


CITY OF WINCHESTER, KENTUCKY
ORDINANCE NO. 12-2024

SUMMARY

**AN ORDINANCE 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, BEING TWELVE
(12) ACRES, MORE OR LESS, SITUATED ON THE
WESTERN SIDE OF THE CORPORATE LIMITS OF THE
CITY OF WINCHESTER, KENTUCKY**

A copy of this Ordinance can be reviewed in the Office of the City Clerk, 32 Wall Street.

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



William A. Dykeman
City Attorney

RECEIVED AND FILED
DATE Sept. 27, 2024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Ridge Newell

CITY OF WINCHESTER, KENTUCKY
ORDINANCE NO. 12-2024

**AN ORDINANCE ANNEXING TO THE CITY OF
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WESTERN SIDE OF THE CORPORATE LIMITS OF THE
CITY OF WINCHESTER, KENTUCKY**

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; and

WHEREAS, The Board of Commissioners of the City of Winchester has received the prior consent of the owners of record which is the Clark County Board of Education, being at 1600 West Lexington Avenue, Winchester, Kentucky; and

WHEREAS, Notice to annex the described property into the corporate limits of the City of Winchester was delivered to the County Judge Executive Les Yates and the Clark County Fiscal Court on April 1, 2024.

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 the certain tract or parcel of land situated on the western side, adjacent to the corporate limits of the 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.

All that certain tract or parcel of land lying in Clark County, Kentucky situated on the western side of the corporate limits of the City of Winchester, more particularly as follows:

That certain tract or parcel of land containing twelve (12) acres, more or less, and being designated as Parcel 5 on the record plat for the Norton Family Trust, said plat being of record at Plat Slide 1451, Clark County Clerk's Office, to which reference is hereby made for a more definite description.


Being a part of the same property conveyed to Grantors by deeds from Martha C. Norton, et vir, dated February 20, 1992, and of record in Deed Book 305, Page 26; by deed dated February 3, 1993, and of record in Deed Book 312, Page 308; and by deed dated January 2, 1994, of record in Deed Book 319, Page 60, Clark County Clerk's Office.

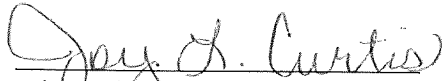
SECTION III. This Ordinance shall become effective upon publication as required by law.

Introduced and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on the 7th day of May, 2024, and finally adopted, after second reading, at a meeting of said Board held on the 20th day of May, 2024.

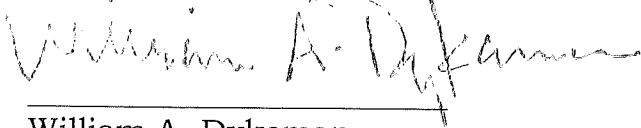
Voice Vote:

Commissioner Book	<u>Yes</u>
Commissioner Cox	<u>Yes</u>
Mayor Reed	<u>Yes</u>
Commissioner Strode	<u>Yes</u>
Commissioner Toole	<u>Yes</u>


JoEllen Reed, Mayor

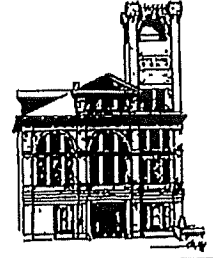

City Clerk

Reviewed and approved by:



William A. Dykeman
City Attorney

City of Winchester



Office of the City Manager

Established 1793

April 1, 2024

Hon. Les Yates
Clark County Fiscal Court
County Judge Executive
Clark County Courthouse
34 South Main Street
Winchester, KY 40391

RE: CLARK COUNTY BOARD OF EDUCATION
CONSENT TO ANNEXATION
1900 MARTIN LUTHER KING DRIVE

Dear Judge Yates & Fiscal Court:

As per KRS 65.8801-65.8839, we are providing this notice and the request from the Clark County Board of Education for consensual annexation of the property at 1900 Martin Luther King Drive. This property is contiguous to the existing city boundary, and the owners have provided notice to us of their desire to pursue consensual annexation with provision of the attached documentation.

As per current legislation, this shall serve as the City of Winchester's official notice of our intent to annex this property with the first reading to occur at the regular City Commission meeting April 16, 2024 and second reading anticipated on May 7, 2024. The proposed schedule meets the 45-day notice requirement as outlined in the legislation regarding notice to the Fiscal Court.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Michael H. Flynn
City Manager

Enclosures

MF:dll



CONSENT TO ANNEXATION

Comes the undersigned, Chair of the Board of Education of Clark County, Kentucky (hereinafter the "Board"), whose address is 1600 West Lexington Avenue, Winchester, Kentucky 40391, and hereby states as follows:

During a regularly held meeting of the Board on March 26, 2024, the Board voted to Consent to the Annexation into the City of Winchester, Kentucky certain real property owned by the Board, consisting of approximately twelve (12) acres, more or less, located at 1900 Martin Luther King Drive, Winchester, Clark County, Kentucky, more particularly described as follows, to wit:

That certain tract or parcel of land containing twelve (12) acres, more or less, and being designated as Parcel 5 on the record plat for the Norton Family Trust, said plat being of record at Plat Slide 1451, Clark County Clerk's Office, to which reference is hereby made for a more definite description.

Being a part of the same property conveyed to Grantors by deeds from Martha C. Norton, et vir, dated February 20, 1992, and of record in Deed Book 305, Page 26; by deed dated February 3, 1993, and of record in Deed Book 312, Page 308; and by deed dated January 2, 1994, of record in Deed Book 319, Page 60, Clark County Clerk's Office.

The undersigned, as Chair of the Board, has been authorized by the Board to execute this Consent to Annexation on behalf of the Board, which is the sole owner of the above-described property sought to be annexed.

CLARK COUNTY BOARD OF EDUCATION

BY: 
ASHLEY RITCHIE, CHAIR

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 (e-mail)
(859) 744-2558 (fax)

September 16, 2024

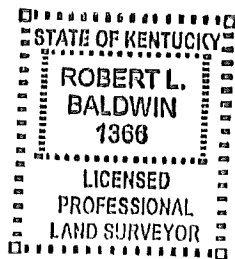
File No. 24-6781

PROPOSED ANNEXATION
CLARK COUNTY BOARD OF EDUCATION
500 FRONTIER WAY
WINCHESTER, CLARK COUNTY, KENTUCKY

All that certain tract or parcel of land lying and being in Clark County, Kentucky, and situated on the north side of Frontier Way near Gibson Way, more particularly described as follows:

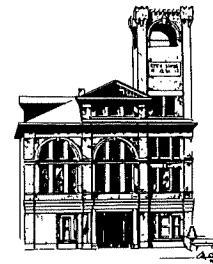
Beginning at a found iron pin with no ID Cap (3891682.08, 5360923.93) in the north right-of-way line of Frontier Way, a corner common with the Commonwealth of Kentucky Clark County Board of Education (Deed Book 186, page 12)(Deed Book 283, page 46), thence in part with said north right-of-way line and Thomas E. Norton, et al. (Deed Book 485, page 290) N.68°58'37"W. at 581.95 feet passing the end of Frontier Way, in all 725.25 feet to a found iron pin with an ID Cap bearing "Baldwin 1366; thence continuing with said Norton two calls as follows: (1) N.21°45'14"E. 701.96 feet to a found iron pin with an ID Cap bearing "Baldwin 1366, (2) S.71°10'14"E. 735.96 feet to a found iron pin with an ID Cap bearing "Baldwin 1366, a corner common with the previously noted Board of Education and the south right-of-way line of Martin Luther King Jr Drive; thence with said Board S.22°31'24"W. 730.33 feet to the beginning, containing an area of 12.00 acres, more or less according to a survey by Robert L. Baldwin, PE, PLS, Baldwin Engineering Corporation, P O Box 4315, Winchester, KY 40392-4315 dated July 16, 2024.

C:\CORRESPONDENCE\CITY-BOE-ANNEX.DOC



Robert L. Baldwin
9/16/2024

City of Winchester



Office of the City Clerk

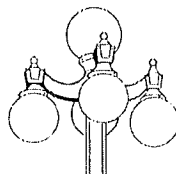
I certify I am the duly qualified City Clerk of the City of Winchester, Kentucky, and the foregoing nine (9) pages of Ordinance No. 12-2024 is a true, correct, and complete copy duly adopted by the City Commission of the City of Winchester, Kentucky at their duly convened meetings held on May 7 and 20, 2024, all as appears in the official records of said City.

Witness by hand and seal this 18th day of September 2024.

A handwritten signature in cursive script that reads "Joy L. Curtis". The signature is written over a horizontal line.

Joy L. Curtis
City Clerk, City of Winchester

SEAL

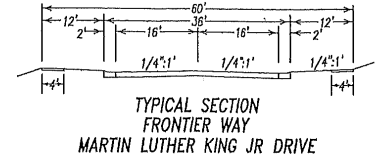
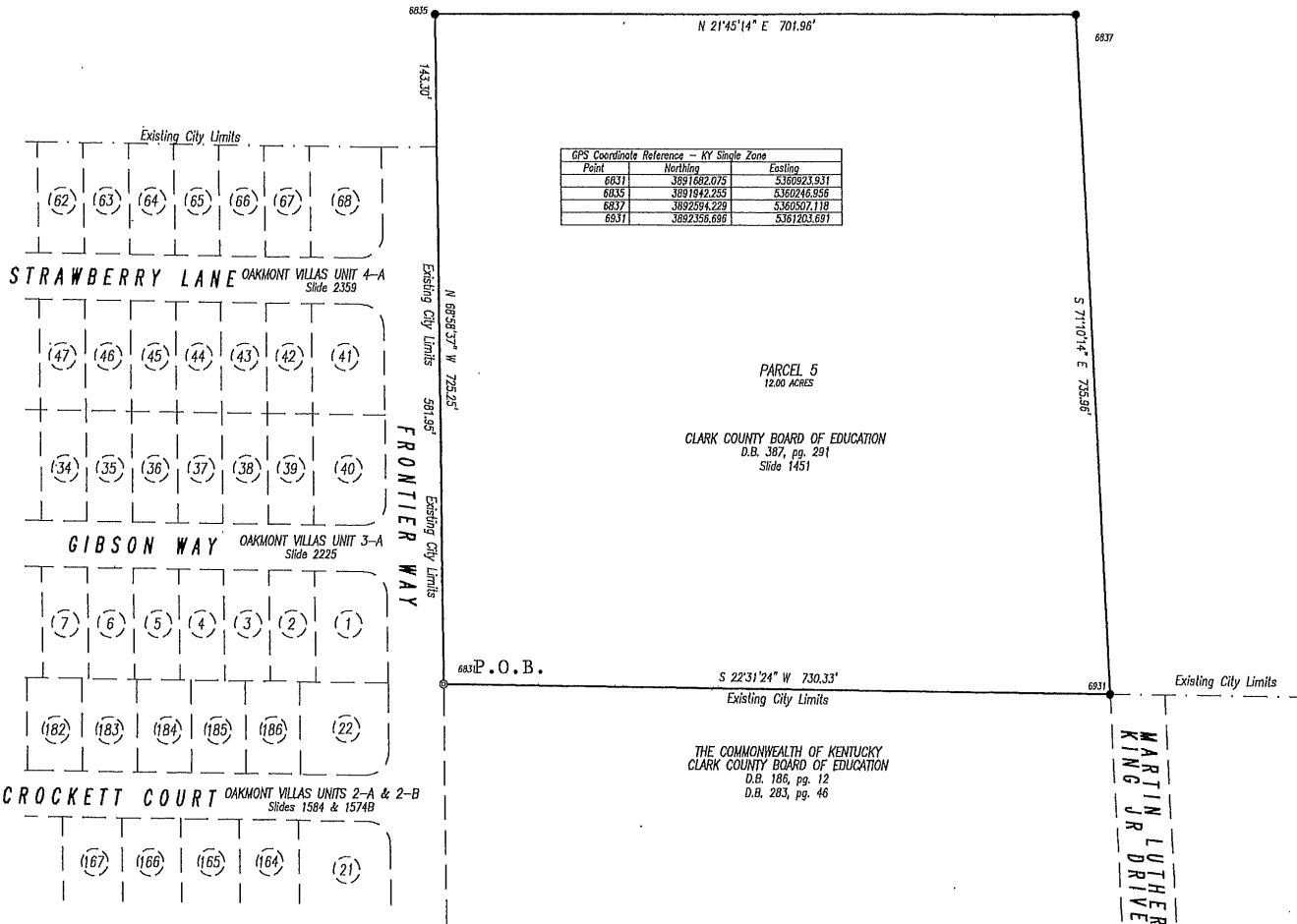
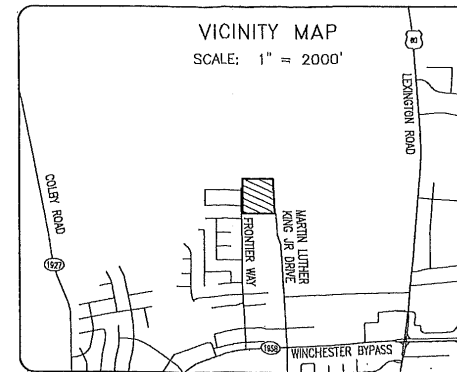


P.O. Box 40 Winchester, Kentucky 40392-0040
Phone 859-744-6292

NOTES:

1. The purpose of this plot is to identify Parcel 5 of Slide 1451 in the Clark County Clerk's Office so that it may be annexed into the City of Winchester.
2. Property platted herein is not located in a Flood Hazard Area as shown on FEMA FIRM Map No. 21049C0038C dated June 5, 2012.
3. The client is Mike Flynn, City of Winchester, 32 Wall Street, Winchester, Kentucky 40391.
4. This plot of survey represents a boundary survey and complies with 201 KAR 18:150.

THOMAS E. NORTON, ET AL.
D.B. 485, pg. 290



LAND SURVEYOR'S CERTIFICATION

I do hereby certify that the survey shown hereon was performed by direction, in accordance with the most recent minimum standards for boundary surveys as set forth by Minimum Standards of Practice of Kentucky (KAR 18:150). The accuracy and positional tolerance are in a rural survey by GPS methods. (Relative positional accuracy ±0.0

Date: Robert L. Baldwin
116 S. Highland St.
Winchester, Kentucky



Z:\NORTON\LEXSOUTH\CLARK COUNTY BOARD OF EDUCATION\ANNEX.dwg PLOTTED: 9/16/12

LEGEND:

- ⊙ Iron Pin Found with No Cap
- #4 Rebar, 18" long, with I.D. Cap stamped "Baldwin 1366"

————— Property Line (Surveyed)
- - - - - Adjacent Property Line
- - - - - City Limits

ANNEXATION PLAT
CLARK COUNTY BOARD OF EDUCATION
500 FRONTIER WAY, WINCHESTER, KY

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

SCALE: 1" = 100'
DATE: 9/12/24
FILE NO.: 24-6781
FIELD BOOK: 331-73
DRAWN BY: DLB

Baldwin ENGINEERS
116 South Highland Street
Winchester, Kentucky