

**ORDINANCE NO. 110.6**

**AN ORDINANCE ANNEXING TERRITORY TO THE  
CITY OF BURNSIDE, KENTUCKY**

**WHEREAS**, the Common Council of the City of Burnside desires to annex that certain territory, which is more particularly described below, and on the attached exhibit, finding that said territory is adjacent or contiguous to the boundary of the City of Burnside, and that the annexation of said territory will contribute to and facilitate the orderly growth and development of both the City of Burnside and the territory; that its annexation is desirable to facilitate and contribute to the commercial development and tourism potential for the City of Burnside and the annexed territory in a manner most conducive to the welfare of the city and the territory, and

**WHEREAS**, the City Council finds that said territory is, by reason of its commercial and governmental use, suitable for development for urban purposes without unreasonable delay, and

**WHEREAS**, the said owners of record of the subject property to be annexed have requested and consented, in writing, to the proposed annexation and therefore, pursuant to KRS 81A.412 there is no requirement for a notification ordinance as required by KRS 81A.420 (a) nor a waiting period of 60 days as provided by KRS 81A.420(2) prior to enacting a final ordinance annexing the subject area; and

**WHEREAS**, this ordinance is authorized by KRS 81A.412,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Burnside, Commonwealth of Kentucky; as follows:

**Section I.** That the following described territory is annexed to the City of Burnside:

(PLEASE REFER TO PAGE 1 and PAGE 2 (of 3), EXHIBIT A (attached) FOR THE OFFICIAL DESCRIPTION, as provided by Anthony G. Thompson of AGT Land Surveying).

A copy of the official map of the area included within the annexed territory, said boundary having an area of 1,849,333 square feet or 42.45 acres, as generated by Anthony G. Thompson of AGT Land Surveying, is attached as Page 3 (of 3), Exhibit A, made part hereof, and incorporated herein by reference.

**Section II.** That the property described in Section I., above is adjacent or contiguous to the boundary of the City of Burnside. Further, that the annexation of said territory will contribute to and facilitate the orderly growth and development

of both the City of Burnside and the territory; the annexation is desirable to facilitate and contribute to the commercial development and tourism potential for the City of Burnside and the annexed territory in a manner most conducive to the welfare of the city and the territory, and that said territory is by reason of its commercial and governmental use, suitable for development for urban purposes without unreasonable delay, and

Section III. This ordinance shall take effect upon its date of publication, whether in whole or in summary, according to law.

  
\_\_\_\_\_  
Dean E. Lovins, Mayor, City of Burnside

ATTEST:

\_\_\_\_\_  
Cecil Goff, Jr., CKMC  
City Clerk/Treasurer

First Reading: September 11, 2006

Second Reading: October 02, 2006

Date of Publication: October 19, 2006

Publication: Commonwealth-Journal, Inc.

Prepared By: Hon. Dan Thompson , City Attorney

Sheet 1 of 3

**DESCRIPTION 42.45 ACRE TRACT**

A certain tract or parcel of land on the watershed of the north fork of the Cumberland River (now) Lake Cumberland, the point of beginning located approximately S 66°42'14" E, 2123' from the (existing) centerline intersection off Kentucky Highway 1247, West Kentucky Highway 90 and US Highway 27 intersection, and more particularly described as follows:

Unless stated otherwise any monument referred to herein as "pin and cap" is a set 5/8" diameter steel rebar, eighteen (18") inches in length, with a orange plastic cap stamped "A.G.T. PLS 3630". Unless stated otherwise any monument referred to herein as "reference monument" is a set 5/8" diameter steel rebar, eighteen (18") inches in length, with a yellow plastic cap stamped "A.G.T. REF. MON. PLS 3630". All bearings and distances stated herein were correlated to Grid North Kentucky State Plane single zone (1600) refer to attached plat sheet 2 of 2 for meta data.

**Beginning** on a point on rock bluff over Lake Cumberland a corner to Ida Abbott (Deed Book 429, page 593) and having a KY 1Z SPC of E: 5,256,049.73564 N: 3,525,262.23521, said point also being a corner to the (existing) City Limits of Burnside, Kentucky per Ordinance 110.1; **Thence** in part with Said Abbott and in part with Robert L. Gardiner (Deed Book 567, page 049) N 28°46'44" W, passing over a 1/2" reference pin at 43.75' and a "reference monument" at 1044.65' a total distance of **1050.65'** to a (found) 14" Cedar in rock fence, marked this survey with one set of three hack marks; **Thence** continuing with said Gardiner S 55°53'36" W a distance of **376.55'** to a (found) 20" Ash in rock fence, marked this survey with one set of three hack marks, "reference monument" set on projected line at 2.16'; **Thence** continuing with said Gardiner N 49°12'57" W a distance of **46.55'** to a point on a rock in the new right-of-way of proposed Frontage Road No. 2 (Commonwealth of Kentucky Road Deed Book 022, page 171) said point located by "reference monument" set on projected line at 1.55'; **Thence** with said new right-of-way line the following four (4) calls:

- 1). N 35°26'35" E a distance of **566.82'** to a "pin and cap",
- 2). N 57°55'14" E a distance of **624.73'** to a "pin and cap",
- 3). S 77°05'39" E a distance of **252.76'** to a "pin and cap",

4). N 86°36'49" E a distance of **12.10'** to a "pin and cap", corner to Cecil E. Chaney and Betty J. Chaney (Deed Book 500, page 439); **Thence** with said Chaney S 54°32'40" E a distance of **1778.26'** to a (found) 18" Cedar in fence, marked this survey with one set of three hack marks, said corner in the line of East Kentucky Rural Electric Cooperative Corp. (Deed Book 232, page 174); **Thence** with said S 81°44'55" W, passing over a "reference monument" at 0.80' a total distance of **644.87'** to a 3" brass cap Corp of Engineers Monument Z 2643-1; **Thence** with said Corp line and The (existing) City Limit line of Burnside, Kentucky the following two (2) calls:

- 1). S 75°22'59" W a distance of **808.03'** to a 3" brass cap Corp Monument Z 2646-4,
- 2). S 64°08'49" W a distance of **332.48'** to the **point of Beginning**, containing 1,849,333



**CITY OF BURNSIDE, KENTUCKY  
COMMONWEALTH OF KENTUCKY**

**ANNEXATION CERTIFICATION  
FOR KRS 81A.470 FILINGS**

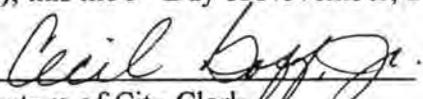
I certify I am the duly qualified City Clerk of the City of Burnside, Kentucky, and the foregoing

5 pages of Ordinance No. 110.6 is a true, correct, and complete copy duly adopted by the City

Council at a duly convened meeting held on October 2, 2006, as appears in the official records of said

City.

WITNESS, my hand and Seal, (or Seal of the City), this the 3<sup>rd</sup> Day of November, 2005.



Signature of City Clerk  
Cecil Goff, Jr., CKMC, City Clerk/Treasurer  
City of Burnside, Kentucky

Seal (Notary Seal or City Seal)



