

City of Wilmore

JESSAMINE COUNTY, KENTUCKY

- IN THE HEART OF THE BLUEGRASS -

HAROLD L. RAINWATER
Mayor

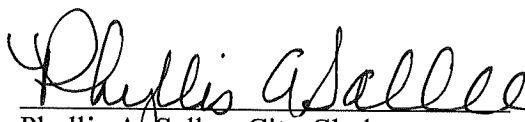
335 East Main Street
Wilmore, Kentucky 40390
(859) 858-4411
FAX (859) 858-3595
www.wilmore.org

PHYLLIS SALLEE
City Clerk

HAYLEY ELLIS, CPA
Finance Director

I certify I am the duly qualified City Clerk of the City of Wilmore, Kentucky, and the foregoing 6 pages of Ordinance No. 654-12 is a true, correct and complete copy duly adopted by the Wilmore City Commission at a duly convened meeting held on November 19, 2012, all as appears in the official records of said City.

WITNESS, my hand this 19th day of November, 2012.


Phyllis A. Sallee, City Clerk
City of Wilmore

RECEIVED AND FILED
DATE November 30, 2012

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hayley Ellis

ORDINANCE NUMBER 654-12

ORDINANCE OF THE CITY OF WILMORE, KENTUCKY ANNEXING 12.01 ACRES, MORE OR LESS, BEING THE RIGHT-OF-WAY OF LEXINGTON ROAD (KY-29) FROM MILE POINT 5.436 TO MILE POINT 7.031.

I. **WHEREAS:** The subject property of this ordinance is urban in character and no part of the area proposed to be annexed is included within the boundary of another incorporated city; and

WHEREAS: Said right-of-way has been incorporated or adjacent to other prior annexations of the City; and

WHEREAS: Said annexations have resulted in gaps and gores in the continuity of said right-of-way strip; and

WHEREAS: The City of Wilmore strives to clarify and establish domain over the entirety of said right-of-way between the stipulated mile points; and

WHEREAS: The Kentucky Transportation Cabinet has by letter dated October 31, 2012 consented to annexation of their right-of-way as evidenced by Exhibit A attached and included, hereof, and therefore pursuant to KRS 81A.412 there is no requirement for a notification order as required by KRS 81A.420(1) or notice requirement by KRS 81A.425 or a waiting period of 60 days as provided by KRS 81A.420(2) prior to enacting a final ordinance annexing the subject area; and

WHEREAS: The City of Wilmore has declared the following described property by reason of present use and potential, to be urban in character, therefore, the City finds it desirable to annex the proposed unincorporated right-of-way as described herein, and said property is hereby annexed into the territorial limits of the City of Wilmore, pursuant to the provisions of KRS 81A.420 et seq.:

WHEREAS: This ordinance is authorized by KRS 81A.412.

NOW THEREFORE PURSUANT TO THE AUTHORITY IN CHAPTER 81A OF THE KENTUCKY REVISED STATUTES AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMORE, THAT THE PROPERTY TO BE ANNEXED IS MORE FULLY DESCRIBED IN EXHIBIT B, ATTACHED AND INCLUDED, HEREOF.

- II. A plat of said territory designated as Exhibit C is attached and included hereof.
- III. This ordinance shall become effective on the date of its passage and publication in the Jessamine Journal as required by KRS Chapter 424. Upon final annexation, the annexed property shall retain the zoning classification of the adjacent and contiguous property to said right-of-way, in accordance with Article II of the City of Wilmore Zoning Ordinance.

November 12, 2012
Date

Harold Rainwater
HAROLD L. RAINWATER
MAYOR OF WILMORE

Phyllis A. Sallee
ATTEST: PHYLLIS A. SALLEE,
WILMORE CITY CLERK

GIVEN SECOND READING AND DULY ADOPTED BY THE CITY COUNCIL
AT A PROPERLY CONVENED MEETING HELD ON THE 19th DAY OF
NOVEMBER, 2012

Harold Rainwater
HAROLD L. RAINWATER
MAYOR OF WILMORE

Phyllis A. Sallee
ATTEST: PHYLLIS A. SALLEE,
WILMORE CITY CLERK



TRANSPORTATION CABINET

Department of Highways District 7 Office
763 West New Circle Rd., Building 2
Lexington, KY 40512
(859) 246-2355

Steven L. Beshear
Governor

Michael W. Hancock, P.E.
Secretary

October 31, 2012

The Honorable Harold L. Rainwater
Mayor, City of Wilmore
335 East Main Street
Wilmore, KY 40390

Dear Mayor Rainwater:

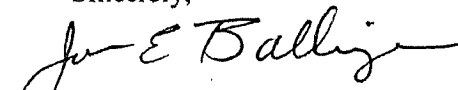
In response to an inquiry from the City of Wilmore, the Kentucky Transportation Cabinet generally does not oppose nor concurs with the annexation issues of local communities. The inquiry involves the following routes:

- US 68 (Harrodsburg Road) MP 2.331 to MP 5.491
- KY 1258 (Glass Mill Road) MP 11.857 to 12.057
- ✓ ▪ KY 29 (Lexington Road) MP 5.436 to MP 7.031

The KYTC wishes to remain neutral regarding this matter with the understanding that the Cabinet still controls all right of way along these routes.

By this letter the KYTC has no opposition to the efforts of the City of Wilmore to proceed with the annexation effort of the routes listed above including the KYTC right of way. Should you have additional questions regarding this matter, please do not hesitate to contact this office.

Sincerely,


James E. Ballinger, P.E.
Chief District Engineer

c: Kelly Baker
Steve Farmer
Randy Turner



An Equal Opportunity Employer M/F/D

Exhibit A
ORDINANCE NO. 654-12

Exhibit B
BOUNDARY DESCRIPTION
PROPOSED RIGHT-OF-WAY ANNEXATION
KY 29 – LEXINGTON ROAD

All that tract or parcel of land encompassing the right-of-way of KY 29, Lexington Road from the northerly corporate limits as defined by the Secretary of State to the intersection of US 68, Harrodsburg Road and being more particularly described as follows, to wit:

Beginning at a point on the existing corporate limits to Wilmore, Jessamine County, Kentucky as defined by the Secretary of State, said point being on the existing westerly right-of-way of KY 29, Lexington Road at approximate Mile Point 5.436, thence with the existing westerly right-of-way of KY 29, Lexington Road, N 35°23'30" E - 145.97' to a point, N 36°03'29" E - 284.77' to a point, N 33°15'29" E - 510.62' to a point, N 32°42'29" E - 685.75' to a point, N 09°34'40" E - 41.58' to a point, N 23°49'46" E - 101.12' to a point, N 32°21'37" E - 201.60' to a point, N 43°54'37" E - 74.92' to a point, N 17°32'28" E - 77.87' to a point, N 44°08'35" E - 76.99' to a point, N 25°49'03" E - 75.87' to a point, N 51°57'13" E - 92.34' to a point, N 32°26'29" E - 87.65' to a point, N 32°09'29" E - 400.15' to a point, N 33°17'45" E - 766.81' to a point, along a curve to the left having a radius of 9207.37' for an arc distance of 855.45', and having a chord bearing N 30°38'03" E - 855.14' to a point, along a curve to the right having a radius of 979.82' for an arc distance of 342.12' and having a chord bearing N 37°58'31" E - 340.38' to a point, N 47°58'42" E - 454.78' to a point, along a curve to the left having a radius of 1154.29' for an arc distance of 408.57' and having a chord bearing N 37°50'17" E - 406.44' to a point, N 27°41'07" E - 878.79' to a point, N 28°50'46" E - 836.18' to a point and N 29°08'54" E - 973.49' to a point, said point being on the existing easterly right-of-way of US 68, Harrodsburg Road, thence with the existing right-of-way of US 68, Harrodsburg Road, N 48°28'12" E - 120.89' to a point, said point being on the easterly right-of-way of KY 29, Lexington Road at approximate Mile Point 7.031, thence leaving the right-of-way of US 68, Harrodsburg Road and continuing with the easterly right-of-way of KY 29, Lexington Road, S 29°08'54" W - 1087.47' to a point, S 28°50'46" W - 835.67' to a point, S 27°41'07" W - 878.39' to a point, along a curve to the right having a radius of 1194.29' for an arc distance of 422.73', and having a chord bearing S 37°50'17" W - 420.52' to a point, S 47°58'42" W - 454.78' to a point, along a curve to the left having a radius of 939.82' for an arc distance of 320.00', and having a chord bearing S 38°13'26" W - 318.46' to a point, S 14°44'35" W - 222.39' to a point, S 28°47'44" W - 171.84' to a point, S 31°18'41" W - 192.95' to a point, S 31°18'41" W - 286.69' to a point, S 31°35'16" W - 270.44' to a point, S 29°18'10" W - 126.63' to a point, S 28°50'04" W - 50.00' to a point, S 31°57'44" W - 133.96' to a point, S 41°36'56" W - 248.85' to a point, S 29°00'03" W - 103.98' to a point, S 33°17'03" W - 139.57' to a point, S 37°39'47" W - 170.39' to a point, S 29°41'31" W - 107.25' to a point, S 36°58'56" W - 149.64' to a point, S 23°51'29" W - 100.90' to a point, S 30°04'11" W -

250.20' to a point, S 34°48'51" W - 350.32' to a point, S 35°34'09" W - 200.97' to a point, S 36°18'24" W - 100.50' to a point, S 35°42'11" W - 150.15' to a point, S 66°37'16" W - 28.68' to a point, S 33°15'29" W - 511.78' to a point and S 36°03'29" W - 280.67' to a point on the existing corporate limits of Wilmore, Jessamine County, Kentucky as defined by the Secretary of State, thence with the existing corporate limits of Wilmore, Jessamine County, Kentucky, N 67°53'32" W - 29.03' to a point and S 40°04'44" W - 144.40' to the beginning and containing 12.01 acres.

Ordinance No. 654-12, KY-29 (Lexington Road) R/W

CHECKLIST FOR ORDINANCE

CLERK'S ORDINANCE CERTIFICATION

ORDINANCE containing:

Letter of Consent (Exhibit A)

Surveyors Description (Exhibit B)

Map/Plat (Exhibit C) Annexation Plat - Meets the Standards of KRS 322.400, and Includes Evidence of Certification by a Professional Land Surveyor

PACKETS FOR DISTRIBUTION:

SECRETARY OF STATE PACKET – Office of the Kentucky Secretary of State, Land Office Division, Rm T40, Capitol Annex, 702 Capital Avenue, Frankfort, KY 40601 (3 sets)

COUNTY CLERK'S PACKET - 101 N. Main Street, Nicholasville, KY 40356

COUNTY PLANNING AND ZONING PACKET - 103 N. Main Street, Nicholasville, KY 40356

PROPERTY VALUATION ADMINISTRATION PACKET - 116 N. Main Street, Suite 1, Nicholasville, KY 40356

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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