

Ordinance 110.04

ORDINANCE NO. 07-04

AN ORDINANCE ANNEXING A BOUNDARY OF REAL ESTATE (MORE COMMONLY KNOWN AS HOMER DECKER FAMILY PROJECT) TO THE CITY OF SOMERSET, KENTUCKY,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

That the City of Somerset, Kentucky does hereby annex to the City of Somerset, Kentucky, the following boundary of unincorporated territory which is adjacent to property now contained in the City Limits:

A certain tract or parcel of land located and being in Pulaski County, State of Kentucky, and more fully described as follows, to wit:

A certain tract or parcel of land located on the west side of U.S. 27 in Pulaski County, Kentucky approximately 0.05 miles from the junction of University of Kentucky Drive.

Being all of Tract 1 of a plat named Homer Decker Family Project filed in Plat Cabinet D, Slide 328 in the Pulaski County Clerk's Office at Somerset, Kentucky. The above described having an area of 29.6454 acres as surveyed by bobby Hudson, LPLS 1253 on 02/14/2007.

BEING A PORTION OF THE SAME property conveyed from Nora C. Decker, an unremarried widow, unto Pauline Decker, a single woman, and Homer Decker, a single man, by deed dated July 3, 1978 as the same appears of record in Deed Book 443, Page 006.

BEGINNING at a post on right-of-way U.S. 27 By-Pass Oakwood South Corner; thence with Oakwood Line N 37°11' W 338.10 feet to a post; thence with said property line S 81° 38' W 415.14 feet to a post; thence with said property line S 78°59' W 537.63 feet to a new corner to Oakwood; thence with O.D. Dick line S 0°22' 03" E 512.71 feet to a corner post; thence with said property line S 17°48' 02" W 658.70 feet to an elm tree; thence S 68°14' 30" E 149.80 feet to a point in the center of Allen Branch; thence with center of said branch S 76° 05' 50" E 235.86 feet to a point; thence with center of said branch N 82° 38' 54" E 548.54 feet to a point south of said branch, west side of the old Monticello Road; thence S 30° 05' 28" E 87.40 feet to a point on existing right-of-way line (U.S. 27) By-Pass; thence with the Existing right-of-way line (U.S. 27) By-Pass with Arc length 1216.15 feet with a Bearing of N 18° 29' 15" E to the point of beginning, containing 30.52 acres more or less.

BEING A PART OF THE SAME PROPERTY conveyed to Pauline Decker, a single woman, and Homer Decker, a single man, by Deed of Conveyance from

Nora C. Decker, a widow, dated the 3rd day of July 1978, and recorded in deed Book 443, Page 006, Pulaski County Court Clerk's Office, Kentucky. Homer Decker departed this life intestate as evidenced by his Last Will and Testament filed of record in Will Book 22, Page 263, Pulaski County Court Clerk's Office, Somerset, Kentucky and devised his interest in the property unto his two sisters, Pauline Decker and Dora Decker, equally.

There is EXCEPTED herefrom a certain tract of land previously conveyed unto the Commonwealth of Kentucky for the use and benefit of the Transportation Cabinet, Department of Highways, by Deed of Conveyance dated November 4, 1996 as filed of record in Road Deed Book 18, Page 604, Pulaski County Court Clerk's Office, Somerset, Kentucky.

FIRST READING May 14, 2007
SECOND READING June 11, 2007

Approved:



Mayor

ATTEST:


City Clerk

ANNEXATION REQUEST FORM

I, Stonebrook Development LLC

FORMALLY REQUEST ANNEXATION OF MY PROPERTY LOCATED AT

30.52
~~29 Acres~~ +/-, South Hwy 27, formally the
Decker Property To Be Zoned B-2

INTO THE CITY OF SOMERSET.

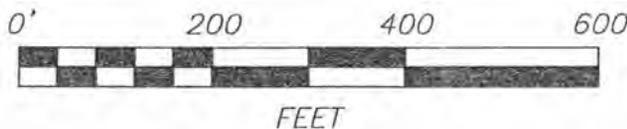
I ALSO REQUEST THAT THE 60-DAY WAITING PERIOD BE WAIVED.

SIGNED

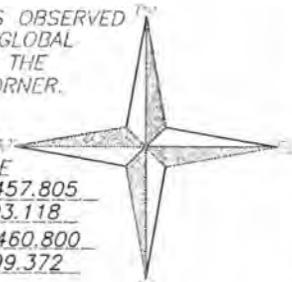
[Signature] - Managing member
Stonebrook Development LLC.

DATE

3/29/07



THE TRUE MERIDIAN WAS OBSERVED IN THE FIELD USING A GLOBAL POSITIONING SYSTEM AT THE INDICATED PROPERTY CORNER. THAT POSITION IS:



KENTUCKY NORTH ZONE
 GPS1 NORTHING 1905457.805
 GPS1 EASTING 1968703.118
 GPS2 NORTHING 1906460.800
 GPS2 EASTING 1968999.372

Ford Brothers, Inc.
Auctioneers-Realtors
 1406 South Highway 27
 Somerset, Kentucky 42501
 "We're Selling The Country"

THE PURPOSE OF THIS PLAT IS TO CREATE TRACT 1, CONTAINING 29.6454 ACRES, TRACT 2, CONTAINING ***** ACRES, TRACT 3, CONTAINING ***** ACRES, TRACT 4, CONTAINING ***** ACRES

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS ON 02/14/2007. THIS IS A CLASS B SURVEY AND THE UNADJUSTED ERROR OF CLOSURE IS 1:59821. THE LINEAR AND ANGULAR MEASUREMENTS HAVE NOT BEEN ADJUSTED FOR CLOSURE. THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS OF THE GOVERNING AUTHORITIES AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 04/02/2007
 BOBBY L HUDSON LPLS 1253 DATE

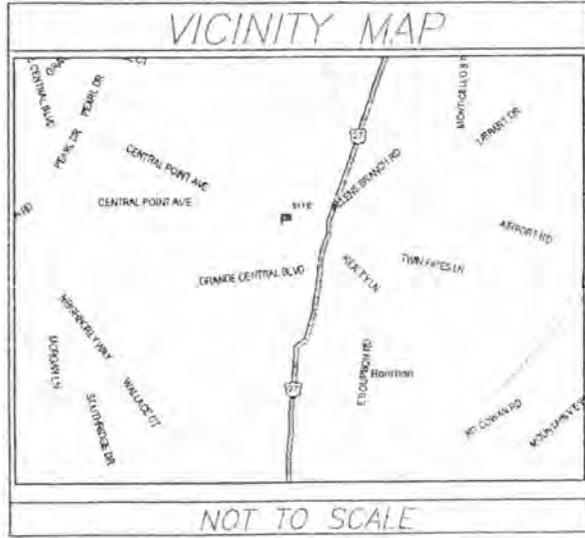
PLAT NOTES
 1. THE PROPERTY IS SUBJECT TO ALL EASEMENTS THAT MAY OR MAY NOT BE ON RECORD.
 2. THE PROPERTY IS SUBJECT TO ALL RIGHTS OF WAY THAT MAY OR MAY NOT BE ON RECORD.
 3. THE PROPERTY IS SUBJECT TO ALL PLANNING AND ZONING REGULATIONS THAT MAY APPLY.
 4. THE ADJOINING PROPERTY OWNERS WERE OBTAINED FROM THE PROPERTY VALUATION AUTHORITY OF THE COUNTY OF RECORD.
 5. THE MONUMENTS SHOWN ON THIS PLAT AS SET ARE 1/2" X 18" REBAR WITH CAPS LABELED LPLS1253.

SURVEY PLAT
HOMER DECKER FAMILY PROJECT
 PROPERTY ADDRESS: 2001 SOUTH HIGHWAY 27, SOMERSET, KENTUCKY
 COUNTY AND COUNTY DIST: PULASKI COUNTY, SOMERSET, KENTUCKY 42501
 NAME AND ADDRESS OF PROPERTY OWNER: HOMER DECKER, 2001 SOUTH HIGHWAY 27, SOMERSET, KENTUCKY 42501
 ALL OWN: BH DR DS CM
 DATE: 02/14/2007
 TOTAL ACRES: 29.6454
 SCALE: 1 INCH = 200 FEET
 DRAWN BY: D STRUNK
 DATE: 04/02/2007
 PART DB 443/006
 ISS MAP: 062-01-00-70
 APPROVED BY: B HUDSON
 DATE: 04/02/2007
 PROJECT NAME: DEC0214
 SURVEYOR: SUR_001

LEGEND

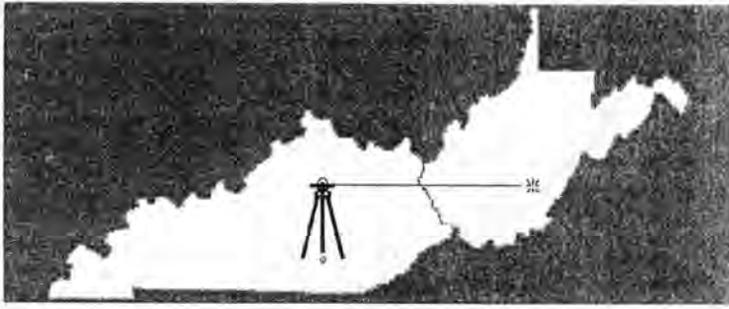
| | |
|---|---|
| <ul style="list-style-type: none"> ● CORNER SYMBOL GPS GLOBAL POSITIONING SYSTEM MEASUREMENT POINT COR CORNER NO MONUMENTATION CIPS CAPPED IRON PIN SET IPS IRON PIN SET CWPS CAPPED WITNESS PIN SET RPS REFERENCE PIN SET CIPF CAPPED IRON PIN FOUND IPF IRON PIN FOUND PKF PK NAIL FOUND PKS PK NAIL SET RMK RIGHT OF WAY MARKER ROW RIGHT OF WAY EUM EDGE OF PAVEMENT UP UTILITY POLE WM WATER METER | <ul style="list-style-type: none"> ○ OTHER POINT SYMBOL APL APPROXIMATE ADJACENT LINE FH FIRE HYDRANT MH MANHOLE GM GAS METER PIB POINT CENTERLINE BRANCH PIC POINT CENTERLINE CREEK PCL POINT ON CENTERLINE PRW POINT ON RIGHT OF WAY -E- ELECTRIC POWER LINE -T- TELEPHONE LINE -W- WATER LINE -S- SEWER LINE -G- GAS LINE -X- FENCE |
|---|---|

Bobby Hudson Land Surveying, Inc.
 840 North Highway 27
 Somerset, Kentucky 42503
 Voice (606) 679-5628
 Fax (606) 679-9056



FOR COUNTY CLERK'S USE ONLY

STATE OF KENTUCKY
 BOBBY L. HUDSON
 1253
 LICENSED PROFESSIONAL SURVEYOR



Bobby Hudson Land
Surveying, Inc
840 North Highway 27
Somerset, Kentucky 42503
Voice (606) 679-5628
Fax (606) 679-9056
Email hudsonsurvey@alltel.net

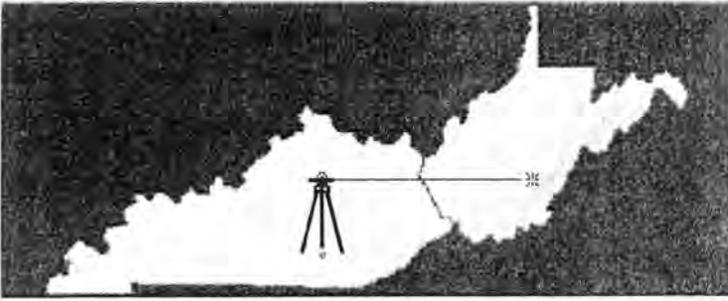
LEGAL DESCRIPTION

07/17/2007

TRACT 1

A CERTAIN TRACT OR PARCEL OF LAND LOCATED ON THE WEST SIDE OF US HIGHWAY 27 IN PULASKI COUNTY, KENTUCKY APPROXIMATELY 0.01 MILES FROM THE JUNCTION OF GRAND CENTRAL BLVD.

BEGINNING ON A POST WITH A CAPPED WITNESS PIN SET ON THE WEST RIGHT OF WAY OF US HIGHWAY 27 (RIGHT OF WAY VARIES), SAID POST BEING A CORNER TO OAKWOOD MENTAL HOSPITAL (DEED BOOK 296 PAGE 181);
THENCE WITH THE RIGHT OF WAY OF US HIGHWAY 27 SOUTH 17 DEGREES 23 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 378.52' TO A CONCRETE RIGHT OF WAY MARKER;
THENCE WITH THE WEST RIGHT OF WAY OF US HIGHWAY 27 SOUTH 15 DEGREES 55 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 667.40' TO A CAPPED IRON PIN SET;
THENCE WITH THE WEST RIGHT OF WAY OF US HIGHWAY 27 SOUTH 63 DEGREES 59 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 51.96' TO A CAPPED IRON PIN SET;
THENCE WITH THE WEST RIGHT OF WAY OF US HIGHWAY 27 SOUTH 12 DEGREES 56 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 65.64' TO A CAPPED IRON PIN SET SAID PIN BEING A CORNER TO GRAND CENTRAL HOLDINGS, LLC. (DEED BOOK 745 PAGE 245);
THENCE WITH THE LINE WITH GRAND CENTRAL HOLDINGS, LLC. NORTH 86 DEGREES 05 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 224.54' TO A POINT IN THE BRANCH, SAID POINT BEING LOCATED SOUTH 01 DEGREES 41 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 8.00' FROM A CAPPED WITNESS PIN SET;
THENCE WITH THE LINE WITH GRAND CENTRAL HOLDINGS, LLC. SOUTH 79 DEGREES 34 MINUTES 49 SECONDS WEST FOR A DISTANCE OF 99.53' TO A POINT IN THE BRANCH;
THENCE WITH THE LINE WITH GRAND CENTRAL HOLDINGS, LLC. SOUTH 84 DEGREES 44 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 281.60' TO A POINT IN THE BRANCH, SAID POINT BEING LOCATED SOUTH 12 DEGREES 20 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 25.00' FROM A CAPPED REFERENCE PIN SET;
THENCE WITH THE LINE WITH GRAND CENTRAL HOLDINGS, LLC. NORTH 63 DEGREES 13 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 110.38' TO A POINT IN THE BRANCH;
THENCE WITH THE LINE WITH GRAND CENTRAL HOLDINGS, LLC. SOUTH 81 DEGREES 43 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 135.77' TO A POINT IN THE BRANCH;
THENCE WITH THE LINE WITH GRAND CENTRAL HOLDINGS, LLC. NORTH 75 DEGREES 37 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 92.44' TO A POINT IN THE BRANCH, SAID POINT BEING A CORNER TO GRAND CENTRAL APARTMENTS (DEED BOOK 425 PAGE 101);
THENCE WITH THE LINE WITH GRAND CENTRAL APARTMENTS NORTH 14 DEGREES 30 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 8.50' TO A CAPPED WITNESS PIN SET;
THENCE WITH THE LINE WITH GRAND CENTRAL APARTMENTS NORTH 14 DEGREES 30 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 652.17' TO A CAPPED IRON PIN SET, SAID PIN BEING A CORNER TO GRAND CENTRAL APARTMENTS;
THENCE WITH THE LINE WITH GRAND CENTRAL APARTMENTS AND PASSING A CORNER WITH CENTRAL POINT SUBDIVISION (PLAT CABINET C SLIDE 501), THENCE RUNNING WITH CENTRAL POINT SUBDIVISION NORTH 03 DEGREES 38 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 514.71' TO A POST WITH A CAPPED WITNESS PIN SET, SAID POST BEING A CORNER TO OAKWOOD MENTAL HOSPITAL (DEED BOOK 296 PAGE 181);



Bobby Hudson Land
Surveying, Inc
840 North Highway 27
Somerset, Kentucky 42503
Voice (606) 679-5628
Fax (606) 679-9056
Email hudsonsurvey@alltel.net

LEGAL DESCRIPTION

07/17/2007

THENCE WITH THE LINE WITH OAKWOOD MENTAL HOSPITAL NORTH 79 DEGREES 23 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 957.39' TO A POST WITH A CAPPED WITNESS PIN SET, SAID POST BEING A CORNER TO OAKWOOD MENTAL HOSPITAL; THENCE WITH THE LINE WITH OAKWOOD MENTAL HOSPITAL SOUTH 38 DEGREES 16 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 336.77' TO A POST WITH A CAPPED WITNESS PIN SET WHICH IS THE POINT OF BEGINNING AND HAVING AN AREA OF 29.6456 ACRES AS SURVEYED BY BOBBY HUDSON, LPLS 1253 ON 02/14/2007.

THE ABOVE DESCRIBED BEING THE PROPERTY CONVEYED TO STONEBROOK DEVELOPMENT, LLC. AND CONRAD BROTHERS INVESTORS, LLC. BY DEED BOOK ___ PAGE ___ IN THE RECORDS OF THE PULASKI COUNTY CLERK'S OFFICE AT SOMERSET, KENTUCKY.

ALL CORNERS OR WITNESS MONUMENTS REFERRED TO HEREIN AS IRON PINS SET ARE ONE-HALF INCH REBAR 18 INCHES LONG AND CAPPED WITH AN ORANGE CAP MARKED LS 1253, EXCEPT AS OTHERWISE NOTED. ALL BEARINGS ARE REFERENCED TO THE MERIDIAN.

THIS PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS OF WAY AND/OR EASEMENTS OF RECORD OR IN EXISTENCE AT THIS TIME AND REGULATIONS THAT MAY APPLY THROUGH PLANNING AND ZONING.



THE TRUE MERIDIAN WAS OBSERVED IN THE FIELD USING A GLOBAL POSITIONING SYSTEM AT THE INDICATED PROPERTY CORNER. THAT POSITION IS:



KENTUCKY NORTH ZONE
 GPS1 NORTHING 1905457.805
 GPS1 EASTING 1968703.118
 GPS2 NORTHING 1906460.800
 GPS2 EASTING 1968999.372

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS ON 07/12/2007. THIS IS A CLASS B SURVEY AND THE UNADJUSTED ERROR OF CLOSURE IS 1:61598. THE LINEAR AND ANGULAR MEASUREMENTS HAVE NOT BEEN ADJUSTED FOR CLOSURE. THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS OF THE GOVERNING AUTHORITIES AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

07/17/2007

BOBBY L HUDSON LPLS 1253

DATE

SURVEY PLAT

STONEBROOK DEVELOPMENT, LLC PROJECT

PROPERTY ADDRESS: 2001 SOUTH HIGHWAY 27 SOMERSET KENTUCKY
 COUNTY AND COUNTY CODE: PULASKI COUNTY SOMERSET KENTUCKY 42501

NAME AND ADDRESS OF PROPERTY OWNER: STONEBROOK DEVELOPMENT, LLC AND CONRAD BROTHERS INVESTORS, LLC, 140 STONECREST DRIVE SOMERSET KENTUCKY 42503

FILED DATE: 07/17/2007
 BY: B HUDSON
 PART: DB 443/006
 SHEET: 062-01-00-7D
 TOTAL SHEETS: 1000712 SUR.001

Bobby Hudson Land Surveying, Inc.
 840 North Highway 27
 Somerset, Kentucky 42503

Voice (606) 679-5628
 Fax (606) 679-9056

FOR COUNTY CLERK'S USE ONLY

THE PURPOSE OF THIS PLAT IS TO CREATE TRACT 1, CONTAINING 29.6456 ACRES, TRACT 2, CONTAINING ***** ACRES, TRACT 3, CONTAINING ***** ACRES, TRACT 4, CONTAINING ***** ACRES, TRACT 5, CONTAINING ***** ACRES

PLAT NOTES

1. THE PROPERTY IS SUBJECT TO ALL EASEMENTS THAT MAY OR MAY NOT BE ON RECORD.
2. THE PROPERTY IS SUBJECT TO ALL RIGHTS OF WAY THAT MAY OR MAY NOT BE ON RECORD.
3. THE PROPERTY IS SUBJECT TO ALL PLANNING AND ZONING REGULATIONS THAT MAY APPLY.
4. THE ADJOINING PROPERTY OWNERS WERE OBTAINED FROM THE PROPERTY VALUATION AUTHORITY OF THE COUNTY OF RECORD.
5. THE MONUMENTS SHOWN ON THIS PLAT AS SET ARE 1/2" X 18" REBAR WITH CAPS LABELED LPLS1253.

LEGEND

| | |
|---|-------------------------------|
| ● CORNER SYMBOL | ○ OTHER POINT SYMBOL |
| GPS GLOBAL POSITIONING SYSTEM MEASUREMENT POINT | APL APPROXIMATE ADJOINER LINE |
| CDR CORNER NO MONUMENTATION | TH FIRE HYDRANT |
| CIPS CAPPED IRON PIN SET | MH MANHOLE |
| IPS IRON PIN SET | GM GAS METER |
| CWPS CAPPED WITNESS PIN SET | PIC POINT CENTERLINE BRANCH |
| RPS REFERENCE PIN SET | PIC POINT CENTERLINE CREEK |
| CIPF CAPPED IRON PIN FOUND | PCL POINT ON CENTERLINE |
| IPF IRON PIN FOUND | PRW POINT ON RIGHT OF WAY |
| PKF PK NAIL FOUND | -E- ELECTRIC POWER LINE |
| PKS PK NAIL SET | -T- TELEPHONE LINE |
| RMK RIGHT OF WAY MARKER | -W- WATER LINE |
| ROW RIGHT OF WAY | -S- SEWER LINE |
| EDM EDGE OF PAVEMENT | -G- GAS LINE |
| UP UTILITY POLE | -X- FENCE |
| WM WATER METER | |

VICINITY MAP



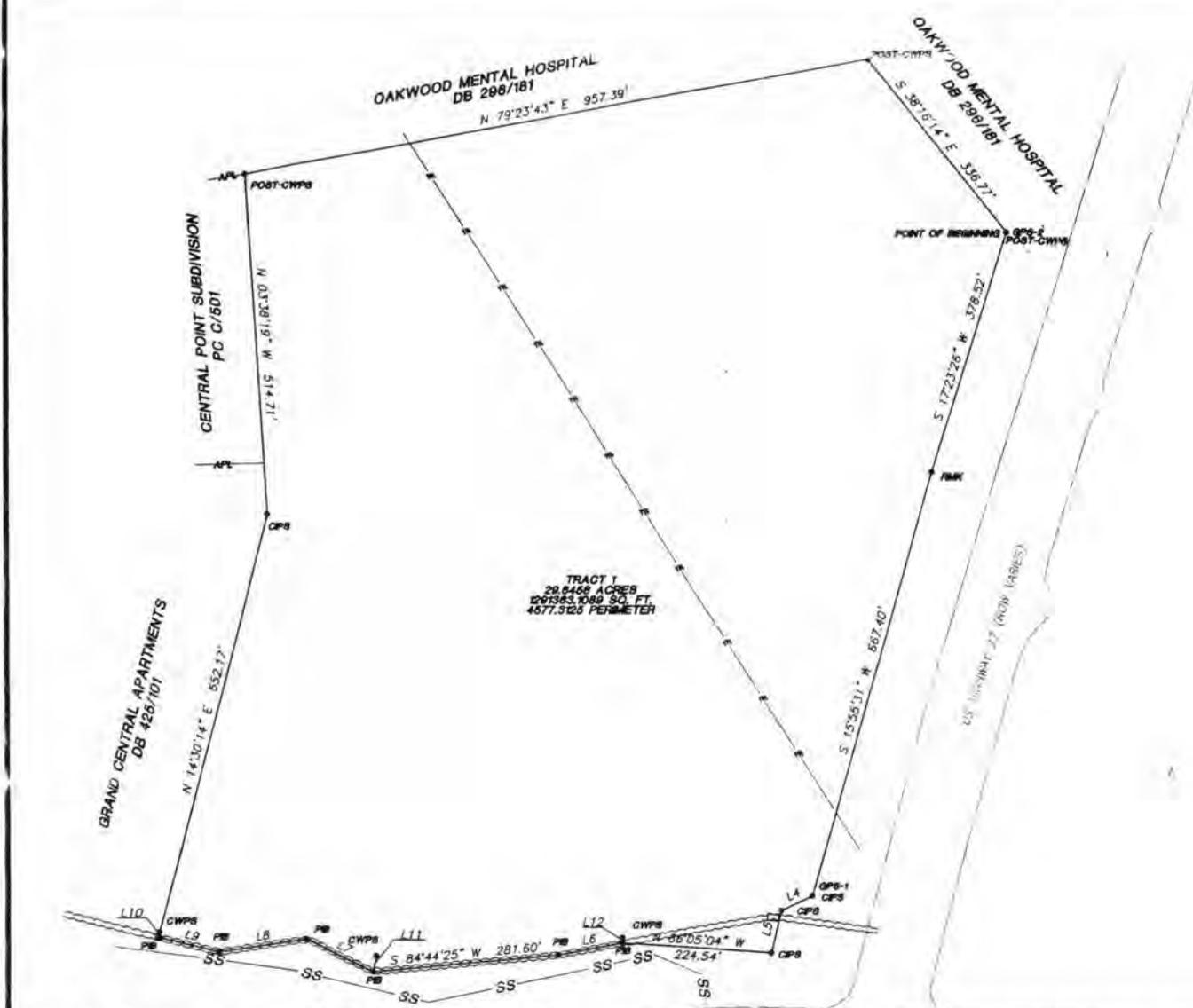
NOT TO SCALE

CERTIFICATION OF OWNERSHIP AND DEDICATION

(WE) HEREBY CERTIFY THAT (WE) ARE THE OWNERS OF THE PROPERTY SHOWN HEREIN AND THAT (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY(OUR) FREE CONSENT AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE STATE AND COUNTY SUBDIVISION REGULATIONS, UNLESS OTHERWISE NOTED.

SIGNATURE OF OWNER _____ DATE _____
 SIGNATURE OF OWNER _____ DATE _____

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 17°23'26" W | 105.02' |
| L2 | S 15°55'31" W | 43.29' |
| L3 | S 15°55'31" W | 136.53' |
| L4 | S 63°59'23" W | 51.96' |
| L5 | S 12°56'50" W | 65.64' |
| L6 | S 79°34'49" W | 99.53' |
| L7 | N 63°13'03" W | 110.38' |
| L8 | S 81°43'34" W | 135.77' |
| L9 | N 75°37'25" W | 92.44' |
| L10 | N 14°30'14" E | 8.50' |
| L11 | N 12°20'04" E | 25.00' |
| L12 | N 07°41'56" E | 8.00' |
| L13 | N 03°36'34" W | 76.92' |



TRACT 1
 29.6456 ACRES
 205863.088 SQ. FT.
 4677.528 PERIMETER

GRAND CENTRAL HOLDINGS, LLC.
 DB 745/275

(ROW VARIES)