine Shoemaker, husband and wife requested and consented to the City of Williamstown, Kentucky, a fifth class city to annex their land/territory of approximately seventy-five (75) acres more or less into the city limits; (see attached Exhibit "A" incorporated herein); and

WHEREAS, the City of Williamstown, by and through its City Council having reviewed the Shoemakers' request and consent to annexation at its regular scheduled Council meeting of February 5, 1996, and having determined that the land/territory meet the criteria as set forth in K.R.S. 81A.410; and

WHEREAS, after debate, the City of Williamstown by and through its City Council passed its Motion to annex the Shoemakers' seventy-five (75) acres more or less into the corporate limits of the City of Williamstown, Kentucky;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF
WILLIAMSTOWN, KENTUCKY AS FOLLOWS:**

SECTION I

By and through this ordinance, the City of Williamstown, Kentucky annexes into the corporate city limits, with the consent of the landowners, certain territory of approximately seventy-five (75) acres more or less and is more particularly described as:

That real property owned by Melvin and Nadine Shoemaker, husband and wife; 615 Cynthiana Street, Williamstown, Kentucky 41097 and recorded in Deed Book 106, Page 95 of the Grant County Clerk's office, Williamstown, Kentucky.

Tract Number Five:

A tract or parcel of land in the County of Grant, State of Kentucky, on the Williamstown and Fork Lick Turnpike Road and the waters of Fork Lock Creek, and know as the Grant County Poor House Farm, as bounded as follows-to-wit:

Beginning at 1 a point in the Williamstown and Fork Lock Turnpike Road; thence with James Zinn's line S 203/4 W 24.61 chs. to 2 a stone on the

West side of a branch, corner to Zinn's; thence with his line S $11\frac{1}{4}$ E 12.17 chs. to 3 a stone on the east side of a branch; thence S $3\frac{1}{4}$ E 17.20 chs. to 4 a point in the north for of Fork Lock Creek and corner to Zinn and corner to Jno. H. Westover; thence with the creek and Westover's line N $85\frac{3}{4}$ W 7.07 chs. to 5 a gate post corner to Westover and C.W. Tanner; thence with Tanner's line N 7 W 0.67 ch. to 6 a white-oak, corner to Tanner; thence with his line N $55\frac{1}{2}$ W 25.90 chs. to 7, a white-oak stump on the north bank of the creek corner to Tanner and J. J. Scroggins, now A. B. Juett; thence with Scroggins' line, Mrs. M. L. Combs and F. G. Bracht's line N $22\frac{1}{2}$ E, passing Mrs. Combs corner at 15 chs. same course continued 19 chs. in all to (8) a stone corner to Bracht; thence N 31 E, 8 chs. to (9) a stone; thence N. 38 E. 650 chs. to (10) a stone; thence N 21 E, 25.40 chs. to 11, a stone in the pike corner to Bracht; thence with the pike S $41\frac{1}{4}$ E 3 Chs. to 12; thence S $25\frac{1}{2}$ E 5.51 chs. to 13; thence S $56\frac{1}{4}$ E 6.95 chains to (14); thence S 6 W 5.95 chs. to the beginning and containing one hundred and fourteen (114) acres, one (1) rood and twenty-two (22) poles. - (114A; 1R; 22P).

E X C E P T I O N:

There is excepted from Tract No. 5 -

Following is a description of a parcel of land lying and being in Grant County, Kentucky, on the Southwest side of Cynthiana Pike, and partially in the Corporate limits of the City of Williamstown; and being more particularly described as follows:

Beginning at a point in the center line of Cynthiana Pk., as the same now exists, said point of beginning being the Northwest corner of the tract of land which was conveyed to Ottis and Ella Kells by Marie Kells, a Widow, by deed of Conveyance on the 31st of May 1955, and recorded in Deed Book No. 85, Page 153 in the Grant County Clerk's Office, said point of beginning being further evidenced by a R.R. Spike driven in the pavement; thence from said point of beginning with the center line of said road, chord distance and bearing of which is S $41^{\circ} 44'$ E - 16.5 feet to a point in the center of the road; thence with the center line of the road, chord distance and bearing of which is S $30^{\circ} 26'$ E - 189.2 feet to a R. R. Spike in the center of said road; thence leaving the road S $52^{\circ} 23'$ W and passing an Iron Bar on the South east side of a 24" Locust tree, at 29.9 feet, continuing 67.5 feet to a Hub, continuing 68.6 feet to an Angle Iron Bar, making a total distance of 418.6 feet on the bearing of S $52^{\circ} 23'$ W; thence from the Iron Bar, N $57^{\circ} 45'$ W 215.2 feet to an Iron Pipe by a Walnut tree in the fence line, said corner being a common corner to Glenmore Bennett, and in the original tract line as mentioned above; thence with the original line N $21^{\circ} 00'$ E - 648.0 feet more or less to the place of beginning, containing 4.30 acres more or less.

The above described parcel is subject to any and all Rights of Way and Easements which may have been previously obtained by Cynthiana Pike; it also completely absorbs a tract of land, which was previously conveyed to Donald Kells by Deed and is recorded in Deed Book 80, Page 366, in the Grant County Clerk's Office at Williamstown, Ky. That is to say, that the above mentioned tract of land owned by Donald Kells, does in its entirety, lie within the confines of the foregoing described parcel of land.

The above described parcel of land is in accordance with a survey made by Gerald G. Caldwell on 24 November 1965.

The EXCEPTION above being the same property conveyed to Donald Kells by Deed dated the 3rd day of January 1966 which is recorded in Deed Book 102, page 268 in the Grant County Court Clerk's Office, Williamstown, Kentucky.

There IS EXCEPTED FROM ANNEXATION the following described territory to wit:

The following is a description of a parcel of ground lying and being on the Southwest side of Cynthiana Pike, 1 mile east of Williamstown in Grant County, Kentucky and more particularly described as follows:

BEGINNING at a P.K. Nail in the center of the Cynthiana Pike and a corner to a 4.30 acre tract of Donald Kells; thence with the center of said road S 41 27' E 100.0 feet; thence S 54 47' E 250.0 feet; thence S 42 21' E 71.9 feet to a P.K. nail; thence leaving said road and with a new made lines of the grantors, S 48 56' W 348.73 feet to a 18" Walnut; thence S 63 33' W 176.35 feet to a 6" Twin Hickory; thence N 86 05' W 121.62 feet to a iron pipe by a 12" Locust; thence N 46 31' W 62.1 feet to a iron pipe by a large Oak; thence North 37 59' W 117.8 feet to an iron pipe by a 4" Hickory in the line of Glenmore Bennett; thence with said lines, S 54 01' E 215.6 feet to an iron pipe; thence N 55 54' E 419.81 feet to the place of beginning, containing 9.55 acres, more or less, in accordance with a survey made by Hicks and Mann, Inc. on the 5th day of September 1978 by Phillip G. Hicks, Reg. L.S. Lic. #1770.

SOURCE OF TITLE: Being the same property conveyed to Pendleton Federal Savings and Loan Association, a Kentucky corporation, by deed from Michael G. Young, Master Commissioner, dated October 16, 1991, and which is of record in Deed Book 189, Page 13, in the office of the Grant County Court Clerk, Williamstown, Kentucky.

This being the same to Roy D. Martin and Kim M. Martin, grantees by the Pendleton Federal Savings and Loan Association, Grantors on the 2nd of

November, 1991 and recorded in Deed Book 189, Page 68.

There is further excepted from this Ordinance the following described property:

Lying and being in Grant County, Kentucky on the waters of Coopertown Creek and more particularly described as follows, to-wit:

BEGINNING at a point in the center of Coopertown Creek and said point being a common corner to Lena Wolfe, Lillian Caldwell and the Grantors herein; thence with the line of Lillian Caldwell, N 86 degrees 59' 24" W - - 466.62 feet to a point in the line of O.V. Steger; thence with said lines, N O degrees 38' 12" W - -44.22 feet to a 36" Oak; thence N 56 degrees 19' 19" W - - 1718.74 feet to a 14" Oak in the line of Dudley Peddicord; thence with said line, N 18 degrees 14' 24" E - - 480.99 feet to an iron pin; thence with a new made line partitioning the Grantors property, S 60 degrees 25' 50" E -1935.69 feet to a 12" Walnut in the line of Lena Wolfe; thence with said line, S 6 degrees 49' 17" E - -527.14 feet to the place of beginning containing 25.3511 Acres more or less.

The above description is in accordance with a survey made by Hicks and Mann, Inc. on November 11, 1992.

This being part of the same property conveyed to Melvin Shoemaker ad Nadine Shoemaker, his wife by virtue of a deed dated October 7, 1967 from Ottis Kells and Velma Kells, his wife and appears of record in Deed Book 106, Page 95 in the office of the Grant County Clerk, Williamstown, Kentucky.

This being the property conveyed to Epperson Waste Disposal, Inc., a Kentucky corporation by virtue of a deed from Melvin Shoemaker and Nadine Shoemaker, his wife which appears of record in Deed Book 196, Page 260 in the office of the Grant Count Clerk, Williamstown, Kentucky.

SECTION II

There is excluded here from any area already in any incorporated city, including, but not necessarily limited to the City of Williamstown, Kentucky.

SECTION III

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION IV

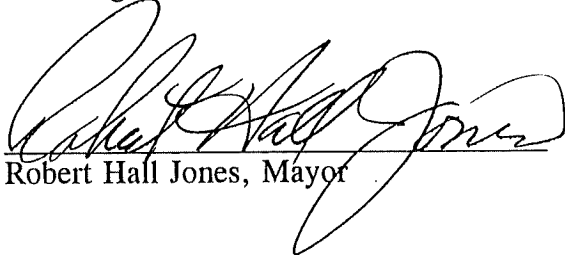
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION VI

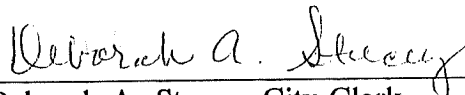
This ordinance shall be effective as soon as possible according to law.

SECTION V

This ordinance shall be published in full pursuant to K.R.S. 83A.060(9) and K.R.S. 100.207 and shall be effective as soon as possible according to law.


Robert Hall Jones, Mayor

ATTEST:


Deborah A. Stacey, City Clerk

1996-01

1st Reading	-	<u>3/4/96</u>
2nd Reading	-	<u>4/1/96</u>
Publication	-	<u>4/11/96</u>

CERTIFICATION

The undersigned Deborah Stacey, City Clerk of the City of Williamstown, in Grant County, Kentucky hereby certifies as follows:

1. The foregoing Ordinance No. 1996-02 was introduced in writing and read to the City Council of the City of Williamstown at regular or special meetings thereof on the 4th day of March, 1996, and the 1st day of April, 1996, at which quorums were present; and said Ordinance was enacted by the City Council of the City of Williamstown upon the affirmative vote of at least a majority of a quorum thereof, at the meeting thereof on the 1st day of April, 1996, with the vote of each member of the city council entered upon the official record of such meeting; and

2. After the passage and adoption of the foregoing Ordinance by the City Council of the City of Williamstown, it was submitted to the Mayor of the City of Williamstown who approved said Ordinance by affixing his signature thereto within ten (10) days after the submission thereof to him; and

3. The foregoing Ordinance was published on the 11th day of April, 1996, in the Grant County News, a newspaper qualified therefor, pursuant to the provisions of K.R.S. Chapter 424.

Deborah A. Stacey
Deborah A. Stacey, City Clerk

The Grant County News
P.O. Box 247
Williamstown, Kentucky 41097

AFFIDAVIT

The affiant, Ken Stone, publisher or proprietor of The Grant County News, Williamstown, Kentucky, after being duly sworn and cautioned does depose and states the following:

That The Grant County News is a newspaper printed and published in the State of Kentucky, and of general circulation in the County or Counties of Grant.

That the attached Legal Notice was duly published in The Grant County News on

April 11, 1996.

Done at Williamstown, Kentucky, this 17 day of April, 1996

Ken Stone

STATE OF KENTUCKY
COUNTY OF GRANT

Subscribed and sworn to before me by Ken Stone, this
17 day of April, 1996, at Williamstown, Grant County,
Kentucky.

John Huston
Notary Public

My commission expires 7/22/98.