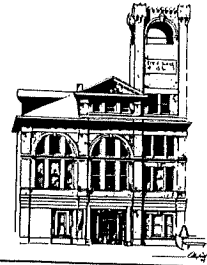


City of Winchester



Finance Department

Established 1793

MEMORANDUM

TO: Anita Jones, Clark County Clerk
FROM: Marilyn Rowe, Winchester City Clerk *MR*
DATE: April 28, 1998
SUBJECT: Annexation of Property

Pursuant to KRS 81A.470-475, attached is a duly certified copy of Ordinance Number 6-98 which was adopted after the second reading on February 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:

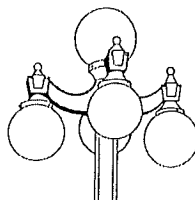
- A. There are no registered voters residing within the area annexed
- B. The metes and bounds are described in Section I of the Ordinance
- C. The owners of property are as follows:
 1. Earlymeade Farm Inc., 2346 Colby Road, Winchester, KY 40391
 2. Earlymeade, LLC, 150 Stonecrest Road, Winchester, KY 40391
- D. All owners have consented to the City of Winchester, Kentucky annexation of its property

CC: Secretary of State
Department of Local Government

RECEIVED


APR 30 1998

SECRETARY OF STATE
COMMONWEALTH OF KY



The undersigned, City Clerk of the City of Winchester, Kentucky (the "City"), hereby certified 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 April 21, 1998, 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 April 24, 1998.

WITNESS my hand this April 28, 1998



Marilyn Rowe
City Clerk, City of Winchester

SEAL

RECEIVED
APR 30 1998
SECRETARY OF STATE
COMMONWEALTH OF KY

CITY OF WINCHESTER, KENTUCKY

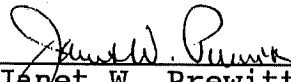
ORDINANCE NO. 6-98

SUMMARY OF ORDINANCE

AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY CERTAIN LAND IN CLARK COUNTY, KENTUCKY LYING ADJACENT TO THE EXISTING CITY LIMITS IN THE SOUTHWEST QUADRANT OF THE MCCLURE ROAD/COLBY ROAD INTERSECTION

THE PROPERTY ANNEXED CONSISTS OF APPROXIMATELY 132.53 ACRES AND IS ALL OF THE REAL ESTATE OWNED BY EARLYMEADE FARM, INC. AND EARLYMEADE, LLC. THE ANNEXATION IS BY CONSENT PURSUANT TO KRS 81A.412.

I hereby certify that the foregoing is an accurate summary of the contents of the above-entitled Ordinance.



Janet W. Prewitt
City Attorney

CITY OF WINCHESTER, KENTUCKY

ORDINANCE NO. 10-98

AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY CERTAIN LAND IN CLARK COUNTY, KENTUCKY LYING ADJACENT TO THE EXISTING CITY LIMITS IN THE SOUTHWEST QUADRANT OF THE MCCLURE ROAD/COLBY ROAD INTERSECTION

WHEREAS, the Board of Commissioners of the City of Winchester, Kentucky deems it advisable and in the best interest of the City to annex the hereinbelow described property into the City which, by reason of its subdivision, is suitable for development for urban purposes, because the property is adjacent to City boundaries and because increased population density is imminent because of the property's urban character; and

WHEREAS, the Board of Commissioners of the City of Winchester has received the prior consent of each owner of record;

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

SECTION I. The property proposed to be annexed is described by metes and bounds in Section II below. The area to be annexed includes, generally, the unincorporated territory located in Clark County, Kentucky consisting of approximately 132.53 acres, more or less, and being all of the real estate owned by Earlymeade Farm, Inc. and Earlymeade, LLC; the property is in the northwest quadrant of the intersection of Colby and McClure Roads; the property consists of part of the property acquired by Earlymeade Farm, Inc. from Robert Helm Early and

Wilma Sinkhorn Early by deed dated October 31, 1986, of record in Deed Book 277, page 73, and acquired by Earlymeade, LLC by deeds dated August 26, 1997, of record in Deed Book 346, at pages 243 and 247, and by deed of exchange with Susan Ann Early dated December 23, 1993, of record in Deed Book 318, page 496, Clark County Court Clerk's office. All of the owners of the property have consented to its annexation; the consent is attached hereto marked Exhibit "A". By reason of its subdivision the property is suitable for development for urban purposes without unreasonable delay, increased population density is imminent and the property is adjacent to City boundaries. 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:

That certain tract of land situated on the Colby Road and McClure Pike in Clark County, Kentucky and more particularly described as follows: Beginning at a point in the south margin of the Colby Road at the northeast corner of Tract No. 1 as shown on the plat of record in Plat Book 5 at page 90, Clark County Court Clerk's office; thence with the south margin of the Colby Road S 68° 12' E 127 feet more or less to a fence post, the northwest corner of the former Colby Heights Subdivision; thence continuing with the Colby Road S 68° 57' E 374.5 feet, S 68° 52' E 324.2 feet, S 75° 19' E 200 feet and S 80° 32' E 200 feet to a point in the middle of the McClure Pike; thence with the center of the McClure Pike S 00° 41' W 747.6 feet, S 00° 10' E 658.8 feet, S 06° 33' W 126.1 feet,

S 45° 55' W 43 feet, S 56° 52' W 330.1 feet, S 58° 48' W 401.3 feet, S 61° 44' W 234.1 feet, S 66° 42' W 600 feet to a point 4 feet south of the centerline of said McClure Pike, S 71° 19' W 444.7 feet to a point 4 feet north of the centerline of said pike, S 67° 15' W 700 feet to a point 3 feet south of the centerline of said pike and S 79° 33' W 480.2 feet to a fence post in the north margin of said pike, a corner to T. E. Witt (now Rose); thence with the line of Rose N 06° 49' E 901 feet to a corner to Rose and Strader; thence with Strader N 06° 41' E 394.5 feet and N 06° 51' E 544 feet, more or less to a corner to Strader and to Unit 1 of Earlymeade Estates as same appears on the plat of record in Plat Book 4 at page 115; thence with Unit 1 of Earlymeade Estates S 82° 40' E 469.91 feet, N 14° 33' E 187.38 feet, N 13° 33' E 45.49 feet, S 74° 05' E 318.95 feet and S 67° 40' E 260.36 feet to the west margin of Runnymede Drive; thence crossing Runnymede Drive at right angles to its centerline 60 feet to its east margin; thence with the east margin of Runnymede Drive N 16° 47' E to a corner to Robert Helm Early, Jr. and Diane Early, being Tracts 1 and 2 as shown on the plat of record in Plat Book 5 at page 90; thence with Tracts 1 and 2 S 58° 31' E 145.3 feet, N 84° 32' E 174.99 feet and N 13° 08' E 575 feet, more or less, to the beginning.

Being part of the same property conveyed to C. C. Early by D. T. Matlack by deed dated January 20, 1948 and of record in Deed Book 134 at page 165. C. C. Early also acquired title to small portions thereof by deeds from: George Reed, et ux., by deed dated June 25, 1948 and of record in Deed Book 136 at page 481; Hyman J. Curtis, et ux., by deed dated July 19, 1949 and of record in Deed Book 137 at page 245; J. A. McGlothen, et ux., by deeds dated November 14, 1951 and April 21, 1952 and of record in Deed Books 143 at page 83 and 144 at page 103, respectively; and J. R. Aldridge, et al., dated February 7, 1953 and of record in Deed Book 149 at page 347.

THERE IS EXCEPTED from (or not included in) the foregoing description:

1. That certain tract heretofore conveyed to Hubert L. Fallen, et ux., by deed dated March 27, 1959 and of record in Deed Book 158 at page 63 and beginning at a point in the west right-of-way margin of McClure Pike, a corner to Early and Fallen; thence S 89° 06' E 194.5 feet to a post; thence S 09° 54' W 201.7 feet to a post; thence N 75° 43' W 167 feet to a stake in the fence; thence N 00° 41' E 160.5 feet to the place of beginning; containing 0.74 acres.

2. Beginning at a point in the center of the McClure Pike, a corner to Fallen; thence N 89° 00' W 362.6 feet to an iron pipe in the fence, a corner to Early; thence S 00° 41' W 100 feet to an iron pipe; thence S 89° 00' E 362.6 feet to the west margin of the McClure Pike; thence N 00° 41' E 100 feet to the place of beginning; containing 0.83 acres; which was conveyed to Harvey E. Aldridge, et ux., by deed dated March 31, 1959 and recorded in Deed Book 158 at page 159.

3. A tract containing 1.98 acres, situated on the north side of the McClure Pike and being Tract No. 2 on that plat of record in Plat Book 9 at page 63, being the tract conveyed to William Cuvier Early by deed dated August 26, 1982 and of record in Deed Book 255 at page 48.

4. Tracts containing 0.125 acres and 0.027 acres constituting road right-of-way conveyed to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet by deed dated September 28, 1987, of record in Deed Book 281, page 415, Clark County Court Clerk's office.

5. A tract containing 0.439 acres for highway right-of-way conveyed to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet by deed dated February 25, 1992, of record in Deed Book 305, page 822, Clark County Court Clerk's office.

6. Tracts containing 0.149 acres, 0.934 acres and 0.094 acres, more or less, for highway right-of-way conveyed to the Commonwealth of Kentucky for the benefit of

the Transportation Cabinet dated October 16, 1992, of record in Deed Book 313, page 384, Clark County Court Clerk's office.

This description is for annexation purposes only. It is a compilation of information recorded in various documents and does not reflect a field survey.


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 17TH day of April, 1998 and finally adopted, after second reading, at a meeting of said Board held on the 21ST day of April, 1998.



MAYOR, CITY OF WINCHESTER,
KENTUCKY

ATTEST:



CITY CLERK (Acting)

Prepared by the City Attorney - 3/31/98

J:\JWP\annex-colby-moclure-ord

EARLYMEADE, LLC.
150 STONECREST ROAD
WINCHESTER, KY 40391

March 13, 1998

Mr. Ed Burtner
City Manager
City of Winchester
32 Wall Street
Winchester, KY 40391

Re: Earlymeade Farms

Dear Mr. Burtner,

We Earlymeade Farm Inc. and Earlymeade LLC, are requesting that you annex the attached described property into the city.

If you have any questions, please contact me. Thank you for your time and help in this matter.

Sincerely,

David Carter
Earlymeade Farm, Inc.
Earlymeade Farm Inc. *Earlymeade LLC*
Earlymeade LLC.

3-18-98
cc: C.M. File

3-18-98
cc: Janet Pinner
(Excluded Map)
Robert Blanton
(Excluded Map)

CONSENT TO ANNEXATION

The undersigned hereby consent to annexation to the City of Winchester, Kentucky of the property we own in the southeast quadrant of the intersection of McClure and Colby Roads and shown on the attached drawing.

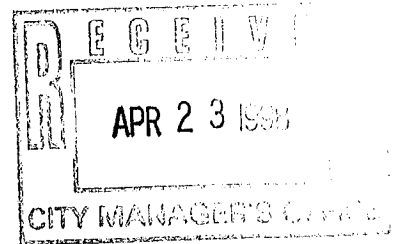
April 23, 1998 to supplement the request to annex dated March 13, 1998.

EARLYMEADE FARMS, INC.

Wilma S. Early, Pres.
WILMA S. EARLY, PRESIDENT

EARLYMEADE LLC

David Cantrell Manager
DAVID CANTRELL, MANAGER



OWNER'S CERTIFICATION:

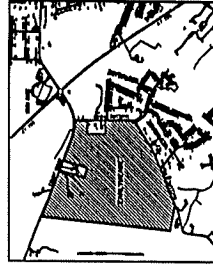
"I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE ONLY OWNER(S) OF THE PROPERTY SHOWN HEREON, AND DO ADOPT THIS AS MY(OUR) DEVELOPMENT PLAN FOR THE PROPERTY."

 Date: _____

COMMISSION CERTIFICATION:

"I DO HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS APPROVED BY THE PLANNING COMMISSION."

 Date: _____



TOTAL LOTS = 234
 TOTAL ACRES = 10.77
 AVERAGE LOTS = 46.07

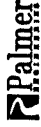
SP 141

PRELIMINARY DEVELOPMENT PLAN

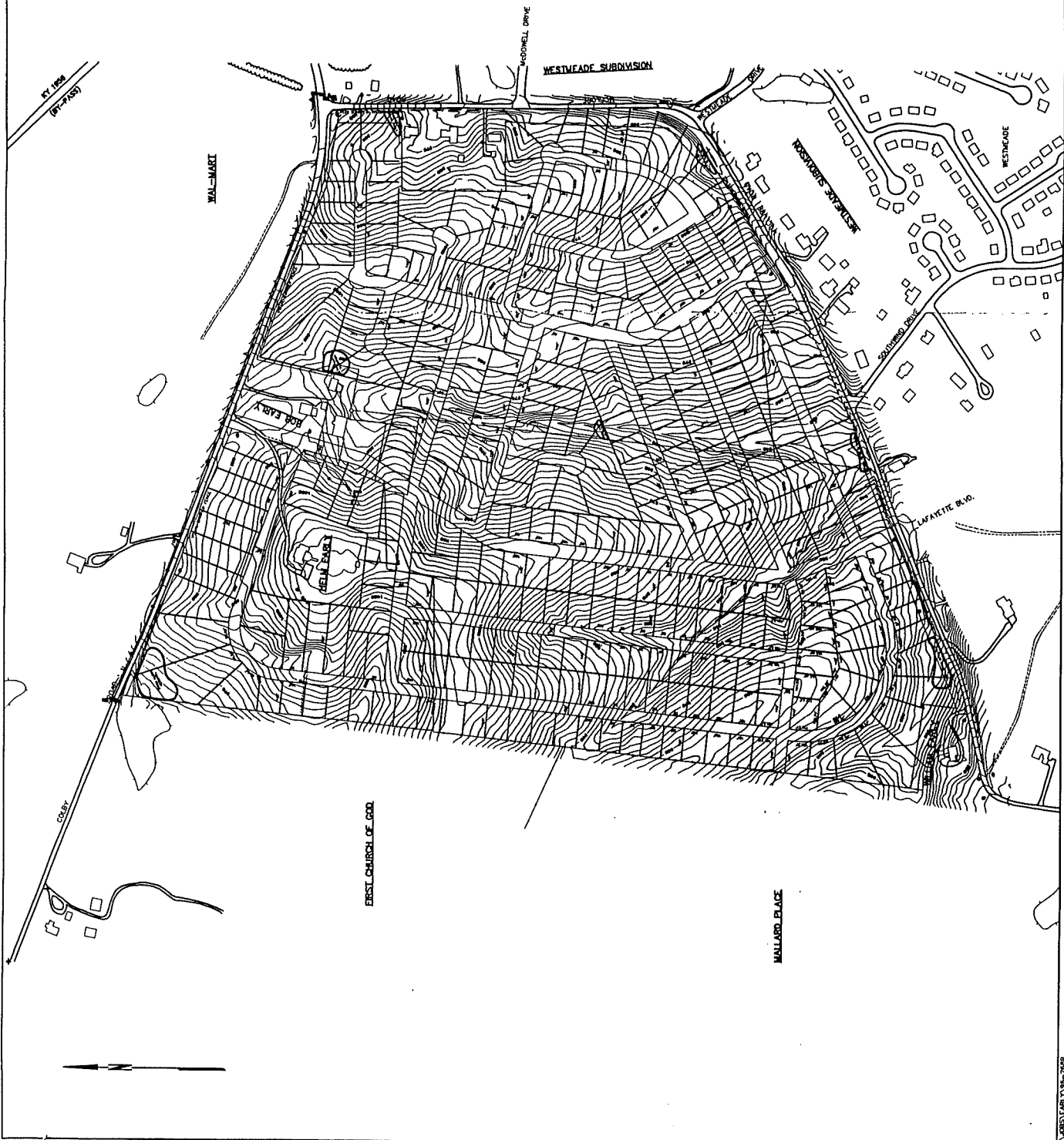
FOR

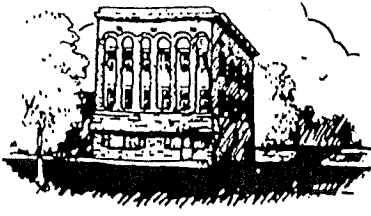
EARLYMADE ESTATES

2346 GUILFORD ROAD
 WESTPORT, PENNSYLVANIA



Palmer Associates, Inc.
 2700 Chestnut Street
 P.O. Box 797
 Westport, NY 40282
 Phone: 716-338-8888
 Fax: 716-338-8888
 Website: www.palmerassoc.com





The Winchester Sun

Newspaper Publisher • Commercial Printer

20 Wall Street • P.O. Box 4300 • Winchester, Kentucky 40391 • 606-744-3123

AFFIDAVIT OF PUBLICATION

STATE OF KENTUCKY

COUNTY OF CLARK

I, ANN LAURENCE ADVERTISING SALES MANAGER
(name) (title)

of The Winchester Sun Newspaper in the aforesaid State and County, hereby certify that the attached advertisement appeared in The Winchester Sun on APRIL 24, 1998 (dates)

LEGAL PUBLIC NOTICE CITY OF WINCHESTER, KENTUCKY ORDINANCE NO. 6-98 AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY CERTAIN LAND IN CLARK COUNTY, KENTUCKY LYING ADJACENT TO THE EXISTING CITY LIMITS IN THE SOUTHWEST QUADRANT OF THE McCLURE ROAD/COLBY ROAD INTERSECTION

WHEREAS, the Board of Commissioners of the City of Winchester, Kentucky deems it advisable and in the best interest of the City to annex the hereinbelow described property into the City which, by reason of its subdivision, is suitable for development for urban purposes, because the property is adjacent to City boundaries and because increased population

feet, S 45° 55' W 43 feet, S 56° 52' W 330.1 feet, S 58° 48' W 401.3 feet, S 61° 44' W 234.1 feet, S 66° 42' W 600 feet to a point 4 feet south of the centerline of said McClure Pike, S 71° 19' W 444.7 feet to a point 4 feet north of the centerline of said pike, S 67° 15' W 700 feet to a point 3 feet south of the centerline of said pike and S 79° 33' W 480.2 feet to a fence post in the north margin of said pike, a corner to T.E. Witt (now Rose); thence with the line of Rose N 06° 49' E 901 feet to a corner to Rose and Strader; thence with Strader N 06° 41' E 394.5 feet and N 06° 51' E 544 feet, more or less to a corner to Strader and to Unit 1 of Earlymeade Estates as same appears on the plat of record in Plat Book 4 at page 115; thence with Unit 1 of Earlymeade Estates S 82° 40' E 469.91 feet, N 14° 33' E 187.38 feet, N 13° 33' E 45.49 feet, S 74° 05' E 318.95 feet and S 67° 40' E 260.36 feet to the west margin of

5. A tract containing 0.439 acres for highway right-of-way conveyed to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet by deed dated February 25, 1992, of record in Deed Book 305, page 822, Clark County Clerk's office.

6. Tracts containing 0.149 acres, 0.934 acres and 0.094 acres, more or less, for highway right-of-way conveyed to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet dated October 16, 1992, of record in Deed Book 313, page 384, Clark County Clerk's office.

This description is for annexation purposes only. It is a compilation of information recorded in various documents and does not reflect a field survey.

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

Ann Laurence
4-27-98

scribed and sworn to before me, a Notary Public in and for the State and County aforesaid, by

Shawn K. Juminiski
Notary Public

MY COMMISSION EXPIRES OCTOBER 1, 2001

WHEREAS, the Board of Commissioners of the City of Winchester, Kentucky deems it advisable and in the best interest of the City to annex the hereinbelow described property into the City which, by reason of its subdivision, is suitable for development for urban purposes, because the property is adjacent to City boundaries and because increased population density is imminent because of the property's urban character; and

WHEREAS, the Board of Commissioners of the City of Winchester has received the prior consent of each owner of record;

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

SECTION I. The property proposed to be annexed is described by metes and bounds in Section II below. The area to be annexed includes, generally, the unincorporated territory located in Clark County, Kentucky consisting of approximately 132.53 acres, more or less, and being all of the real estate owned by Earlymeade Farm, Inc. and Earlymeade, LLC; the property is in the northwest quadrant of the intersection of Colby and McClure Roads; the property consists of part of the property acquired by Earlymeade Farm, Inc. from Robert Helm Early and Wilma Sinkhorn Early by deed dated October 31, 1986, of record in Deed Book 277, page 73, and acquired by Earlymeade, LLC by deeds dated August 26, 1997, of record in Deed Book 346, at pages 243 and 247, and by deed of exchange with Susan Ann Early dated December 23, 1993, of record in Deed Book 318, page 496, Clark County Clerk's office. All of the owners of the property have consented to its annexation; the consent is attached hereto marked Exhibit "A". By reason of its subdivision the property is suitable for development for urban purposes without unreasonable delay, increased population density is imminent and the property is adjacent to City boundaries. No

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Being part of the same property conveyed to C.C. Early by D.T. Matlack by deed dated January 20, 1948 and of record in Deed Book 134 at page 165. C.C. Early also acquired title to small portions thereof by deeds from: George Reed, et ux., by deed dated June 25, 1948 and of record in Deed Book 136 at page 481; Hyman J. Curtis, et ux., by deed dated July 19, 1949 and of record in Deed Book 137 at page 245; J.A. McGlothen, et ux., by deeds dated November 14, 1951 and April 21, 1952 and of record in Deed Books 143 at page 83 and 144 at page 103, respectively; and J.R. Aldridge, et al., dated February 7, 1953 and of record in Deed Book 149 at page 347.

T H E R E I S EXCEPTED from (or not included in) the foregoing description:

1. That certain tract heretofore conveyed to Hubert L. Fallen, et ux., by deed dated March 27, 1959 and of record in Deed Book 158 at page 63 and beginning at a point in the west right-of-way margin of McClure Pike, a corner to Early and Fallen; thence S 89° 06' E 194.5 feet to a post; thence S 09° 54' W 201.7 feet to a post; thence S 75° 43' W 167 feet to a stake in the fence; thence N 00° 41' E 160.5 feet to the place

This description is for annexation purposes only. It is a compilation of information recorded in various documents and does not reflect a field survey.

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 7th day of April, 1998 and finally adopted, after second reading, at a meeting of said Board held on the 21st day of April, 1998.

Gene S. Kincaid
Mayor
City of Winchester,
Kentucky

ATTEST:
Sharon S. Harrison
City Clerk (Acting)
Prepared by the
City Attorney 3/31/98
April 24, 1998

Any of the owners of the property have consented to its annexation; the consent is attached hereto marked Exhibit "A". By reason of its subdivision the property is suitable for development for urban purposes without unreasonable delay, increased population density is imminent and the property is adjacent to City boundaries. 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:

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3. A tract containing 1.98 acres, situated on the north side of the McClure Pike and being Tract No. 2, on that plat of record in Plat Book 9 at page 63; being the tract conveyed to William Cuvier Early by deed dated August 26, 1982 and of record in Deed Book 255 at page 48.

4. Tracts containing 0.125 acres and 0.027 acres constituting road right-of-way conveyed to the Commonwealth of Kentucky for the benefit of the Transportation Cabinet by deed dated September 28, 1987, of record in Deed Book 281, page 415, Clark County Court Clerk's office.

THE McCLURE ROAD/COLBY ROAD corner to Rose and Strader; thence with Deed Book 313, page 384, Clark County

MY COMMISSION EXPIRES OCTOBER 1, 1997