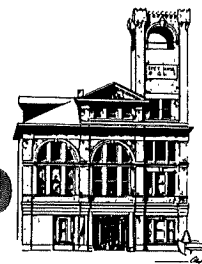


City of Winchester

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Finance Department

MEMORANDUM

SECRETARY OF STATE
COMMONWEALTH OF KY

Established 1793

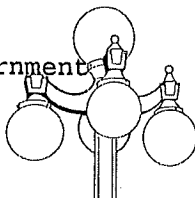
TO: Anita Jones, Clark County Clerk
FROM: Marilyn Rowe, Winchester City Clerk
DATE: November 12, 1997
SUBJECT: Annexation of Property

Pursuant to KRS 81A.470-475, attached is a duly certified copy of Ordinance Number 36-97 which was adopted after the second reading on November 4, 1997. 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. No person or entity has filed a petition in protest of the annexation.
- C. The metes and bounds are described in Section II of the Ordinance
- D. The owners of property are as follows:
 1. Mrs. Thomas Bulleit, 760 Montclair Drive, Lexington, KY 40502
 2. Clark Regional Medical Center, Robert D. Fraraccio Process Agent, 1107 W. Lexington Avenue, Winchester, KY 40391
 3. James B. Allen Jr., County Judge Executive, 34 S. Main Street, Winchester, KY 40391
 4. Dahlem Enterprises, Inc., Attn: Charles J. Dahlem Process Agent, 6200 Dutchman Lane, Suite LL-1, Louisville, KY 40205
 5. Mrs. Myrtle Hinds, P. O. Box 434, Winchester, KY 40392-0434
 6. Charles Linkes, Chief District Engineer, Commonwealth of Kentucky, P. O. Box 1127, Lexington, KY 40512
 7. R. S. McCready Fourth B Trust, Richard S. McCready, Jr., 61 South Main Street, Winchester, KY 40391
 8. Mr. Thomas D. Muncie, Mrs. Patricia Muncie, 11 Bonney Brook Lane, Winchester, KY 40391
 9. Stevenson Farms, Inc., 305 Boone Avenue, Winchester, KY 40391
 10. Mr. Thomas D. Muncie and Mrs. Patricia Muncie, Colby Station Center, Winchester, KY 40391


CC: Secretary of State
Department of Local Government



CERTIFICATION

The undersigned, City Clerk of the City of Winchester, Kentucky (the "City"), hereby certifies that the foregoing is a true, complete and correct copy of an Ordinance finally adopted upon second reading by the Board of Commissioners of the City upon the occasion of a properly convened meeting of said Board of Commissioners held on November 4, 1997, signed by the Mayor and attested by me as City Clerk, all as shown by the official records in my custody and under my control. I further certify that the said Ordinance has been published in the legal newspaper published in Winchester, Kentucky, qualified under KRS Chapter 424 to publish legal documents on behalf of the City on November 8, 1997.

WITNESS my hand this November 12, 1997.



City Clerk
City of Winchester, Kentucky

SEAL

CITY OF WINCHESTER, KENTUCKY
ORDINANCE NO. 36-97

AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY APPROXIMATELY 150 ACRES IN CLARK COUNTY, KENTUCKY LYING ADJACENT TO THE EXISTING CITY LIMITS IN THE NORTHEAST AND SOUTHEAST QUADRANTS OF THE INTERSECTION OF KENTUCKY 1958 (THE BYPASS) AND COLBY ROAD AND INCLUDING CERTAIN ADJACENT RIGHTS-OF-WAY OF COLBY ROAD AND KENTUCKY HIGHWAY 1958

WHEREAS, the Board of Commissioners of the City of Winchester, Kentucky enacted Ordinance No. 28-97 proposing to annex to the City of Winchester, Kentucky certain unincorporated territory located in Clark County, Kentucky consisting of 150 acres, more or less, in the vicinity of the northeast and southeast quadrants of the intersection of Kentucky Highway 1958 (the Bypass) and Colby Road, including adjacent rights-of-way along Colby Road and Kentucky Highway 1958 owned by Clark County, Kentucky and the Commonwealth of Kentucky for the Transportation Cabinet, Department of Highways, by giving first reading on June 17, 1997, by giving written notice on July 3, 1997 pursuant to KRS 81A.425, by giving second reading on August 5, 1997, by the City Clerk having certified the list of property owners to whom the notice was sent and the certified list having been made a part of the official record of the meeting at which the Ordinance proposing the annexation received its second reading, August 5, 1997, by publication of the Ordinance in The Winchester Sun on August 9, 1997 and September 24, 1997 pursuant to the provisions of Chapter 81A and Chapter 424 of the Kentucky Revised Statutes, the second publication having contained specific notice of the rights of resident voters or owners of the real property within

the limits of the territory proposed to be annexed to petition the Mayor in opposition of the proposal, no such petition having been received by the Mayor, by the City Clerk or by the Clark County Court Clerk and the remonstrance petition period having elapsed,

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

SECTION I.

1. The property to be annexed is described, by metes and bounds, in Section II below.

2. The area to be annexed, described as Tract 1, below, includes, generally, the property: a) owned by George S. Brooks, II and Elizabeth C. Brooks which is east of the Bypass and consists of approximately 33.11 acres, see deed of record in Deed Book 196, page 17, b) owned by Dahlem Enterprises, Inc., George S. Brooks, II, Elizabeth C. Brooks, Thomas D. Muncie and Patricia S. Muncie, designated as Parcel A and Tract 1 on the record plat for Hodgkin, Miller, Muncie, Katherine Hays (Tipton), The Winchester Bank (Trustee - William Hays Estate) and Muncie Buick, Inc., at Plat Slide 824B, c) owned by Thomas D. Muncie and Patricia S. Muncie and designated as Tract 2 on the Record Plat for H & M - H & M at Plat Slide 650B, and d) owned by Clark Regional Medical Center, Inc. in the southeast quadrant of the intersection of Highway 1958 and Colby Road and acquired by deeds of record in Deed Book 342 at pages 337 and 341, and e) including certain highway, street, and road rights-of-way owned by Clark

County, Kentucky and/or the Commonwealth of Kentucky for the Transportation Cabinet, Department of Highways, along Colby Road and Kentucky Highway 1958 (all references being to the records of the Clark County Court Clerk).

3. The area to be annexed, described as Tract 2 below, includes a portion of the property acquired by the R. F. McCready Fourth B Trust by deed of record in Deed Book 315, page 672, Clark County Court Clerk's office.

4. The owners of the property to be annexed were notified of the proposed annexation and of their right to file a remonstrance petition to the annexation of the property to the City of Winchester, Kentucky, according to law. No petition was filed or attempted to be filed and the time therefor has expired.

5. The property described below is contiguous or adjacent to the current boundaries of the City of Winchester, Kentucky. By reason of commercial, industrial and institutional use or subdivision and planned use of the property, the property described as Tract 1 is urban in character; and by reason of its subdivision the property described as Tract 2 is urban in character and/or is suitable for development for urban purposes without unreasonable delay. No part of the area described below is included within the boundary of another incorporated city.

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

TRACT 1. All that certain tract or parcel of land, lying and being in Clark County, Kentucky and situated along Kentucky Highway 1958 (Winchester ByPass) between Redwing Drive and Boonesboro Road, more particularly described as follows:

Beginning at a point in the line of the existing city limits in the east right-of-way line of the ByPass, a corner common to Kentucky Partners and George S. Brooks, II, et al., thence with said city limits, Kentucky Partners, et al. including Greenfield Estates subdivision S.69°30'E. 2350 feet to a corner in the line of Holliday Villa subdivision; thence in part with said subdivision and Quail Ridge subdivision S.18°51'W. 558.42 feet; thence continuing with said Quail Ridge subdivision S.71°41'E. 903.66 feet to the line of Holliday Villa subdivision; thence with said subdivision S.13°59'E. 356.68 feet to a P.K. Nail in the center of Colby Road; thence with said road five calls as follows: (1) N.63°24'E. 150.67 feet to a P.K. Nail, (2) N.80°51'E. 101.55 feet to a P.K. Nail, (3) N.88°16'E. 100.11 feet to a P.K. Nail, (4) S.89°06'E. 549.39 feet to a P.K. Nail, (5) S.88°13'E. 111.16 feet to a P.K. Nail, a corner common with Lot 10 of Hampton Manor Unit "A"; thence with said unit S.23°53'W. at 252.4 feet passing a corner common with McCready R. F. Fourth B 5 24 91 Trust, in all 581.71 feet to a P. K. Nail in a fence post; thence continuing with said trust two calls as follows: (1) S.24°09'W. 490.32 feet to a P.K. Nail in a fence post, (2) S.24°02'W. 711.26 feet to an iron pin in the northeast right-of-way line of the ByPass; thence with said right-of-way line twelve calls as follows: (1) S.31°31'E. at 173.19 feet passing the existing city limits line, in all 302.98 feet following said city limits line to a point 64.29 feet left of Station 170+25, (2) S.37°24'E. 271.35 feet to a point 77.83 feet left of Station 172+94.35, (3) S.31°29'E. 85.13 feet to a point 74.45 feet left of Station 173+79.31 and in the north right-of-way line of Windridge Drive, (4) S.23°45'E. 50.84 feet to a point 65.60 feet left of Station 174+29.37 and in the south right-of-way line of Windridge Drive, (5) S.24°02'E. 11.28 feet to

a point 63.69 feet left of Station 174+40.49,
 (6) S.34°23'E. 500.03 feet to a point 68.97
 feet left of Station 179+40.49, (7)
 S.34°57'E. 259.56 feet to a point 74.31 feet
 left of Station 182+00, (8) S.33°32'E. 462.11
 feet to a point 72.31 feet left of Station
 186+62.11, (9) S.38°50'E. 343.26 feet to a
 point 102.55 feet left of Station 190+04.04,
 (10) S.42°11'E. 36.78 feet to a point 107.93
 feet left of Station 190+40.42, (11)
 S.22°34'E. 152.77 feet to a point 78.25 feet
 left of Station 191+90.28, (12) S.33°46'E.
 231.16 feet to a point 78.22 feet left of
 Station 194+21.44; thence crossing said
 ByPass S.11°47'W. 296.97 feet to a point in
 the southwest right-of-way line, 158.90 feet
 right of Station 195+90.63; thence with said
 right-of-way line fifteen calls as follows:
 (1) N.10°08'W. 131.46 feet to a point 85 feet
 right of Station 195+00, (2) N.40°09'W.
 260.58 feet to a point 110 feet right of
 Station 192+50, (3) N.33°47'W. 175.00 feet to
 a point 110 feet right of Station 190+75, (4)
 N.25°38'W. 176.78 feet to a point 85 feet
 right of Station 189+00, (5) N.34°44'W.
 300.04 feet to a point 90 feet right of
 Station 186+00, (6) N.34°39'W. 650.08 feet to
 a point 100 feet right of Station 179+50, (7)
 N.33°08'W. 450.03 feet to a point 95 feet
 right of Station 175+00, (8) N.36°45'W.
 299.35 feet to a point 110 feet right of
 Station 172+00, (9) N.27°38'W. 199.87 feet to
 a point 85 feet right of Station 170+00, (10)
 N.44°27'W. 200.51 feet to a point 115 feet
 right of Station 168+00, (11) N.36°36'W.
 396.08 feet to a point 110 feet right of
 Station 164+00. (12) N.27°18'W. 151.75 feet
 to a point 80 feet right of Station 162+50,
 (13) N.54°30'W. 153.98 feet to a point 120
 feet right of Station 161+00, (14) N.38°55'W.
 594.83 feet to a point 95 feet right of
 Station 155+00, (15) N.47°01'W. 149.31 feet
 to a point 105 feet right of Station 153+50
 and in the south right-of-way line of Colby
 Road; thence with said right-of-way line
 three calls as follows: (1) S.65°03'W. 306.04
 feet, (2) S.63°26'W. 159.72 feet to a point
 60 feet right of Colby Road Station 20+00 as
 shown on plan SRS 025 1927 006-007, (3)
 S.80°29'W. 164.68 feet to a point 36.02 feet
 right of Station 18+44.10; thence N.13°35'W.
 36.02 feet to the center of Colby Road;

thence with said road two calls as follows:
(1) 623.06 feet with a curve to the right, having a radius of 1,041.74 feet, the chord of which is N.86°27'W. 613.81 feet to PC Station 12+21.05, (2) N.69°19'W. 71.05 feet to Station 11+50; thence N.20°41'E. 15.00 feet to the north right-of-way line of Colby Road and the existing city limits line; thence with said right-of-way line and said city limits line eight calls as follows: (1) N.79°43'E. 58.31 feet to a point 45 feet left of Station 12+00, (2) S.73°42'E. 191.99 feet to a point 45 feet left of Station 14+00, (3) S.87°39'E. 190.37 feet to a point 55 feet left of Station 16+00, (4) N.81°36'E. 283.18 feet to a point 55 feet left of Station 19+00, (5) N.71°13'E. 142.40 feet to a point 50 feet left of Station 21+50, (6) N.54°39'E. 151.23 feet, (7) N.57°09'E. 147.13 feet, (8) N.57°22'E. 78.20 feet; thence continuing with the right-of-way line N.10°47'E. 46.00 feet to the west right-of-way line of the ByPass; thence with said right-of-way line seventeen calls as follows: (1) N.43°25'W. 88.25 feet, (2) S.57°00'W. 76.26 feet to a point 130 feet right of Station 150+54.32 as shown on plan SSP 025 1958 000-002 018 D, (3) N.43°25'W. 254.32 feet to a point 130 feet right of Station 148+00, (4) N.49°08'W. 201.00 feet to a point 150 feet right of Station 146+00, (5) N.46°35'E. 60.00 feet to a point 90 feet right of Station 146+00, (6) N.43°25'W. 100.00 feet to a point 90 feet right of Station 145+00, (7) N.42°51'W. 500.02 feet to a point 85 feet right of Station 140+00, (8) N.41°47'W. 350.14 feet to a point 75 feet right of Station 136+50, (9) N.51°01'W. 151.33 feet to a point 95 feet right of Station 135+00, (10) N.44°03'W. 450.03 feet to a point 100 feet right of Station 130+50, (11) N.37°42'W. 201.00 feet to a point 80 feet right of Station 128+50, (12) N.49°08'W. 301.50 feet to a point 110 feet right of Station 125+50, (13) N.42°28'W. 300.04 feet to a point 105 feet right of Station 122+50, (14) N.39°22'W. 207.48 feet to a point 95 feet right of Station 120+50, (15) N.33°31'W. 264.46 feet to a point 90 feet right of Station 118+00, (16) N.32°52'W. 95.63 feet to a point 97.43 feet right of Station 117+10, (17) S.69°55'E. 27.27 feet to the old west right-of-way line, being 78.90 feet right of

Station 117+28.95; thence with said old right-of-way two calls as follows: (1) S.26°14'E. 10.57 feet to a point 79.16 feet right of Station 117+39.01, (2) S.33°21'E. 170.57 feet to a point 71.53 feet right of Station 119+04.37; thence crossing the ByPass N.63°13'E. 145.82 feet to the beginning, containing an area of 115 acres, more or less.

TRACT 2. All that certain tract or parcel of land lying and being in Clark County, Kentucky and situated east of Hampton Manor and north of Windridge Subdivision, more particularly described as follows:

Beginning at an iron pin in the east line of Hampton Manor subdivision, the north line of Windridge Subdivision and the existing city limits, thence with said Windridge and said city limits two calls as follows: (1) N.67°59'W. 566.20 feet, (2) N.68°10'W. 783.20 feet to the right-of-way line of the Winchester ByPass; thence with said right-of-way line N.30°06'W. 173.19 feet to the line of the Clark Regional Medical Center; thence with said Center five calls as follows: (1) N.25°33'E. 263 feet, (2) N.25°23"E. 453.8 feet, (3) N.25°30'E. 364.7 feet, (4) N.25°28'E. 289.4 feet, (5) N.25°17'E. 160.1 feet to the south line of Hampton Manor Unit "A"; thence with said unit two calls as follows: (1) S.86°52'E. 180.6 feet, (2) S.87°45'E. 138.4 feet to a corner common with Lot 23 of Hampton Manor Unit 11; thence with said unit three calls as follows: (1) S.09°00'E. 142.1 feet to the north right-of-way line of Edgewood Drive, (2) S.12°49'W. 51.7 feet to the south right-of-way line of Edgewood Drive, (3) S.10°23'E. 257.9 feet to corner common with Lot 6 of Hampton Manor Unit 9; thence with said unit two calls as follows: (1) S.16°56'E. 115.6 feet, (2) S.08°49'E. 599.6 feet to a corner common with Lot 5 of Hampton Manor Unit 7; thence with said unit S.06°38'E. 221.27 feet to the north right-of-way line of Ashford Drive; thence crossing said drive S.13°03'E. 50.2 feet to the south right-of-way line of Ashford Drive, a corner common with Lot 4 of Hampton Manor Unit 6; thence with said unit four calls as follows: (1) S.13°02'E. 156.7 feet, (2)

N.78°34'E. 40.1 feet, (3) S.12°24'E. 56.2 feet, (4) S.69°24'E. 140.5 feet to a corner common with Lots 4 and 5 of Hampton Manor Unit 4; thence with said unit three calls as follows: (1) S.21°44'W. at 157.8 feet passing the north right-of-way line of Heritage Place, in all 207.8 feet to the south right-of-way line of Heritage Place, (2) S.68°16'E. 14.5 feet, (3) S.04°31'W. 157.5 feet to the beginning, containing 35 acres, more or less.

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

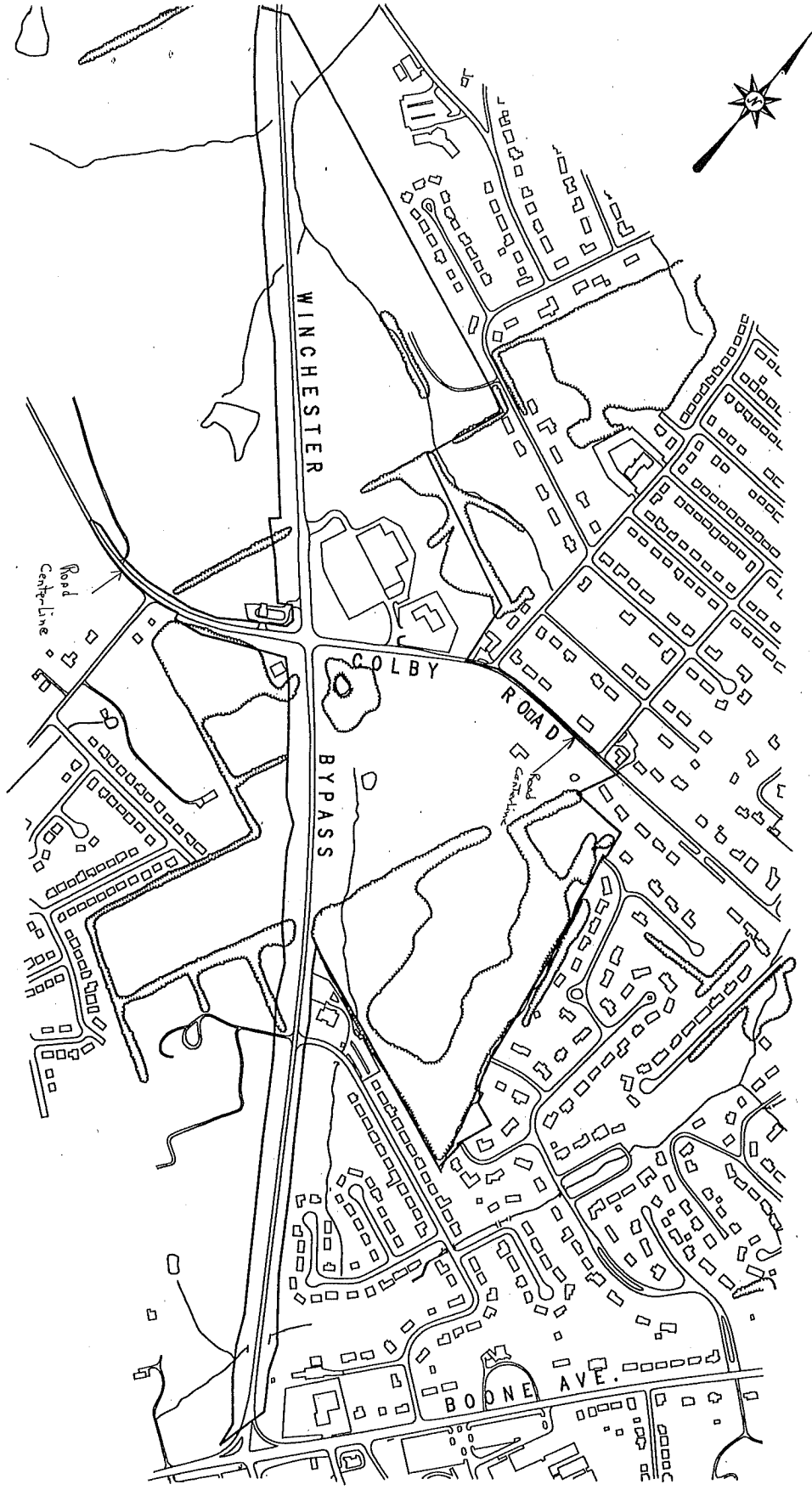
Introduced and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on the 21st day of October, 1997 and finally adopted, after second reading, at a meeting of said Board held on the 4th day of November, 1997.

Aene S. Kincaid
MAYOR, CITY OF WINCHESTER, KENTUCKY

ATTEST:

Paul T. Row
City Clerk

Prepared by the City Attorney 10/17/97



WINCHESTER BYPASS ANNEXATION PHASE II

SCALE: 1"=500'

36-97
11-4-97