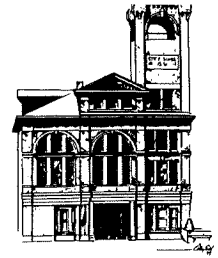


City of Winchester



Office of the City Clerk

I certify I am the duly qualified Deputy City Clerk of the City of Winchester, Kentucky, and the foregoing 9 pages of Ordinance No. 21-2005 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 October 4 and 18, 2005, all as appears in the official records of said City.

Witness by hand and seal this 16th day of September, 2010.

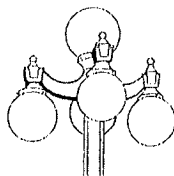
Joy L. Curtis

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 Kandis Adkins



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

CITY OF WINCHESTER, KENTUCKY

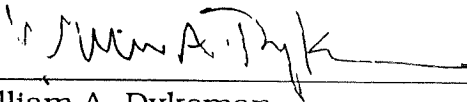
EXHIBIT C

ORDINANCE NO. 21-2005

SUMMARY

**AN ORDINANCE ANNEXING TO THE CITY OF
WINCHESTER, KENTUCKY, CERTAIN LAND
IN CLARK COUNTY, KENTUCKY, IDENTIFIED
AS THOSE CERTAIN PARCELS OR TRACTS
OF LAND DESCRIBED ON EXHIBIT "A"
CONTAINING 8.459 ACRES, MORE OR LESS
AND KNOWN AS THE DANIEL GROVE
CEMETERY**

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



William A. Dykeman
City Attorney

CITY OF WINCHESTER, KENTUCKY

ORDINANCE NO. 21-2005

AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY, CERTAIN LAND IN CLARK COUNTY, KENTUCKY, IDENTIFIED AS THOSE CERTAIN PARCELS OR TRACTS OF LAND DESCRIBED ON EXHIBIT "A" CONTAINING 8.459 ACRES, MORE OR LESS AND KNOWN AS THE DANIEL GROVE CEMETERY

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 property described on Exhibit "A" attached hereto into the City by reason of its subdivision and City ownership. The property as described on Exhibit "A" is owned and maintained by the City of Winchester and designated as the Daniel Grove Cemetery. The property is adjacent to City boundaries; and

WHEREAS, the Board of Commissioners of the City of Winchester has consented to annexation and has authorized the Mayor of the City of Winchester to execute Exhibit "B" as the owner of record;

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

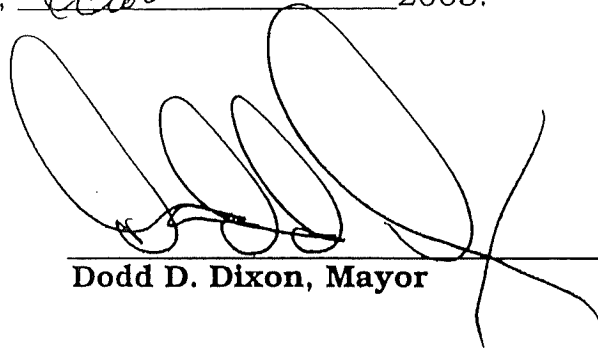
SECTION I. The property that the City proposes to annex is described by metes and bounds on Exhibit "A." The City of Winchester as owner of the property has consented to its annexation; the consent is attached hereto marked as Exhibit "B." By reason of its subdivision and ownership by the City of Winchester, the property as described in Exhibit "A" is adjacent to City boundaries. No part of the area described on Exhibit "A" is included within the boundary of another city.

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

Kentucky. Reference is hereby made to Plat Slide, _____Clark County Clerk's Office for a more particular description of said property.

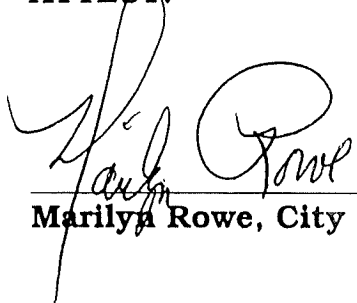
SECTION III. This Ordinance shall become effective upon publication as required by law.

Introduced and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on the 4th day of October, 2005, and finally adopted, after second reading, at a meeting of said Board held on the 18th day of, October 2005.



Dodd D. Dixon, Mayor

ATTEST:



Marilyn Rowe, City Clerk

Prepared by the City Attorney - 09/13/05



All that certain tract or parcel of land, lying and being in Winchester and Clark County, Kentucky, and situated east Kentucky Highway 974 (Muddy Creek Road) and south of the CSX Transportation railroad near the current city limits, more particularly described as follows:

Beginning at an iron pin (104) in the north right-of-way line of Muddy Creek Road and the east right-of-way line of CSX Transportation, thence with said CSX fourteen calls as follows: (1) N.10°01'30"E. 55.98 feet to an iron pin (105), (2) N.51°08'57"W. 22.83 feet to an iron pin (106), (3) N.10°01'30"E. 124.74 feet to an iron pin (107), (4) S.79°58'30"E. 18.00 feet to an iron pin (108), (5) N.10°01'30"E. 18.00 feet to an iron pin (109), (6) N.79°58'30"W. 18.00 feet to an iron pin(110), (7) N.10°01'30"E. 142.90 feet to an iron pin (111), (8) N.30°42'22"E. 23.47 feet to an iron pin (112), (9) S.79°58'30"E. 9.00 feet to an iron pin(113), (10) N.01°38'10"E. 12.13 feet to a railroad rail (69) driven in the ground, (11) N.79°58'51"W. 2.70 feet to an iron pin (114), (12) N.30°42'22"E. 69.01 feet to an iron pin (115), (13) N80°13'24"E. 31.80 feet to an iron pin (116), (14) 407.20 feet with a curve to the right having a radius of 309.76 feet, the chord of which is N.76°47'14"E. 378.42 feet to a P. K. Nail (117) set in the center of the Old Muddy Creek Road; thence with said road S.15°43'33"E. 535.12 feet to a P. K. Nail (100), a corner common with Christine Jackson Baker and June Daniel Baker (Deed Book 188, page 482), thence in part with said Baker & Robert White and Margaret White (Deed Book 279, page 567) S.63°24'56"W. 265.09 feet to an iron pin (101); thence continuing with said White S.23°29'20"W. 64.99 feet to an iron pin (102), a corner common with Terry Clay Wilcox and Rebecca Wilcox (now or formerly) & Geary Conner (Deed Book 286, page 507); thence with said Conner S.18°05'00"W. 225.41 feet to a #4 Rebar (52) with no I.D. found in the northeast right-of-way line of Muddy Creek Road; thence with said right-of-way two calls as follows: (1) N.41°21'00"W. 490.55 feet to an iron pin (103), (2) N.79°59'55"W. 35.57 feet to the beginning, containing area of 8.459 acres, more or less according to a survey by Robert L. Baldwin, PE, PLS of Baldwin Engineering Corporation dated 3/02/01. All to iron pins referenced are #4 rebars, 18" long, with I.D. Cap bearing "Baldwin #1366" set this survey.

THIS DEED OF CONVEYANCE made and entered into this 17 day of September, 2004 by and between City of Winchester, Kentucky, a City of the Third Class; 8.459 Acres of Land, a/k/a Daniel Grove Cemetery, acting by and through Mary T. Yeiser, Master Commissioner, Clark Circuit Court, GRANTORS, and City of Winchester, Kentucky, a City of Third Class, City Hall, P.O. Box 40, Winchester, KY 40392-0040, GRANTEE;

WITNESSETH:

WHEREAS, an action was instituted in the Clark Circuit Court styled City of Winchester, Kentucky, a City of the Third Class, Petitioner v. 8.459 Acres of Land, a/k/a Daniel Grove Cemetery, Respondent, Civil Action No. 03-CI-00701, wherein a Judgment was entered on February 16, 2004, directing the Master Commissioner of said Court to execute a deed in accordance with same;

NOW THEREFORE, in consideration of the carrying out of the above-mentioned Judgment, the Grantors have bargained and sold and do hereby grant, sell and convey unto the Grantee, its heirs and assigns forever, the following described property, to-wit:

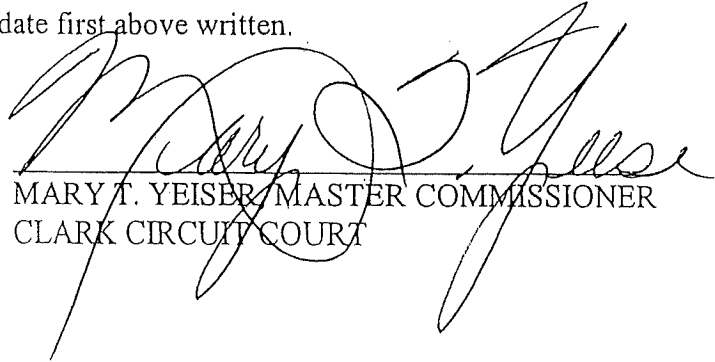
SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the above described real property, together with all improvements thereon and appurtenances thereunto belonging, unto the Grantee, its heirs and assigns forever.

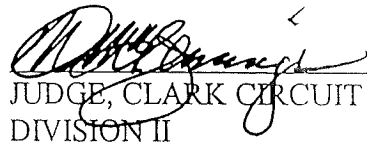
The Master Commissioner conveys all right, title and interest, legal and equitable, of the Grantors in and to the said property, and warrants the title thereto only insofar as she is authorized by the judgment, orders and proceedings in the aforesaid action and no further, and she does not bind herself by anything contained herein in any event whatsoever.

Return to: City of Winchester

IN TESTIMONY THEREOF, Mary T. Yeiser, as Master Commissioner aforesaid, hereunto subscribed her name this date and date first above written.

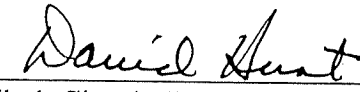

MARY T. YEISER, MASTER COMMISSIONER
CLARK CIRCUIT COURT

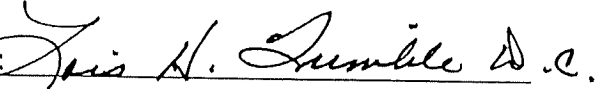
EXAMINED AND APPROVED this
17th day of SEPTEMBER, 2004


JUDGE, CLARK CIRCUIT COURT
DIVISION II

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

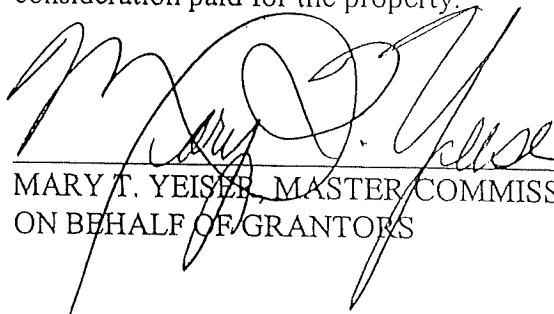
I, David N. Hunt, Clerk of the Clark Circuit Court, do hereby certify that the foregoing deed was signed and acknowledged before me by Mary T. Yeiser, Master Commissioner of the Clark Circuit Court, and examined and approved by William T. Jennings, Judge of Division II of said Court, this 17th day of Sept., 2004, all of which is certified to the proper office for record.

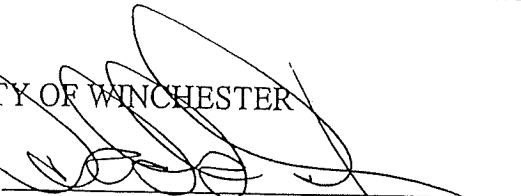

Clerk, Clark Circuit Court

By:  D.C.

CONSIDERATION CERTIFICATE

We, the undersigned, hereby certify that the consideration reflected in this deed is the full consideration paid for the property.


MARY T. YEISER, MASTER COMMISSIONER
ON BEHALF OF GRANTORS

CITY OF WINCHESTER
By: 
Its: Mayor

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

The foregoing Consideration Certificate was acknowledged and sworn to before me by Mary T. Yeiser, Master Commissioner, Clark Circuit Court, on behalf of Grantors, on this 17th day of September, 2004.

My Commission Expires: 10-27-06

Demaris M. Miller
NOTARY PUBLIC

STATE OF KENTUCKY)
)
COUNTY OF CLARK)

The foregoing Consideration Certificate was acknowledged and sworn to before me by Dodd Dixon as Mayor, on behalf of City of Winchester, on this 17 day of September, 2004.

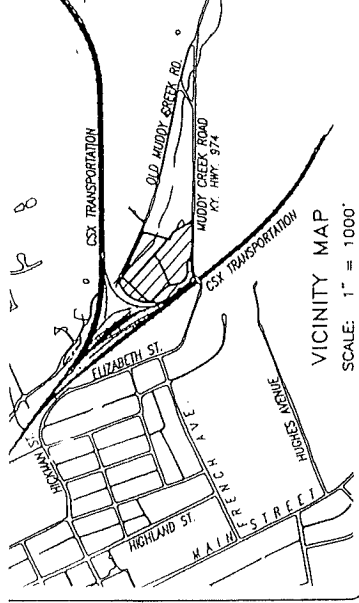
My Commission Expires: Oct 10, 2005

Wm. A. T. Kenna
NOTARY PUBLIC

PREPARED BY:

Mary T. Yeiser
MARY T. YEISER
37 South Main Street
Winchester, KY 40391
(859) 737-1941

DOCUMENT NO: 117843
RECORDED ON: OCTOBER 19, 2004 02:37:01PM
TOTAL FEES: \$14.00
COUNTY CLERK: ANITA JONES
COUNTY: CLARK COUNTY
DEPUTY CLERK: LADONNA
BOOK D417 PAGES 808 - 811



OWNER'S CERTIFICATION
 I do hereby certify that I am (we are) the owner(s) of record of the property plotted hereon, said property being (a portion of) the same property conveyed to me (us) by Daniel Grove Cemetery Company, and recorded in Deed Book 118, page 207, in the Clark County Clerk's office, and do hereby adopt this as my (our) record plat for this property.

Maureen D. Grove, City Clerk
 Witness
City of Winchester
 Address
September 25, 2008
 Date

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 traverse and all monuments indicated hereon actually exist and their size, location, and material are correctly shown. The unadjusted mathematical error of closure ratio of the random traverse was 1:18,000, and the bearings or distances shown hereon have been adjusted for closure. The survey as shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class. The basis of the bearings shown hereon is in relation to True North (as measured in Deed Book 87, p. 328).

[Signature]
 Date
 116 S. Highland St., P.O. Box 43
 Winchester, Kentucky 40392-431

COMMISSION'S CERTIFICATION
 I do hereby certify that this record plat conforms with the regulations of the Winchester Clark County Planning Commission, and that it has been approved for recording in the office of the Clark County Court Clerk.

[Signature]
 Date
 Planning Commission Secretary



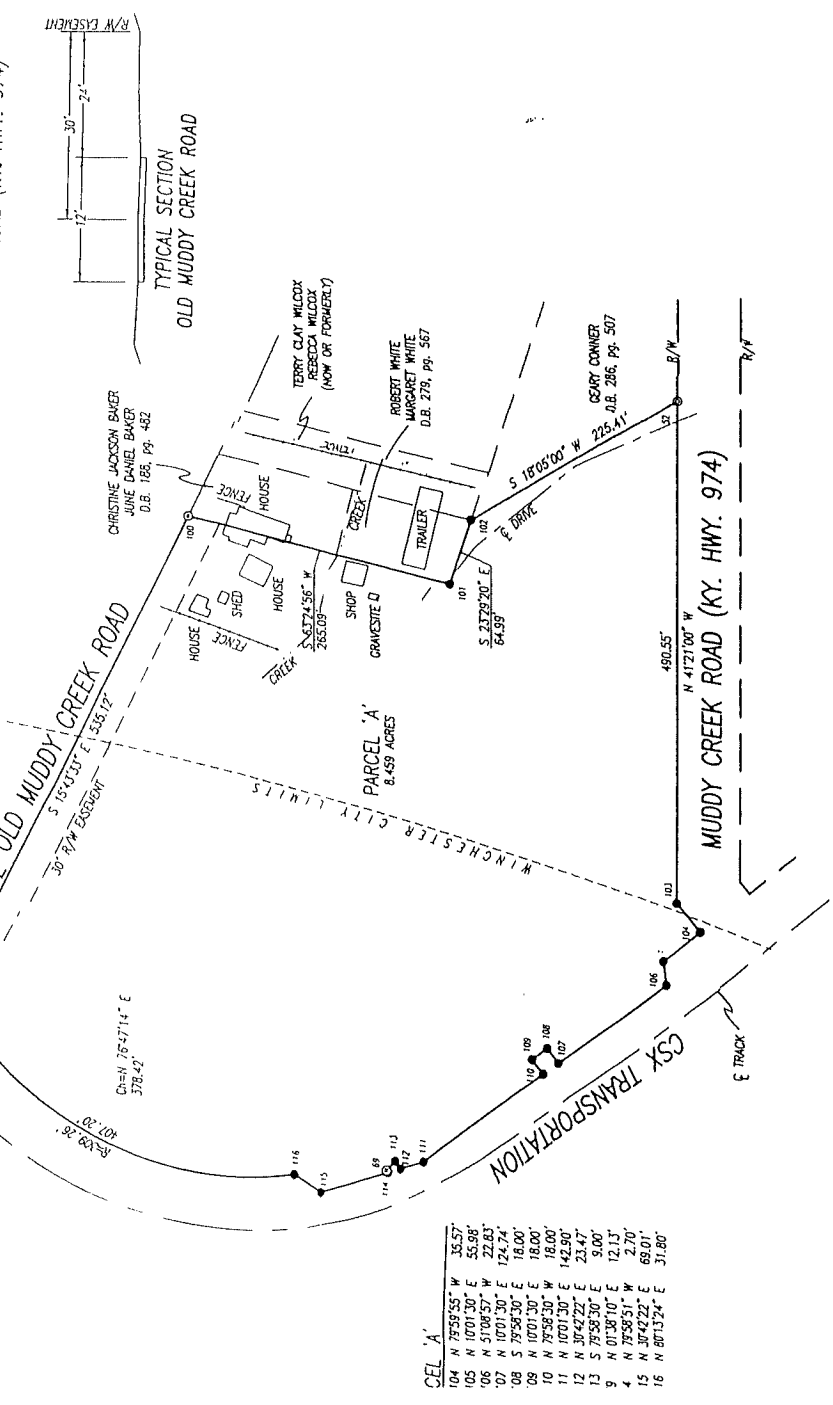
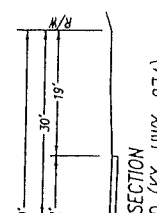
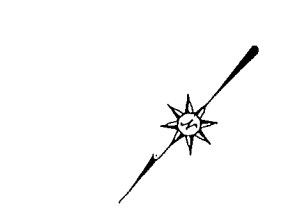
PLOTTED: 6/24/08 @ 3:50 BY: HLB

RECORD PLAT
NEW DANIEL GROVE CEMETERY COMPANY
 MUDDY CREEK ROAD

DATE	3/02/01
SCALE	1" = 100'
FILE NO.	01-3084
FIELD BOOK	202-58
JOB FILE	DANIEL

STATE OF KENTUCKY
 ROBERT L. BALDWIN
 1366
 PROFESSIONAL ENGINEER

Baldwin ENGINEERING



- LEGEND:**
- #4 Rebar, Found, No I.D.
 - #4 Rebar, 18" long, with I.D. Cap bearing "Baldwin 1366"
 - "Set" this Survey
 - P.K. Nail Set in Road
 - Railroad Rail Driven in Ground

- NOTES:**
- Muddy Creek Flood Right-of-Way to Commonwealth of Kentucky by instrument dated August 30, 1950 and recorded in Deed Book 107, page 197.
 - Revised Right-of-Way by instruments recorded in Deed Book 89, page 180 and Deed Book 95, page 370.
 - Property plotted hereon is not located in a Flood Hazard Area as shown on FEMA FIRM Community Panel No. 210055 0001 dated July 3, 1995 and Community Panel 210278 0057 B December 4, 1996.

DOCUMENT NO: 157359
 REDDING ON: SEPTEMBER 25, 2008 08:44:37A
 COUNTY CLERK: ANITA JONES
 COUNTY CLERK: CLARK COUNTY
 COUNTY CLERK: CLARK COUNTY
 BOOK: 1172
 PAGE: 31

CEL 'A'

104	N 75°59'55" W	35.57'
105	N 10°01'30" E	55.98'
106	N 51°09'57" W	22.63'
107	N 10°01'30" E	124.74'
108	S 75°58'30" E	18.00'
109	N 10°01'30" E	18.00'
110	N 10°01'30" W	18.00'
111	N 10°01'30" E	142.80'
112	N 39°42'22" E	23.47'
113	S 75°58'30" E	9.00'
114	N 01°38'10" E	12.13'
115	N 75°58'51" W	2.70'
116	N 80°13'24" E	31.80'

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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