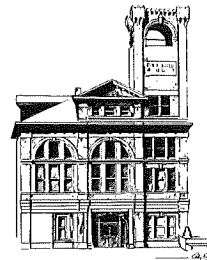


# City of Winchester



Finance Department

Established 1793

## MEMORANDUM

TO: John Y. Brown, III, Secretary of State  
FROM: Marilyn Rowe, Winchester City Clerk *Marilyn Rowe*  
DATE: April 8, 1996  
SUBJECT: Annexation of Property

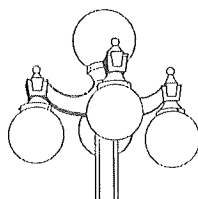
APR 15 1996

SECRETARY OF STATE  
COMMONWEALTH OF KY

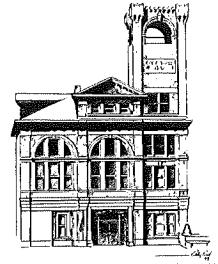
Pursuant to KRS 81A.470-475, attached is a duly certified copy of Ordinance Number 12-96 which was adopted after the second reading on April 2, 1996. Also, attached is a copy of the official city map which has the parcel annexed outlined in yellow.

I attest to the following information:

- A. There are no registered voters residing within the area annexed
- B. The metes and bounds are described in Section I of the Ordinance
- C. The sole owner of the property is Kentucky Development Venture One L.L.C., 501 Darby Creek Road, Suite #14, Lexington, KY 40509



# City of Winchester

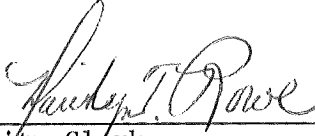



Finance Department

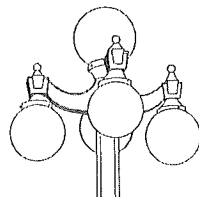
Established 1793

## CERTIFICATION OF THE CITY CLERK

I, Marilyn T. Rowe, certify that I am the duly qualified City Clerk of Winchester, Kentucky, and that the attached copies of Ordinance No. 12-96 and city map showing the parcels annexed are true and exact copies of the originals which are the official city records on file.

  
\_\_\_\_\_  
City Clerk  
  
Date

(SEAL OF CITY)



CITY OF WINCHESTER, KENTUCKY

ORDINANCE NO. 12-94

AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY CERTAIN LAND IN CLARK COUNTY, KENTUCKY LYING ADJACENT TO THE EXISTING CITY LIMITS AND SITUATED ON THE WEST SIDE OF THE WINCHESTER BYPASS, KENTUCKY HIGHWAY 1958, AT THE POINT JUST EAST OF PROPERTY OWNED BY THE REALTY SHOP, INC. AND THE EXISTING CITY LIMITS

WHEREAS, Kentucky Development Venture One L.L.C. is the owner of 17.52 acres, more or less, of unincorporated territory located in Clark County, Kentucky adjacent to and contiguous with the existing boundary of the City of Winchester, Kentucky and situated on the west side of the Winchester Bypass, Kentucky Highway 1958, and the said owner of the property has consented to its annexation into the City of Winchester, Kentucky, and

The Board of Commissioners of the City of Winchester, Kentucky deems it advisable and in the best interests of the City to annex that property (more fully described below) into the City;

NOW, THEREFORE, the Board of Commissioners of the City of Winchester, Kentucky makes the following Findings of Fact:

1. The property proposed to be annexed is described, by metes and bounds, in Section I below; it is part of the property formerly known as the property of the Eugene T. Tucker Heirs and is identified as Parcel A containing 17.52 acres, more or less, on the record plat for Eugene T. Tucker Heirs of record at Plat Slide 1114, Clark County Court Clerk's office.

2. The sole owner of the property to be annexed is Kentucky Development Venture One L.L.C., a Kentucky limited liability company.

3. Kentucky Development Venture One L.L.C. has consented to the annexation of the property to the City of Winchester, Kentucky and its signed, notarized consent is attached hereto marked Exhibit "A".

4. The property is adjacent to and contiguous with City boundaries and it is, by reason of its imminent development for commercial purposes, urban in character.

NOW, THEREFORE, BE IT ORDAINED by the City of Winchester, Kentucky as follows:

SECTION I. Pursuant to the provisions of KRS 81A.400, et seq., and specifically KRS 81A.412, the following described unincorporated territory, located in Clark County, Kentucky, be, and it is hereby, annexed to the City of Winchester, Kentucky:

All that certain tract or parcel of land situated on the west side of the Winchester Bypass, Kentucky 1958, containing 17.52 acres, more or less, and being identified as Parcel A on the record plat of Eugene T. Tucker Heirs of record at Plat Slide 1114, Clark County Court Clerk's office, to which plat reference is made for a more particular description. A copy of the plat is attached hereto and made a part hereof marked Exhibit "B".

The property is described by metes and bounds as follows:

Beginning at a PK Nail in the existing right-of-way of KY 1958, Winchester By Pass, 104.22 feet right of centerline station 107+32.70, corner to The Realty Shop, Inc., thence with the existing right-of-way of KY 1958; South 86°24'37" East 20.00 feet to a PK Nail, 84.22 feet right of centerline station 107+32.51, thence; South 03°28'00" West 50.00 feet to an Iron Pin, 84.22 feet right of centerline station 107+82.51, thence; South 07°16'08" West 75.57 feet to an Iron Pin, 89.22 feet right of centerline station 108+57.81, thence; South 05°02'04" West 140.39 feet to an Iron Pin, 93.04 feet right of centerline station 109+98.15, thence; South 00°18'14" East 170.20 feet to an Iron Pin, 91.91 feet right of centerline station 111+57.30, thence; South 11°02'30" East 147.62 feet to an Iron Pin, 80.16 feet right of centerline station 112+95.37, thence; With a curve to the left having a radius of 1351.24 feet, a length of 248.661 feet, and a chord of South 14°45'46" East 248.31 feet feet, to an Iron Pin, corner to remaining lands of Eugene T. Tucker Heirs, thence leaving the existing right-of-way of KY 1958 with Eugene T. Tucker Heirs; South 71°06'28" West 113.20 feet to an Iron Pin, thence; South 56°06'28" West 341.93

feet to an Iron Pin, thence; North 86°31'48" West 311.65 feet to an Iron Pin, thence; North 03°57'03" East 87.60 feet to an Iron Pin, thence; North 86°31'48" West 278.36 feet to an Iron Pin, thence; North 03°28'12" East 395.63 feet to an Iron Pin, thence; North 38°39'15" East 166.90 feet to an Iron Pin, thence; North 03°50'21" East 58.78 feet to an Iron Pin, thence; North 36°07'01" East 124.16 feet to an Iron Pin, thence; North 48°50'21" East 402.52 feet to an Iron Pin in the center of the abandoned right-of-way of C&O Railroad, corner to The Realty Shop, Inc., thence with The Realty Shop, Inc.; South 86°24'37" East 378.72 feet to the beginning.

SECTION II. This Ordinance shall become effective upon publication as required by law.

Introduced and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on the 19th day of March, 1996 and finally adopted, after second reading, at a meeting of said Board held on the 2<sup>nd</sup> day of April, 1996.

  
MAYOR, CITY OF WINCHESTER, KENTUCKY

ATTEST:

  
CITY CLERK

Prepared by the City Attorney - 3/15/96

I certify that the foregoing is a true and exact copy of Ordinance No. 12-96 which was adopted by the City of Winchester, Kentucky.

  
Marilyn Rowe, City Clerk

April 3, 1996  
Date



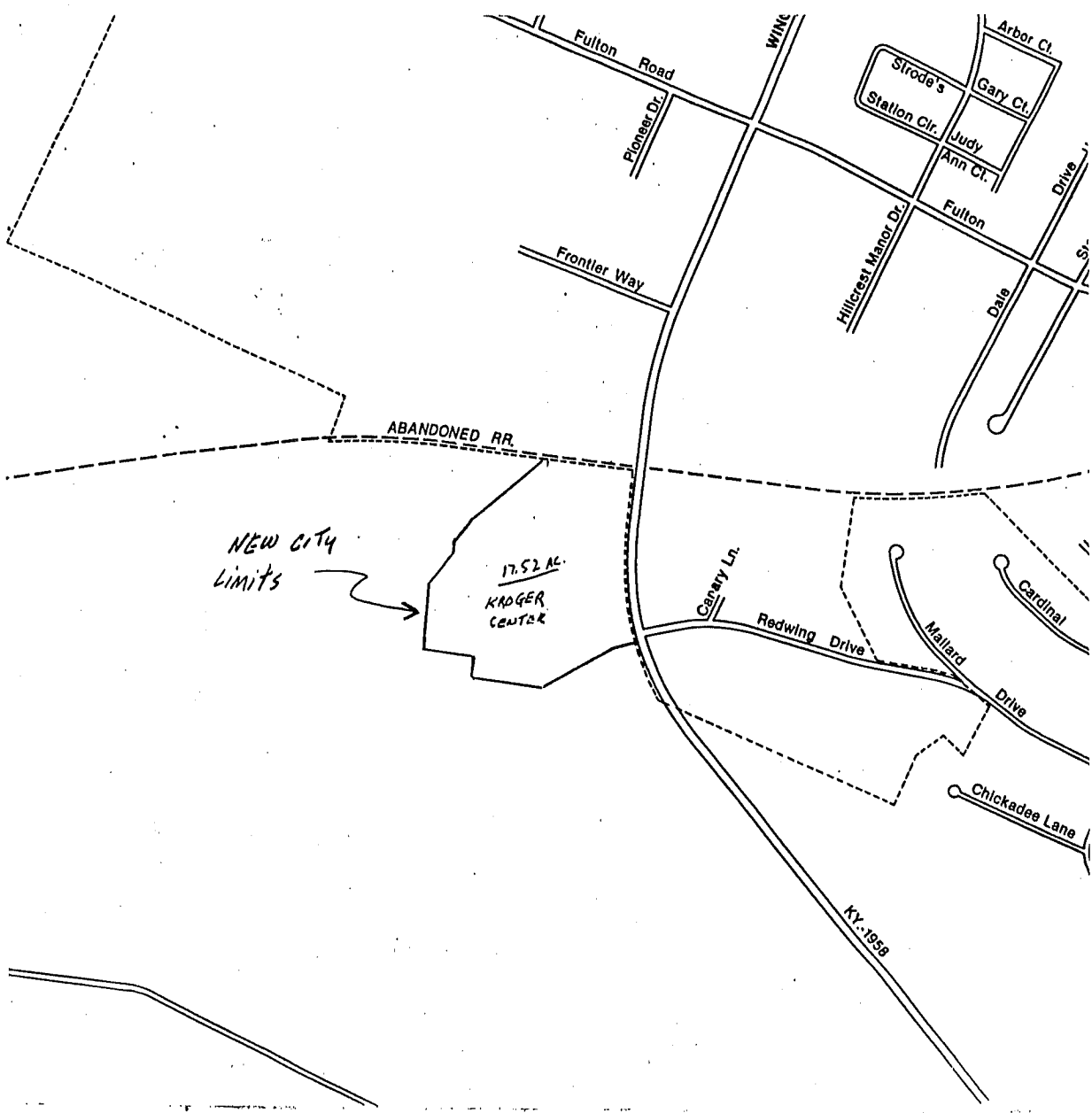
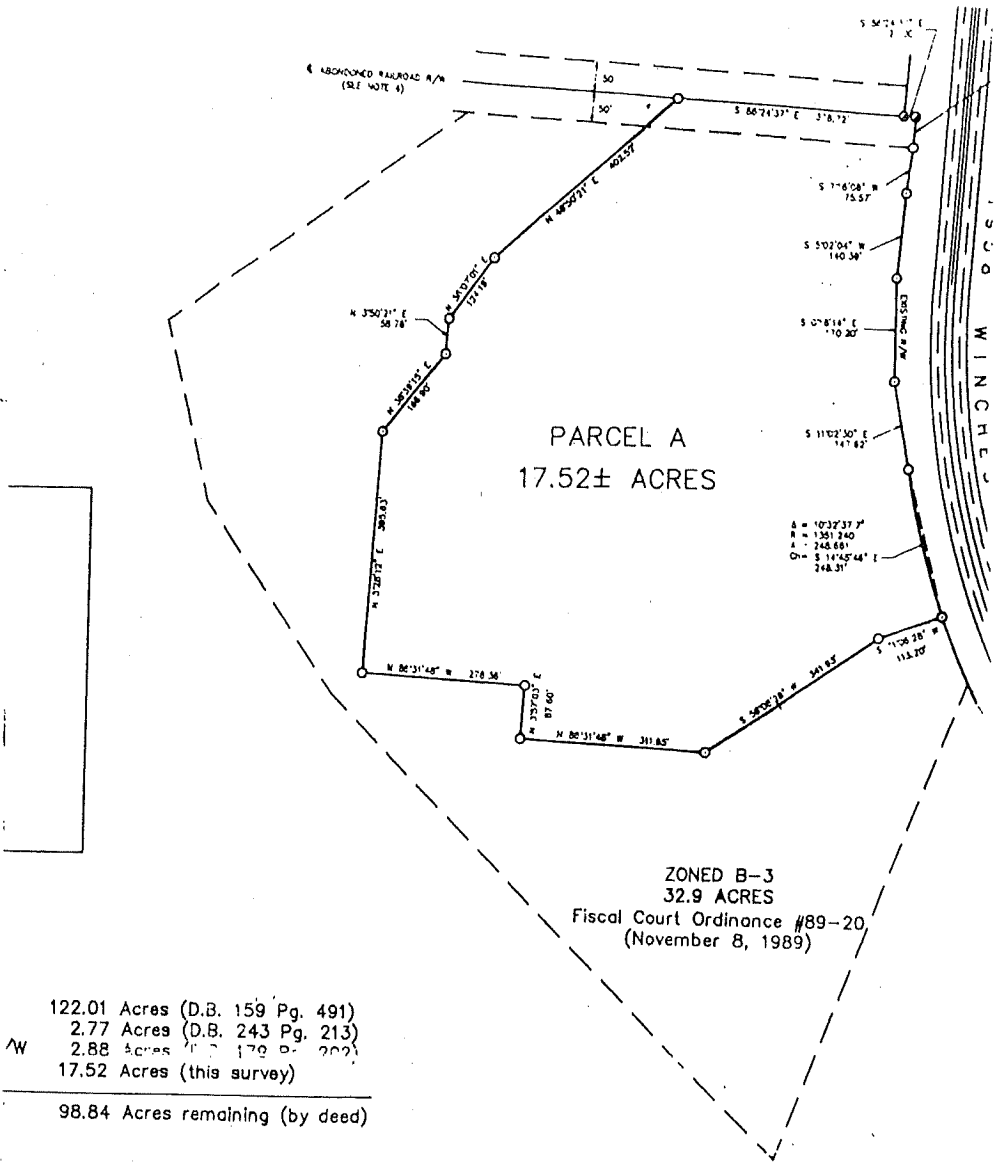


Exhibit "B"

LOWE'S  
The Realty Shop, Inc.  
(D.B. 325 Pg. 314)  
Slide 1055B



122.01 Acres (D.B. 159 Pg. 491)
2.77 Acres (D.B. 243 Pg. 213)
2.88 Acres (D.B. 170 Pg. 202)
17.52 Acres (this survey)
<hr/> 98.84 Acres remaining (by deed)

ZONED B-3  
32.9 ACRES  
Fiscal Court Ordinance #89-20  
(November 8, 1989)

G E N D