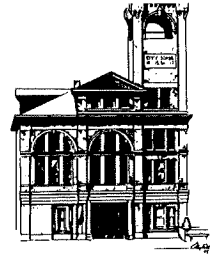


# City of Winchester



Office of the City Clerk

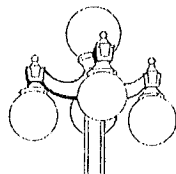
I certify I am the duly qualified Deputy City Clerk of the City of Winchester, Kentucky, and the foregoing 6 pages of Ordinance No. 6-1998 is a true, correct, and complete copy duly adopted by the City Commission of the City of Winchester, Kentucky at their duly convened meetings held on April 7 and April 21, 1998, all as appears in the official records of said City.

Witness by hand and seal this 16<sup>th</sup> day of September, 2010.

Joy L. Curtis  
Deputy City Clerk, City of Winchester

SEAL

RECEIVED AND FILED  
DATE Sept. 20, 2010  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Hardie Adkinson



P.O. Box 40 Winchester, Kentucky 40392-0040  
Phone 859-744-6292 Fax 859-745-4590 TDD 859-744-3430

CITY OF WINCHESTER, KENTUCKY

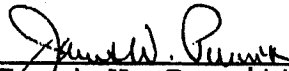
ORDINANCE NO. 6-98

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.

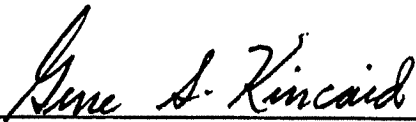
6. Tracts containing 0.149 acres, 0.934 acres and 0.094 acres, more or less, for highway right-of-way conveyed to the Commonwealth of Kentucky for the benefit of

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 17<sup>TH</sup> day of April, 1998 and finally adopted, after second reading, at a meeting of said Board held on the 21<sup>st</sup> 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-moelure-ord

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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