

ORDINANCE NO. 110.9

ORDINANCE OF THE CITY OF BURNSIDE, KENTUCKY ANNEXING 40.53 ACRES, BEING A CORRIDOR OF KENTUCKY STATE HIGHWAY 1247 AND CONTIGUOUS TO THE PRESENT CITY LIMITS.

WHEREAS, the subject property of this Ordinance is urban in character or suitable for development for urban purposes and no part of this area to be annexed is included within the boundary of another incorporated city, and the City has declared it desirable to annex the proposed unincorporated territory; and

WHEREAS, the appropriate "Intent to Annex" ordinance (Ordinance No. 110.7) has been duly adopted, published in the Commonwealth Journal, the appropriate notices to resident voters or owners of real property in the area to be annexed have been sent and published, and no objections have been made within sixty (60) days of the date of publication;

NOW, THEREFORE, PURSUANT TO THE AUTHORITY OF CHAPTER 81A OF THE KENTUCKY REVISED STATUTES (KRS) AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BURNSIDE:

- I. The City of Burnside has declared the following described property, by reason of present use and potential, to be urban in character and/or suitable for urban purposes without reasonable delay, therefore the City finds it desirable to annex the proposed unincorporated territory, and said property is hereby annexed into the territorial limits of the City of Burnside pursuant to the provisions of KRS Chapter 81A.

A certain tract of parcel of land located northeast of and adjacent to the City limits of Burnside, Kentucky and more particularly described as follows:

Beginning at a point in the west right-of-way Northfork Southern Railroad, said point having a KY State Plane single zone coordinate of (E: 5,254,562.118, N: 3,526,568.758). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.3;

Thence crossing said Railroad S 53° 40' 53" E a distance of 180.66' to a concrete right-of-way monument in the north right-of-way of the New Kentucky Highway 1247;

Thence with said new right-of-way the following (16) sixteen calls:

1. N 63° 40' 29" E a distance of 363.20' to a 2.5" galv. steel fence post;
2. N 66° 28' 10" E a distance of 350.41' to a 2.5" galv. steel fence post;

3. S 31° 56' 28" E a distance of 81.72' to a 2.5" galv. steel fence post;
4. With a curve turning to the left with an arc length of 362.79', with a radius of 1300.98', with a chord bearing of N 45° 46' 04" E, with a chord length of 361.62';
5. N 35° 21' 23" E a distance of 208.21';
6. N 34° 00' 47" E a distance of 100.00' to a 2.5" galv. steel fence post;
7. N 38° 00' 18" E a distance of 111.53';
8. N 44° 15' 07" E a distance of 100.40' to a 2.5" galv. steel fence post;
9. N 50° 08' 14" E a distance of 150.70' to a 2.5" galv. steel fence post;
10. N 60° 43' 59" E a distance of 94.78';
11. With a curve turning to the left with an arc length of 620.01', with a radius of 848.50', with a chord bearing of N 39° 08' 28" E, with a chord length of 606.31';
12. N 18° 12' 27" E a distance of 443.37';
13. With a curve turning to the left with an arc length of 476.44', with a radius of 1462.40', with a chord bearing of N 08° 28' 27" E, with a chord length of 474.34';
14. N 01° 07' 33" W a distance of 592.74';
15. N 02° 08' 20" W a distance of 88.00';
16. N 02° 30' 41" W a distance of 24.12' to a point on the south end of the City of Ferguson proposed Hwy. 1247 corridor Annexation;

Thence with said City of Ferguson N 86° 41' 07" E a distance of 196.74' to a point on the east side of Kentucky Highway 1247 right-of-way; Thence with said right-of-way in a south east direction the following (19) nineteen calls:

1. S 74° 31' 52" E a distance of 121.36';
2. S 50° 09' 50" E a distance of 45.33';
3. S 52° 23' 58" E a distance of 53.11';
4. S 87° 31' 57" W a distance of 182.20' to a 2.5" galv. steel fence post;
5. S 01° 15' 54" E a distance of 142.00' to a 2.5" galv. steel fence post;
6. S 05° 27' 20" E a distance of 889.91' to a 2.5" galv. steel fence post;
7. S 14° 10' 50" W a distance of 494.15' to a 2.5" galv. steel fence post;
8. S 26° 45' 04" W a distance of 259.25' to a 2.5" galv. steel fence post;
9. S 43° 49' 56" W a distance of 499.11';

10. S 63° 09' 08" W a distance of 117.55' to a 2.5" galv. steel fence post;
11. S 46° 05' 58" W a distance of 377.80' to a 2.5" galv. steel fence post;
12. S 08° 43' 04" E a distance of 53.04' to a 2.5" galv, steel fence post;
13. S 09° 02' 33" W a distance of 216.78' to a point in the line of the City of Burnside per Ordinance #1110.6;
14. With said City line S 57° 55' 14" W a distance of 624.73';
15. With said City line S 35° 26' 35" W a distance of 566.82' to a (found) 5/8" rebar PLS 3630;
16. S 35° 28' 14" W a distance of 191.15';
17. N 48° 48' 28" W a distance of 76.66';
18. S 16° 14' 32" W a distance of 445.93' to a point on the east railroad right-of-way;
19. Crossing said railroad S 19° 25' 01" W a distance of 186.97' to a point on the west right-of-way of said railroad;

Thence with the west side of said railroad right-of-way and the City of Burnside per Ordinance # 110.3 the following (5) five calls:

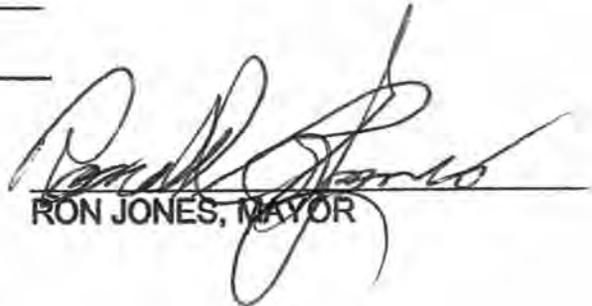
1. N 34° 13' 51" W a distance of 250.00';
2. N 24° 13' 51" W a distance of 250.00';
3. N 14° 13' 51" W a distance of 250.00';
4. N 02° 13' 51" W a distance of 251.00';
5. N 05° 46' 09" E a distance of 350.00' to the Point of Beginning said boundary having an area of 1,765,530.98 square feet or 40.53 acres.

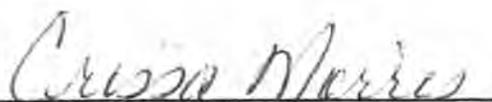
II. The Ordinance shall become effective on the date of its passage and publication in the Commonwealth Journal as required by KRS Chapter 424.

First Reading and Approval: 5/2/11

Second Reading and Approval: 5/12/11

Published: 5/27/11

  
 RON JONES, MAYOR

Attest:   
 CRISSA MORRIS, CITY CLERK

### CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Burnside, Kentucky, and the foregoing 3 pages of Ordinance No. 110.9 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on May 12, 2011, all as appears in the official records of said City.

WITNESS, my hand (and Seal of said City), this 27<sup>th</sup> day of June, 2011.

Chrisa Morris  
CHRISSA MORRIS, CITY CLERK