

RECEIVED AND FILED
DATE December 13, 2003

JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY _____

COMMONWEALTH OF KENTUCKY
R. Adkins

Memorandum

Date: July 22, 2003
To: County Clerk Anita Jones
From: Marilyn Rowe, City Clerk
RE: Annexation of Property

Pursuant to KRS 81A.470-475, attached is a duly certified copy of Ordinance Number 8-2003 which was adopted after second reading on July 22, 2003. Attached is a copy of the official map that has the parcel annexed outlined in yellow.

I attest to the following information:

- 1) No person or entity has filed a petition in protest of the annexation
- 2) The metes and bounds are attached as ~~Exhibit A~~
EXHIBIT C
- 3) The owner has requested that the Board of Commissioners of the City of Winchester, Kentucky annex their property
- 4) The owner is as follows:
 - ◆ The Winchester & Clark County Industrial Development Authority

Cc: Secretary of State
Department of Local Government
Stephen Berry, Clark County Geographic Information System Consortium
Robert Blanton, Planning Director
Fairholme Estates LLC (Robert Baldwin)
Dana Garber, PVA

CITY OF WINCHESTER, KENTUCKY

ORDINANCE NO. 8-2003

AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY, CERTAIN LAND IN CLARK COUNTY, KENTUCKY, IDENTIFIED AS THOSE CERTAIN PARCELS OR TRACTS OF LAND BEING NORTH OF REVILO ROAD AND WEST OF THE LOUISVILLE & NASHVILLE RAILROAD, BEING PARCEL "A" CONTAINING 301.38 ACRES, MORE OR LESS, AND PARCEL "C" CONTAINING 0.58 ACRES, MORE OR LESS.

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 as received the prior consent of the owners 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 Parcel "A" containing 301.38 acres, more or less, and Parcel "C" containing 0.58 acres, more or less, and being the property identified as those certain parcels of tracts of land being north of Revilo Road and west of the Louisville & Nashville Railroad. 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 city.

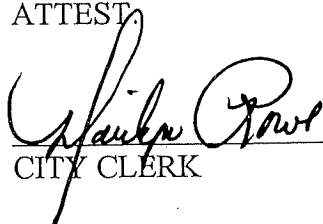
SECTION II. Pursuant to the provisions of KRS 81A.400, et seq., the following described unincorporated territory located in Clark County, Kentucky, be, and it is hereby, annexed to the City of Winchester, Kentucky: Those certain parcels or tracts of land being north of Revilo Road and west of the Louisville & Nashville Railroad in Clark County, Kentucky, and being identified as Parcel "A" containing 301.38 acres, more or less, and Parcel "C" containing 0.58 acre, more or less, as shown on the Record Plat for Hunter B. Harris, et al, of record at Plat Slide 922 in the Clark County Clerk's office to which plat reference is hereby made for a more complete description of the said tracts.

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 6th day of May, ^{December} 2003, and finally adopted, after second reading, at a meeting of said Board held on the 16th day of May, 2003.


MAYOR, CITY OF WINCHESTER, KENTUCKY

ATTEST


CITY CLERK

Prepared by the City Attorney - 4/18/2003


CITY ATTORNEY

EXHIBIT A

**Legal Description
Parcel A
Phase VI of Industrial Park
for
Winchester-Clark County Industrial Development Authority**

Beginning at an iron pin in the northern right-of-way of CSX Railroad, a corner common to Hagan Codell, Winchester Industrial Authority and CSX Railroad, thence;

Leaving northern right-of-way of CSX Railroad, with Codell line North 25°43'15" East 103.41 feet to a point, thence;

North 50°05'45" East 2,617.87 feet, thence;

North 52°04'03" East 1,042.64 feet to a point, thence;

Leaving Codell line, South 31°19'50" East 638.11 feet to a point, thence;

South 37°15'44" East 207.21 feet to a point, thence;

South 54°13'56" East 514.02 feet to a point, thence;

South 49°10'39" East 651.23 feet to a point, thence;

South 51°22'48" East 233.97 feet to a point, thence;

North 52°58'26" East 206.12 feet to a point in the southern right-of-way of CSX Railroad, thence;

With southern right-of-way of CSX Railroad, South 29°17'32" East 250.00 feet to a point, thence;

North 60°42'28" East 30.00 feet to a point, thence;

South 29°17'32" East 2,096.31 feet to a point, thence;

South 25°51'09" East 250.00 feet to a point, thence;

South 29°17'32" East 348.98 feet to a point in the northern right-of-way of Interstate 64, thence;

With the northern right-of-way of I-64, South $68^{\circ}53'23''$ West 445.28 feet to a point, thence;

South $21^{\circ}06'37''$ East 10.00 feet to a point, thence;

South $68^{\circ}53'23''$ West 656.10 feet to a point, thence;

With the northern right-of-way of I-64, in a curve having a radius of 3,670.00 feet and a chord of South $72^{\circ}00'05''$ West 398.45 feet, to a point in the northern right-of-way of CSX Railroad, thence;

With the northern right-of-way of CSX Railroad, in a curve having a radius of 5,779.65 feet and a chord of North $63^{\circ}37'31''$ West 154.10 feet to a point, thence;

North $64^{\circ}23'21''$ West 2,298.50 feet to a point, thence;

With the northern right-of-way of CSX Railroad, in a curve having a radius of 9,599.34 feet and a chord of North $65^{\circ}08'21''$ West 251.30 feet to a point, thence;

North $65^{\circ}53'21''$ West 54.56 feet to a point, thence;

South $45^{\circ}21'39''$ West 18.24 feet to a point, thence;

North $65^{\circ}53'21''$ West 788.18 feet to a point, thence;

North $34^{\circ}27'03''$ West 83.40 feet to a point, thence;

North $65^{\circ}53'21''$ West 572.00 feet to a point, thence;

South $86^{\circ}13'23''$ West 93.00 feet to a point, thence;

North $65^{\circ}53'21''$ West 830.49 feet to the beginning.

Containing $301.38 \pm$ acres

EXHIBIT B

LEGAL DESCRIPTION

Winchester - Clark County Industrial Development Authority

PARCEL C

A certain parcel of land located in Clark County, Kentucky, situated along Revilo Road approximately 1 mile west of Winchester, and being more particularly described as follows:

Beginning at a cut X in concrete in the existing right of way of Revilo Road, corner to Oliver Trucking (D.B. 251 Pg. 412), thence with the right of way of Revilo Road;

North $68^{\circ}13'37''$ West 32.86 feet to an Iron Pin, corner to Oliver Trucking, (D.B. 252 Pg. 209), thence leaving the right of way Revilo Road with Oliver Trucking;

North $46^{\circ}06'58''$ East 833.70 feet to an Iron Pin in the right of way of CSX Railroad, thence leaving Oliver Trucking with the right of way of CSX Railroad;

South $65^{\circ}53'21''$ East 32.46 feet to an Iron Pin, corner to Oliver Trucking, (D.B. 251 Pg. 412), thence leaving the right of way of CSX Railroad with Oliver Trucking;

South $46^{\circ}03'04''$ West 516.04 feet to an Iron Pin, thence;

South $46^{\circ}15'04''$ West 315.52 feet to the beginning.

Parcel C contains $0.58\pm$ Acres in is a part of Tract No. 4 as conveyed to Hunter B. Harris, from Mettie Taylor Harris, by deed dated June 17, 1971, as recorded in Deed Book 198, Page 454, in the Clark County Clerk's Office.

CONSENT TO ANNEXATION

The undersigned, by this writing, certify that they are all the owners of the property designated as The Winchester & Clark County Industrial Development Authority, Deed Book 390, Page 2-10, and hereby consent to annexation to the City of Winchester, Kentucky, of such property which is described in the Ordinance which will receive first reading by the Board of Commissioners of the City of Winchester, Kentucky on May 6, 2003.

THE WINCHESTER & CLARK COUNTY
INDUSTRIAL DEVELOPMENT AUTHORITY

BY: James J. Coleman
ITS: Chairman

STATE OF KENTUCKY)
) SCT.
COUNTY OF CLARK)

The foregoing was acknowledged, subscribed and sworn to before me this 30th day of April, 2003, by James J. Coleman as Chairman of The Winchester & Clark County Industrial Development Authority.

My Commission expires: May 15, 2003.

Della E. Danner
NOTARY PUBLIC, STATE AT LARGE, KY



March 11, 2003

Winchester Board of Commissioners
City of Winchester
32 Wall Street
Winchester, KY 40391

Dear Sirs:

The Winchester & Clark County Industrial Development Authority is moving forward with the development of Phase VI of the Winchester Industrial Park. This development includes approximately three hundred (300) acres purchased from the R.D. Taylor heirs and is adjacent to the western boundary of the developed industrial park.

More specifically, the property is identified as those certain parcels or tracts of land being north of Revilo Road and west of the Louisville & Nashville Railroad in Clark County, Kentucky, and being identified as Parcel A, containing 301.38 acres, more or less, and Parcel C, containing 0.58 acre, more or less, as shown on the "Record Plat for Hunter B. Harris, et al.," of record at Plat Slide 1428 in the Clark County Clerk's office, to which plat reference is made for a more complete description of the said tracts.

The Authority formally requests annexation of this property by the City of Winchester. Location within the city limits and city services will assist in the economic development success of this project for the people of our community.

Sincerely,

James J. Coleman
Chairman



A. K. Beaty
Manager-Industrial Development

5200 Maryland Way
Suite 350
Brentwood, TN 37027
(615) 371-6323
(800) 525-5627
Fax (615) 371-6313

February 21, 2003

Winchester Board of Commissioners
City of Winchester
32 Wall Street
Winchester, KY 40391

RECEIVED
FEB 24 2003
WINCHESTER
KY

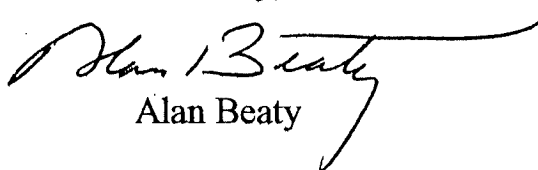
Dear Sirs:

Please reference plans of the Winchester & Clark County Industrial Development Authority to move forward with the development of Phase VI of the Winchester Industrial Park. The development shall consist of approximately three hundred (300) acres that was purchased from Mr. R.D. Taylor heirs and is adjacent to the western boundary of the existing industrial park. It is understood that the Authority desires to request annexation of this property by the City of Winchester.

The purpose of my letter is to advise that CSX supports the Winchester & Clark County Industrial Development Authority's request to annex said property into the city. Doing so will allow for extension of city services into the site, thus making it more desirable for economic development. The southern boundary of the site is adjacent to the main line of CSX Transportation's Old Road Subdivision. I will also help market the potential rail served sites located within the three hundred (300) acre development.

If you have any questions please feel free to contact me at (615) 371-6323.

Sincerely,


Alan Beaty

CY: Phillip A. Kerrick

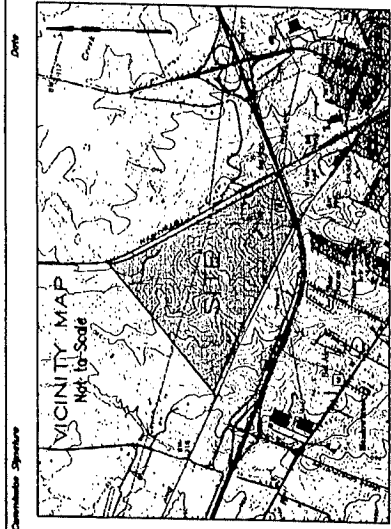
7. (We) do hereby certify that I, (We), are the owners of the property shown hereon, said property being the same (or a portion) of the property conveyed to me, (us), by Mettelle Taylor Harris by deed dated 8-27-71 as recorded in Deed Book 188 page 454 and do hereby adopt this as my (our) record plat of this property.

Signature _____ Address _____
 Signature _____ Address _____
 Address _____

LAND SURVEYOR'S CERTIFICATION
 I do hereby certify that the survey shown hereon was performed by me, or under my direction, by the method of random traverses, and all monuments indicated hereon actually exist and their size, location and material are correctly shown. The unadjusted mathematical error of closure ratio was 1:17,000, and the bearings and distances shown hereon have been adjusted for closure. The survey as shown hereon is a Class B Survey and the accuracy and precision of said survey meets all the specifications of this class. The basis of bearings shown hereon is in relation to Ky State Plane Grid (North Zone).

Signature *James A. Hays* 2726 L.S. Date 6-12-01
 Signature _____ Date _____

PLANNING & ZONING CERTIFICATION
 I do hereby certify that this record plat conforms with regulations of the Winchester - Clark County Planning & Zoning Commission, and has been approved for recording in the office of the Clark County Court Clerk.

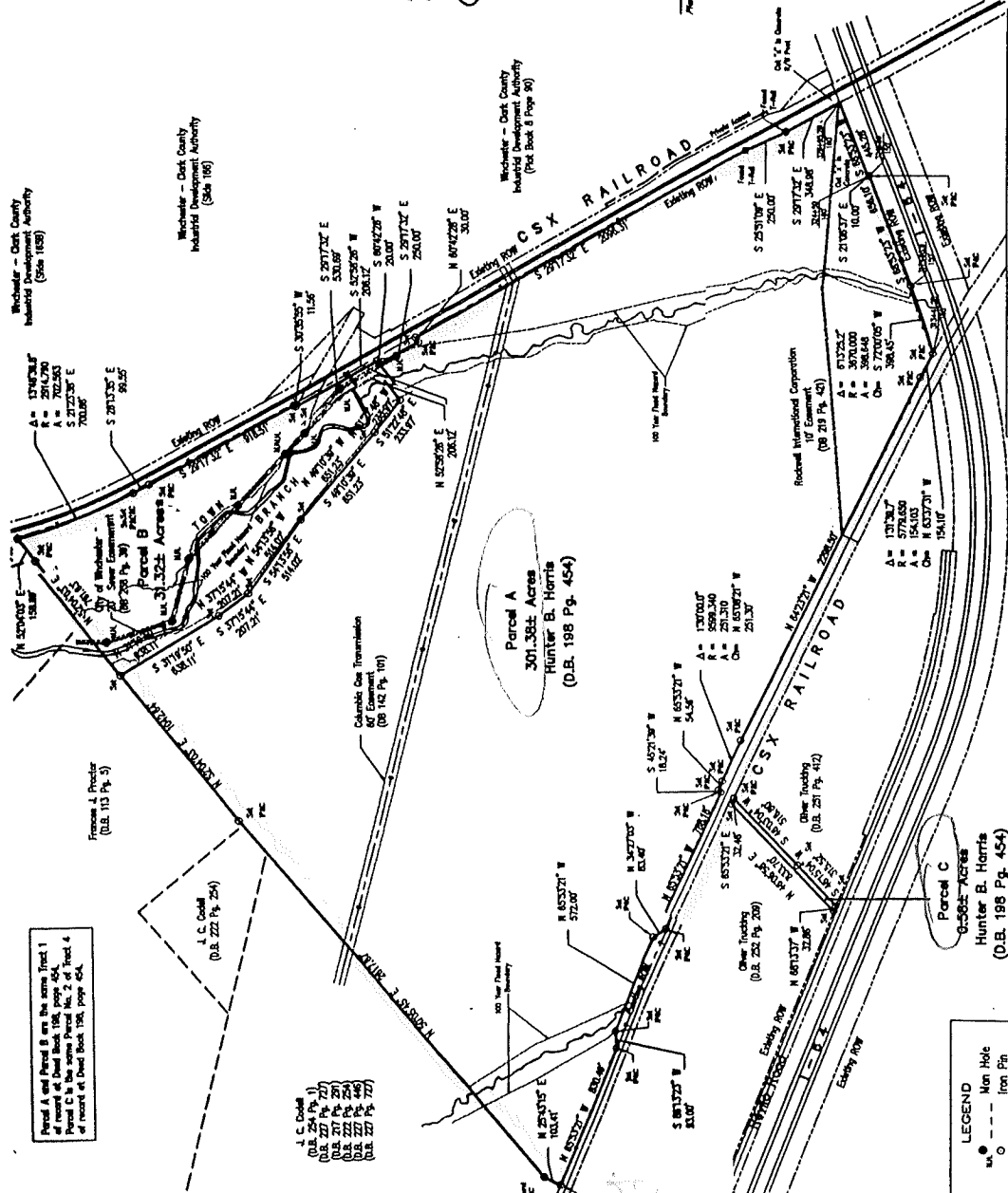


RECORD PLAT FOR
Hunter B. Harris et. al.
 CLARK COUNTY, KENTUCKY

Checked GKS
 Job Number 96-367
 Field Book No. TDS

Drawn JDM
 Date 5-15-00
 Scale 1" = 500'

Palmer
 ENGINEERING
 273 Shoppers Drive - P.O. Box 747
 Winchester, KY 40392

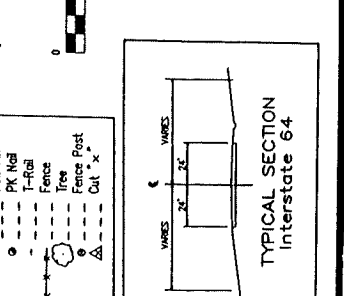


- NOTES**
- All corners indicated were found or set this survey, as noted.
 - All property platted hereon is subject to any existing easement, recorded, or unrecorded.
 - No evidence of cemeteries or burial grounds was found this survey.
 - Parcels A, B and C are currently zoned Industrial I-1.
 - This survey was performed by guidelines as established by State Board of Registration and meets the requirements of Class B survey.
 - Right of way of I-64 by plan on file at Department of Highways District 7, sheets 10 and 11, dated 1960.
 - Right of way of CSX Railroad by archived Valuation Maps 49 & 5-10-B, dated June 30, 1977.
 - The requirement of public access is waived because the property platted hereon is to be conveyed to a public agency, with access to be provided later.

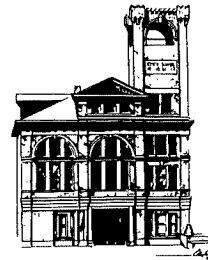
FLOOD HAZARD NOTE
 Parcels A, B and C are located in Zone C, "Areas of Minimal Flooding", and in Zone A2, "Areas of 100 Year Flood", as shown on Flood Insurance Rate Map Community Panel Numbers 210278 00188 and 210278 00568 as prepared by FEMA, effective date December 4, 1986.

LEGEND
 ● Man Hole
 ○ Iron Pin
 ○ PK Nail
 --- F-fence
 --- Fence
 --- Tree
 --- Fence Post
 --- Out. *

GRAPHIC SCALE
 0 500 1000 1500 2000



City of Winchester



Office of the City Clerk

I, Marilyn Rowe, Clerk of the City of Winchester, Kentucky do certify that the foregoing is a true and correct copy of Ordinance No. 8-2003 annexing to the City of Winchester, Kentucky approximately ~~43.028~~ acres situated adjacent to the existing City Limits. The Board of Commissioners adopted Ordinance No. 8-2003, after second reading, on May 16, 2003 and was executed by Dodd D. Dixon, Mayor, on May 16, 2003.

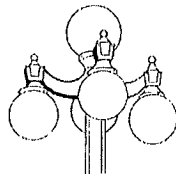
Witness by hand and seal this 22nd day of July 2003.

Marilyn Rowe
City Clerk, City of Winchester

SEAL

RECEIVED AND FILED
DATE Dec. 12, 2003

JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adkins



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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