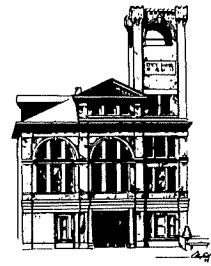


# City of Winchester



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 exact copy of Ordinance No. 4-2012 and 7 pages of attachments annexing to the City of Winchester, Kentucky approximately 30.063 acres along US 60 Caudill Drive, Hospital Drive (Originally known as Brownland Way) and Croxton Way in Clark County situated adjacent to the existing City Limits. The Board of Commissioners adopted Ordinance No. 5-2010 after second reading, on February 15, 2010 and was executed by Edallen York Burtner, Mayor, on February 7, 2011, all as appears in the official records of said City.

Witness by hand and seal this 18th day of May 2012.

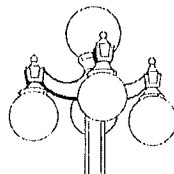
A cursive handwritten signature of Marilyn Rowe in black ink.

Marilyn Rowe  
City Clerk, City of Winchester

SEAL

RECEIVED AND FILED  
DATE May 22, 2012

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Adkinson



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

*Published 11/0/2012*

CITY OF WINCHESTER, KENTUCKY

ORDINANCE NO. 4-2012

**AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY, CERTAIN TERRITORY CONTAINING APPROXIMATELY 30.063 ACRES, MORE OR LESS, OF UNINCORPORATED TERRITORY, SITUATED ALONG US 60, CAUDILL DRIVE, HOSPITAL DRIVE (ORIGINALLY KNOWN AS BROWNLAND WAY), AND CROXTON WAY IN CLARK COUNTY, KENTUCKY ADJACENT TO AND CONTIGUOUS WITH THE EXISTING BOUNDARY OF THE CITY OF WINCHESTER, KENTUCKY**

**WHEREAS**, Kentucky Hospital, LLC (a subsidiary of LifePoint Hospitals, Inc.) is the owner of 30.063 acres, more or less, of unincorporated territory located in Clark County, Kentucky adjacent to and contiguous with the existing boundary of the City of Winchester, Kentucky and situated along US 60, Caudill Drive, Hospital Drive (originally known as Brownland Way), and Croxton Way in Clark County, Kentucky; and

**WHEREAS**, the Board of Commissioners of the City of Winchester, Kentucky, deems it advisable and in the best interest of the City to annex that property, more fully described on Exhibit "B" attached hereto; and

**WHEREAS**, on December 14, 2011, the City of Winchester, Kentucky, received written Consent of Annexation (Exhibit "C:") by the sole owner of the territory to be annexed, Kentucky Hospitals, LLC; and

**WHEREAS**, the proposed territory to be annexed is adjacent to and contiguous with City Boundaries and it is, by reason of its imminent development for commercial purposes, urban in character and will be in receipt of City services; and

**WHEREAS**, the proposed territory to be annexed is all situated within Clark County, Kentucky, and not within another incorporated city or in the process of being incorporated, nor within an agricultural district; and

**WHEREAS**, all of the real property owner within the proposed territory to be annexed has given their written consent to be annexed; and

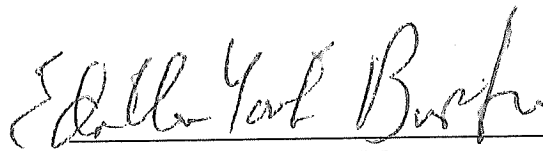
**WHEREAS**, the City declares it desirable to annex the approximately 30.063 acres, more or less, further described and attached as Exhibit "B".

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

1. Pursuant to the provisions of KRS 81A.400, et seq., and specifically KRS 81A.412, the territory described in Exhibit "B" and a map of which is attached to this ordinance as Exhibit "A" is fully incorporated into this ordinance, is hereby annexed into the City of Winchester, Kentucky;
2. The provisions of this Ordinance are hereby declared to be severable and, if any section, phrase or provision shall for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance;
3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed;


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

Introduced and given first reading at a meeting of the Board of Commissions of the City of Winchester, Kentucky held on January 17, 2012 and given final reading on February 7, 2012, 2012.



Edallen York Burtner, Mayor

ATTEST:

  
Marilyn Rowe, City Clerk

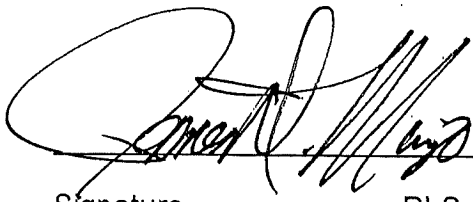
Prepared by the City Attorney - 12/29/11

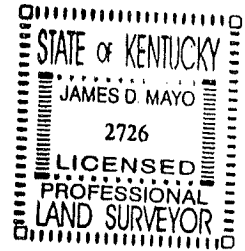
  
CITY ATTORNEY

STATEMENT OF RESOURCES

The property described above was computed from existing plat of record in the Clark County Clerk's Office and filed as Ordinance Number 4-2012.

Coordinates and bearings are from existing mapping of the City of Winchester, Kentucky and are relative to Kentucky State Plane Coordinate System, Single Zone, NAD 83.

 2726 12/5/11  
Signature PLS Number Date



CONSENT TO ANNEXATION

Comes the undersigned, signatory for Kentucky Hospital, LLC (a subsidiary of LifePoint Hospitals, Inc.), and hereby states as follows:

That the undersigned is authorized agent to execute this Consent to Annexation on behalf of Kentucky Hospitals, LLC (LifePoint Hospitals, Inc.), who is the sole owner of the property sought to be annexed and sole property owner within the subject territory. The property to be annexed to the City of Winchester, Kentucky, consists of 30.063 acres, more or less, and the annexation shall include the entire roadway known as Croxton Way, Winchester, Kentucky.

KENTUCKY HOSPITAL, LLC  
(a subsidiary of LifePoint Hospitals, Inc.)

BY: [Signature]  
ITS: Chief Executive Officer

STATE OF KENTUCKY     )  
  )     SCT.  
COUNTY OF CLARK     )

The foregoing was acknowledged, subscribed and sworn to before me this 14<sup>th</sup> day of December, 2011, by Katherine S. Love, as CEO, of Kentucky Hospital, LLC (a subsidiary of LifePoint Hospitals, Inc.).

My Commission expires: November 22, 2014

[Signature]  
NOTARY PUBLIC, STATE AT LARGE,

KY

THIS DEED, made and entered into this the 30<sup>th</sup> day of July, 2010, by and between CARL C. NORTON and LESLIE F. NORTON, his wife, GEORGE P. NORTON and LESLIE O. NORTON, his wife, THOMAS E. NORTON and TERRY R. NORTON, his wife, 312 The Woods, Winchester, Kentucky 40391, First Parties; WINCHESTER COMMERCIAL, LLC, a Kentucky limited liability company, 2393 Alumni Drive, Suite 100, Lexington, Kentucky 40517, Second Party (First Parties and Second Party are sometimes hereinafter collectively referred to as "Grantors"); and KENTUCKY HOSPITAL, LLC, a Delaware limited liability company, c/o LifePoint Hospitals, Inc., 103 Powell Court, Suite 200, Brentwood, Tennessee 37027, Third Party;

WITNESSETH:

THAT for and in consideration of the sum of Three Million Eight Hundred Ninety-Three Thousand Seven Hundred Fifty Dollars (\$3,893,750.00), the full sales price, the receipt of all of which is hereby acknowledged; First Parties and Second Party have BARGAINED and SOLD and do hereby GRANT and CONVEY unto Third Party, its successors and assigns forever, the following-described property located in Clark County, Kentucky ("the Property"), to-wit:

Being all of Tract 1 consisting of 28.204 acres and all of Tract A consisting of 1.81 acres as shown on the Minor Subdivision Plat of George P. Norton, Thomas E. Norton, and Carl C. Norton, of record in Plat Slide 1763B, in the Clark County Clerk's Office.

Being a part of the same property conveyed to Carl C. Norton, George P. Norton, and Thomas E. Norton by Deed dated September 6, 2006, and of record in Deed Book 426, Page 600, in the Clark County Clerk's Office. Second Party acquired rights to 15.29 acres of the Property pursuant to an unrecorded Option to Purchase and Development Agreement.

TO HAVE AND TO HOLD the Property together with all appurtenances and privileges thereunto belonging unto Third Party, its successors and assigns forever.

**30.063 Acres  
ANNEXATION AREA  
ORDINANCE No. 4-2012**

TRACT 1  
28.2245 Acres  
(S&W 17.828)  
KENNEDY HOSPITAL, LLC  
(D.B. 468 P. 20)  
(S&W 17.828)

30.1 Ac.  
(D.B. 471 P. 743)  
(S&W 17.81)

Thomas E. Horton et al.  
(D.B. 472 P. 334)  
(S&W 17.81)

Block indicated is in relation to  
Kentucky State Plan (NO. 83)  
Single Zone.

CURVE	RADIUS	ARC LENGTH	CHORD	BEARING	CHORD LENGTH
(1)	174.000	29.176	S 11°55'53" W	29.14	
(2)	525.000	56.867	N 65°07'45" W	56.05	
(3)	25.000	39.277	S 71°56'11" W	35.36	
(4)	46.000	39.277	S 19°04'18" E	56.59	
(5)	46.000	39.278	N 71°56'13" E	56.59	
(6)	23895.310	390.824	T 3°04'44" E	390.26	

\* HOSPITAL DRIVE formerly platted as BRUNSWICK BLK.

**STATEMENT OF RESOURCES**  
The property platted herein was compiled as shown from field notes of record in Clark County Clerk's Office and map of the city of Winchester from the Secretary of State office in Frankfort, Kentucky.  
The subject annexation property is the same Tract 1 and Tract 1A, recorded as plat of record in the County of Clark, Kentucky, in the name of Thomas E. Horton et al. as Clerk, at S&W 17.828, and as Kentucky State Plan (NO. 83) Single Zone.

**LEGEND**  
--- Adjoining Property Boundary  
--- Existing State Right of Way  
• Computed Corner  
1374.6214  
156' 11"  
P.O.B. - Point of Beginning

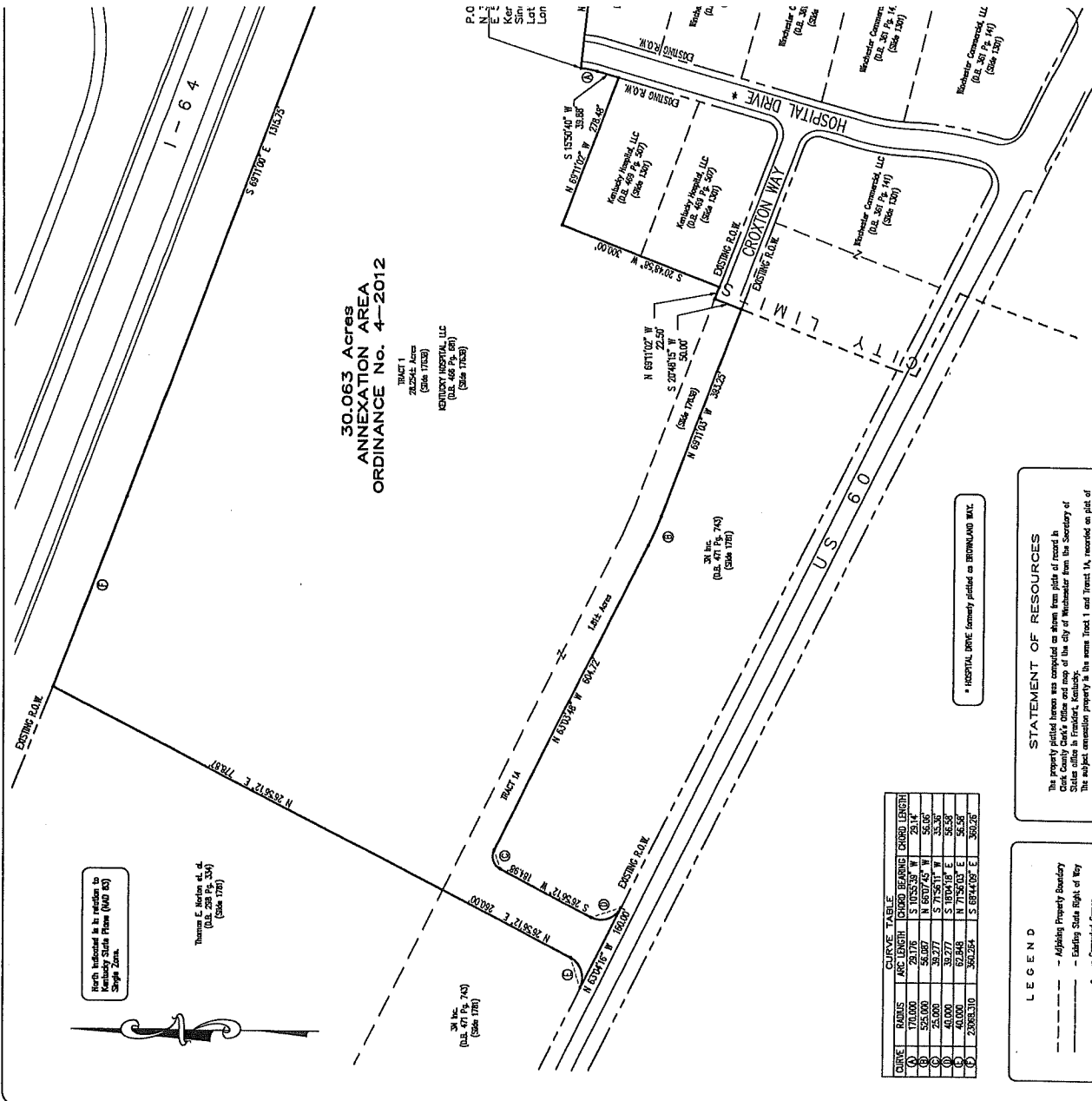


EXHIBIT B

DEED DESCRIPTION

Annexation

Ordinance No. 4-2012

City of Winchester, Kentucky

A certain parcel of land situated along US 60, Caudill Drive, Hospital Drive and Croxton Way in Clark County, Kentucky, near and joining the city of Winchester, and being more particularly described as follows:

The **Point of Beginning (P.O.B.)** at Kentucky State Plane (NAD 83) Single Zone coordinate of Northing = 3895393.825 and Easting = 5363587.635, at Latitude 38°00'40.16596" North and Longitude 84°12'52.32288" West, said point in the existing right of way of Hospital Drive, and in the existing City Limits of Winchester, KY, thence with the City Limits of Winchester, KY and continuing with the existing right of way of Hospital Drive;

Along a curve to the right, having a radius of 170.00 feet , an arc length of 29.176 feet and a chord of South 10°55'39" West 29.14 feet to a point, thence;

South 15°50'40" West 39.88 feet to a point, corner to Kentucky Hospital, LLC, thence leaving the existing right of way of Hospital Drive with Kentucky Hospital, LLC;

North 69°11'02" West 278.48 feet to a point, thence;

South 20°48'58" West 300.00 feet to a point, in the existing right of way of Croxton Way, thence leaving Kentucky Hospital, LLC, with the existing north right of way of Croxton Way;

North 69°11'02" West 22.50 feet to a point, thence;

South 20°48'15" West 50.00 feet to a point, corner to Winchester Commercial, LLC, and 3N Inc., thence leaving the existing right of way of Croxton Way and the City Limits of Winchester with 3N Inc.;

North 69°11'03" West 393.25 feet to a point, thence;

Along a curve to the right , having a radius of 525.00 feet, an arc length of 56.087 feet and a chord of North 66°07'45" West 56.06 feet to a point, thence;

North 63°03'48" West 604.72 feet to a point, thence;

Along a curve to the left, having a radius of 25 feet, an arc length of 39.277 feet, and a chord of South 71°56'11" West 35.36 feet to a point, thence;

South 26°56'12" West 184.98 feet to a point, thence;

Along a curve to the left, having a radius of 40.00 feet, an arc length of 39.277 feet and a chord of South 18°04'18" East 56.58 feet to a point in the existing right of way of US 60, thence leaving 3N Inc. with the existing right of way of US 60;

North 63°04'16" West 160.00 feet to a point, corner to 3N Inc., thence leaving the existing right of way of US 60 with 3N Inc.;

Along a curve to the left having a radius of 40.00 feet, an arc length of 62.248 feet and a chord of North 71°56'03" East 56.58 feet to a point, thence;

North 26°56'12" East 260.00 feet to a point, corner to Thomas E. Norton et. al. thence leaving 3N Inc. with Thomas E. Norton et. al.;

North 26°56'12" East 778.87 feet to a point in the existing right of way of Interstate 64, thence leaving Thomas E. Norton et. al. with the existing right of way of Interstate 64;

Along a curve to the left, having a radius of 23,068.310 feet, an arc length of 360.264 and a chord of South 68°44'09" East 360.26 feet to a point, thence;

South 69°11'00" East 1315.75 feet to a point in the center of Caudill Drive, thence leaving the existing right of way of Interstate 64 with the center of Caudill Drive;

South 15°50'34" West 390.29 feet to a point, corner to Winchester Commercial, LLC, thence leaving the center of Caudill Drive with Winchester Commercial, LLC along the existing City Limits of Winchester;

North 83°59'21" West 362.83 feet to the **Point of Beginning**, containing 30.063 Acres of land.

The subject annexation property is the same Tract 1 and Tract 1A, recorded on plat of Minor Subdivision for George P. Norton, Thomas E. Norton and Carl C. Norton, as Slide 1763B, in the Clark County Clerk's Office.

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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