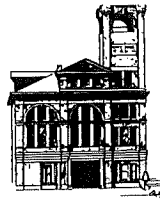


# City of Winchester



Office of the City Clerk

I, Marilyn Rowe, Clerk of the City of Winchester, Kentucky, do hereby certify that the foregoing 3 pages are a true and correct copy of Ordinance No. 5-2010 and the 2 pages of attachments annexing to the City of Winchester, Kentucky approximately 0.884 acres (Cook Avenue) situated adjacent to the existing City Limits. The Board of Commissioners adopted Ordinance No. 5-2010, after second reading, on February 16, 2010 and was executed by Edallen York Burtner, Mayor, on February 16, 2010, all as appears in the official records of said City.

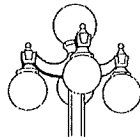
Witness by hand and seal this 18<sup>th</sup> day of September 18, 2012.

A handwritten signature in cursive script that reads "Marilyn Rowe".

Marilyn Rowe  
City Clerk, City of Winchester

**SEAL**

RECEIVED AND FILED  
DATE Sept 20, 2012  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Aderson



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

**CITY OF WINCHESTER, KENTUCKY**  
**ORDINANCE NO. 5-2010**

**AN ORDINANCE CORRECTING ORDINANCE NO. 6-2009 ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY, CERTAIN LAND IN CLARK COUNTY, KENTUCKY, IDENTIFIED AS ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN CLARK COUNTY, KENTUCKY SITUATED ON THE SOUTH SIDE OF COOK AVENUE ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF WINCHESTER**

**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 the owners of record; and

**WHEREAS**, it has come to the attention of the City of Winchester, Kentucky, that Ordinance 6-2009 incorrectly describes the property to be annexed; and

**WHEREAS**, the City desires to correct said description;

**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, and being the property identified as all that certain tract or parcel of land situated on the south side of Cook Avenue adjacent to the corporate limits of the City of Winchester. 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 is included within the boundary of another city.

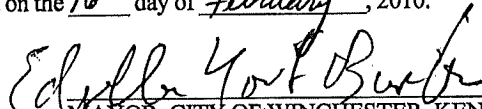
**SECTION II:** Pursuant to the provisions of KRS 81A.400, et seq., the following described unincorporated territory located in Clark County, Kentucky, be and it is hereby, annexed to the City of Winchester, Kentucky:

All that certain tract or parcel of land lying and being in Clark County, Kentucky situated on the south side of Cook Avenue adjacent to the corporate limits of the City of Winchester, more particularly described as follows


Beginning at a point in the existing city limits line in the north right-of-way line of Cook Avenue, thence with said right-of-way line N.88°45'44"E. 247.69 feet to a point in line with the east right-of-way of an alley platted as the east alley of North Winchester Addition (Deed Book 56, page 437); thence S.01°50'00"W at 60.09 feet to a point in the east right-of-way of said alley and the south right-of-way line of Cook Avenue; thence with said east right-of-way line S.01°50'00"W. 218.21 feet to a corner common with the Willie Lee Harper Estate (Deed Book 154, page 378); thence with said Estate 36.50 feet with a curve to the left having a radius of 2,814.93 feet, the chord of which is N.68°44'22"E. 36.50 feet to a corner common with CSX Transportation (abandoned), thence with said CSX S.21°37'55"E. 50.00 feet to the Trustees of the Ark of Mercy Church of God of Winchester, Kentucky (Deed Book 412, page 885); thence with said Church 39.91 feet with a curve to the right having a radius of 2,864.93 feet, the chord of which is S.68°46'02"W. 39.91 feet to the existing city limits line; thence with said city limits line 409.11 feet with a curve to the left having a radius of 3,960 feet, the chord of which is N.38°23'38"W. 408.93 feet to the beginning, containing an area of 0.884 acre, more or less.

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

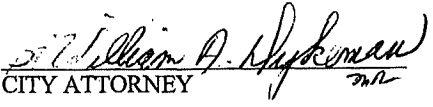
Introduced and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on the 2<sup>nd</sup> day of February, 2010, and finally adopted, after second reading, at a meeting of said Board held on the 16<sup>th</sup> day of February, 2010.

  
MAYOR, CITY OF WINCHESTER, KENTUCKY

ATTEST:

  
CITY CLERK

Prepared by the City Attorney - 01/20/10

  
CITY ATTORNEY

C:\work\WAD\CITY\Ordinance - Corrected - Annexation Cook Avenue 1.20.10.wpd

# **BEC** BALDWIN ENGINEERING CORPORATION

116 South Highland Street P.O. Box 4315  
Winchester, Kentucky 40392-4315  
(859) 744-6943 (phone)

CONSULTING ENGINEERS  
[becrlb@att.net](mailto:becrlb@att.net) (e-mail)  
(859) 744-2558 (fax)

November 9, 2009

File No. 09-4769

Marilyn Rowe  
City Clerk  
City of Winchester  
City Hall  
Winchester, KY 40391

Re: Cook Avenue Annexation

Dear Marilyn:

The errors were mine. There were two as follows:

1. A chord on the lower right side of the plat that was in error. It was correct in the description. It is S.68°46'02"W. 39.91 feet. I have revised the plat.
2. On the next to last line of the description, I typed "a radius of 3.960 feet" and it should have been "a radius of 3,960 feet". I have revised the description.

The correct plat and description are transmitted herewith. If you have any other problems with this matter, please advise.

Yours truly,



Robert L. Baldwin, PE, PLS

pc: project file  
reading file

# **BEC** **BALDWIN ENGINEERING CORPORATION**

116 South Highland Street P.O. Box 4315  
Winchester, Kentucky 40392-4315  
(859) 744-6943 (phone)

**CONSULTING ENGINEERS**  
[baldwin1@meginc.com](mailto:baldwin1@meginc.com) (e-mail)  
(859) 744-2558 (fax)

November 9, 2009

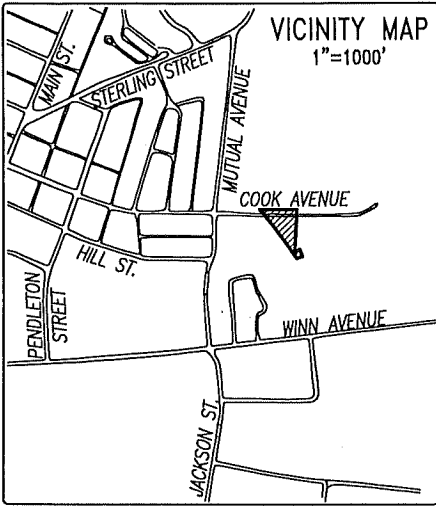
File No. 09-4769

## **CITY OF WINCHESTER COOK AVENUE PROPERTY ANNEXATION DESCRIPTION**

All that certain tract or parcel of land lying and being in Clark County, Kentucky situated on the south side of Cook Avenue adjacent to the corporate limits of the City of Winchester, more particularly described as follows:

Beginning at a point in the existing city limits line in the north right-of-way line of Cook Avenue, thence with said right-of-way line N.88°45'44"E. 247.69 feet to a point in line with the east right-of-way of an alley platted as the east alley of North Winchester Addition (Deed Book 56, page 437); thence S.01°50'00"W at 60.09 feet to a point in the east right-of-way of said alley and the south right-of-way line of Cook Avenue; thence with said east right-of-way line S.01°50'00"W. 218.21 feet to a corner common with the Willie Lee Harper Estate (Deed Book 154, page 378); thence with said Estate 36.50 feet with a curve to the left having a radius of 2,814.93 feet, the chord of which is N.68°44'22"E. 36.50 feet to a corner common with CSX Transportation (abandoned), thence with said CSX S.21°37'55"E. 50.00 feet to the Trustees of the Ark of Mercy Church of God of Winchester, Kentucky (Deed Book 412, page 885); thence with said Church 39.91 feet with a curve to the right having a radius of 2,864.93 feet, the chord of which is S.68°46'02"W. 39.91 feet to the existing city limits line; thence with said city limits line 409.11 feet with a curve to the left having a radius of 3,960 feet, the chord of which is N.38°23'38"W. 408.93 feet to the beginning, containing an area of 0.884 acre, more or less.





POINT OF BEGINNING  
STATE PLANE COORDINATES

NORTHING: 182108.972  
EASTING: 1664259.556 N 88°45'44" E

247.69'

RIGHT OF WAY

**COOK AVENUE**

60.09'

100' PLATTED RIGHT-OF-WAY  
D.B. 56, pg. 437  
CLAIMED BY SAMUEL H. DYER  
& CHRISTINE C. DYER

EX. CITY LIMITS

0.884 ACRE

RIGHT OF WAY

Ch=N 38°23'38" W  
408.93'

218.21'

S 01°50'00" W 278.29'

WILLIE LEE HOPPER ESTATE  
D.B. 154, pg. 378

CITY OF WINCHESTER  
D.B. 447, pg. 464

EXISTING CITY LIMITS

Ch=N 68°44'22" E  
36.50'

R=2,814.93'  
36.50'

CSX TRANSPORTATION  
(ABANDONED)

S 21°37'55" E  
50.00'

39.91'

R=2,864.93'  
Ch=S 68°46'02" W  
39.91'

TRUSTEES OF THE ARK OF MERCY  
CHURCH OF GOD OF KENTUCKY  
WINCHESTER, KENTUCKY  
D.B. 412, pg. 885



**ORDINANCE NO. 5-2010**

The bearings and distances shown hereon are based upon a survey by Robert L. Baldwin, KY PLS 1366, and the basis of bearings is State Plane Coordinates.

4/8/10

Date

Robert L. Baldwin  
KY PLS 1366  
P.O. Box 4315  
Winchester, KY 40392-4315

STATE OF KENTUCKY  
ROBERT L.  
BALDWIN  
1366  
LICENSED  
PROFESSIONAL  
LAND SURVEYOR

