

Ordinance # 110.69

**ORDINANCE NO. 110.12**

ORDINANCE OF THE CITY OF BURNSIDE, KENTUCKY ANNEXING 0.91 ACRES OWNED BY WILLIAM G. SISSON LOCATED AT THE WEST SIDE OF HIGHWAY 27 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 said owner of record of the subject property to be annexed has consented in writing to the proposed annexation as shown by his Consent dated December 27, 2011, and therefore, pursuant to KRS 81A.412, there is not a requirement for a notification ordinance as required by KRS 81A.420 or notice requirements of KRS 81A.425 or 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, 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 owned by William G. Sisson and said property is hereby annexed into the territorial limits of the City of Burnside, Kentucky, a fifth class municipality, pursuant to the provisions of KRS Chapter 81A.410 et seq:

The property to be annexed is more fully described as follows:

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

Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496, prepared the following description. Said description was prepared using record information from the Pulaski County Court Clerk's Office in Somerset, Kentucky and maps provided by the Kentucky Transportation Cabinet District 8 Office. Some field measurements were taken using GPS, and noted on attached Plat. This is not a Boundary survey and is for annexation purposes only.

BEGINNING at a point in the west right-of-way US Highway 27, said point having a KY State Plant single zone coordinate of (N: 3,530,164.897 E: 5,249,068.869.) Said point further

described as being in the City limits of Burnside, Kentucky per Ordinance #110.10;

Thence with the lands of Lester H. Burns (Deed Book 333, Page 545 and Deed Book 773, Page 233), S 52° 26' 37" W 133.10' to a (found) ½' rebar PLS 3560 in the U.S.A.C.E. line and in the line of the City of Burnside per Ordinance #110.5;

Thence with the U.S.A.C.E. line and the said City the following three (3) calls:

- 1) N 25° 11' 25" W 108.59';
- 2) S 55° 16' 61" W 73.87';
- 3) N 36° 54' 04" W 140.72'

Thence with the lands of Corliss Annette Doxsey (Will Book 056, Page 421) N 51° 10' 10" E 178.11' to the right-of-way of Waterworks Drive;

Thence with said right-of-way S 39° 25' 36" E 239.02' to a point on the west side of US Highway 27 and the City of Burnside per Ordinance #110.10.

Thence with said right-of-way and said City S 23° 36' 41" E 15.98' to the point of Beginning, said boundary having an area of 39,534 square feet or 0.91 acres.

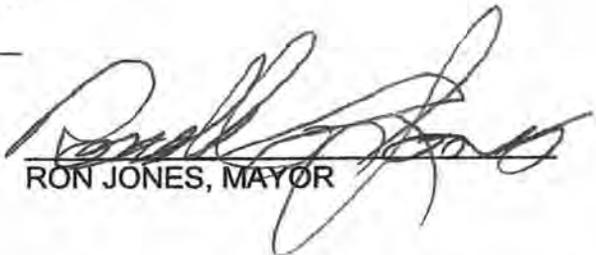
BEING THE SAME property acquired by William G. Sisson by Deed of Conveyance dated July 21, 2010, recorded in Deed Book 854, Page 231, Pulaski County Clerk's Office, Somerset, Kentucky.

- II. The Ordinance shall become effective on the date of its passage and publication in the Commonwealth Journal as required by KRS Chapter 424.
- III. Upon final annexation, the annexed property shall retain the zoning classification of C-2 Commercial until changed by zoning map amendments and/or other proper procedure.

First Reading and Approval: 1/9/2012

Second Reading and Approval: ~~1/17/2012~~ 2/17/2012

Date of Publication: 02/29/12

  
RON JONES, MAYOR

Attest: Crissa Morris  
CRISSA MORRIS, CITY CLERK

**Sisson Annexation  
Ordinance # 110.12  
Description**

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

Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496, prepared the following description. Said description was prepared using record information from the Pulaski County Court Clerk's office, in Somerset, Kentucky and maps provided by the Kentucky Transportation Cabinet District 8 office. Some field measurements were taken using GPS, and noted on attached Plat. This is not a Boundary survey and is for **annexation purposes only**.

**Beginning** at a point in the west right-of-way US Highway 27, said point having a KY State Plane single zone coordinate of (N: 3,530,164.897, E: 5,249,068.869). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

**Thence** with the lands of Lester H. Burns (D.B. 333, Pg.545 and D.B. 773, Pg.233) **S 52°26'37" W, 133.10'** to a (found) ½" rebar PLS 3560 in the U.S.A.C.E. line and in the line of the City of Burnside per Ordinance #110.5;

**Thence** with said U.S.A.C.E. line and the said City the following three (3) calls:

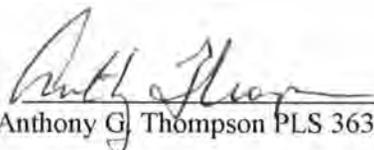
- 1) **N 25°11'25" W, 108.59'**;
- 2) **S 55°16'51" W, 73.87'**;
- 3) **N 36°54'04" W, 140.72'**;

**Thence** with the lands of Corliss Annette Doxsey (W.B. 056, Pg. 421) **N 51°10'10" E, 178.11'** to the right-of-way of Waterworks Drive;

**Thence** with said right-of-way **S 39°25'36" E, 239.02'** to a point on the west right-of-way of US Highway 27 and the City of Burnside per Ordinance #110.10;

**Thence** with said right-of-way and said City **S 23°36'41" E, 15.98'** to the point of Beginning, said boundary having an area of 93,534 square feet or **0.91 acres**.



  
Anthony G. Thompson PLS 3630      11-15-11  
Date

BEARINGS SHOWN HEREON WERE CORRELATED TO GRID, NORTH KENTUCKY SPC (1800) SINGLE ZONE, PER GPS OBSERVATIONS DESCRIBED HEREON.

STATE OF KENTUCKY  
**ANTHONY G. THOMPSON**  
 3630  
 LICENSED PROFESSIONAL LAND SURVEYOR



VICINITY MAP (NOT TO SCALE)  
 PULASKI COUNTY, KY.  
 CITY OF BURNSIDE ORDINANCE #110.10

Corliss Annette Doysey  
 Will Book 056, Page 421

WILLIAM G. SISSON  
 D.B. 854, PAGE 231  
 39,534 SQ. FT.  
 0.91 ACRES

US HWY. 27 R/W VARIES  
 Road Deed Book 008, Page 105

CITY OF BURNSIDE  
 ORDINANCE #110.5  
 LAKE CUMBERLAND  
 TRACT W-2334

**LEGEND**  
 (THESE SYMBOLS AND LINE TYPES MAY OR MAY NOT APPEAR ON THIS PLAT)

- (SET) 5/8" STEEL REBAR, 18" IN LENGTH WITH A ORANGE PLASTIC CAP STAMPED A.G.T. PLS. 3630
- ⊙ (SET) 5/8" STEEL REBAR, 18" IN LENGTH WITH A YELLOW PLASTIC CAP STAMPED A.G.T. REF. MON. PLS. 3630
- ⊙ (FOUND OR EXISTING) CORNER OR REFERENCE MONUMENT AS DESCRIBED HEREON.
- SURVEY POINT (NO MONUMENT SET)

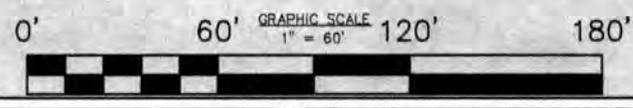
- POB POINT OF BEGINNING
- ANNEX BOUNDARY LINE
  - ANNEX BOUNDARY LINE COINCIDENT WITH RIGHT-OF-WAY
  - RIGHT-OF-WAY
  - REFERENCE LINE
  - APPROXIMATE LOCATION OF ADJOINING BOUNDARY LINE (NOT SURVEYED THIS DATE)

**NOTES:**

LAND SHOWN HEREON IS SUBJECT TO ALL COVENANTS, EASEMENTS, EXCEPTIONS, RIGHT-OF-WAYS, RESTRICTIONS OF RECORD, NOT OF RECORD, OR THAT MAY APPLY.  
 LAND SHOWN HEREON MAY BE SUBJECT TO CERTAIN CITY, COUNTY, STATE, OR HEALTH DEPARTMENT REGULATIONS OR ZONING REGULATIONS.  
 NO TITLE REPORT WAS PROVIDED THIS SURVEY.  
 NO UNDERGROUND UTILITIES WERE SHOWN HEREON.  
 AERIAL PHOTO BACKGROUND PREDATES THIS SURVEY AND IS SHOWN FOR REFERENCE ONLY.  
 PURPOSE OF SURVEY (SCOPE): ANNEXATION

FIELD WORK COMPLETED ON: 11-14-11

**GPS DATA:**  
 Percent of Boundary GPS used: ALL  
 GPS Type: TOPCON HIPER GA, DUAL FREQUENCY RECEIVERS  
 Type GPS Survey: STATIC & RTK  
 Relative Positional Accuracy 0.03 or better  
 Coordinates shown hereon based on OPUS Solution Dated: 10-21-10, STATE PLANE NAD 83, GEOID 08.  
 Kentucky Single Zone (1600) U.S. feet  
 Convergence: 00°42'24.91822"  
 Scale Factor: 1.000019102 and distances shown hereon were based on above described Grid.



**CERTIFICATION:**

I HEREBY CERTIFY THAT BOUNDARY FOR ANNEXATION ORDINANCE NO. 110.12 FOR THE CITY OF BURNSIDE, KENTUCKY, SHOWN ON THIS PLAT IS BASED ON THE FOLLOWING INFORMATION: AN ACTUAL FIELD SURVEY IN PART OF THE EXISTING PAVEMENT, EXISTING MONUMENTS, AND CALLS TAKEN FROM DEEDS AND RECORDED PLATS SHOWN HEREON OF RECORD IN THE PULASKI COUNTY COURT CLERK'S OFFICE, AND RIGHT-OF-WAY DATA FROM THE KY. TRANSPORTATION CABINET, PLANS FOR KY HIGHWAY 27.  
 THE PURPOSE OF THIS ANNEXATION SURVEY IS TO DELINEATE THE LIMITS OF THE AFORESAID ANNEXATION. IT DOES NOT IN ANY WAY REFLECT A DETERMINATION OF THE INDIVIDUAL PARCEL BOUNDARIES AND SHOULD NOT BE USED FOR THAT PURPOSE.

*Anthony Thompson*  
 ANTHONY THOMPSON  
 KY. PLS. NO. 3630  
 11-14-11  
 DATE

RESERVED FOR COUNTY COURT CLERK:

TITLE: CITY OF BURNSIDE - SISSON ANNEXATION ORDINANCE 110.12	
CLIENT(S): CITY OF BURNSIDE P.O. BOX 8 BURNSIDE, KY. 42519	OWNER(S): WILLIAM G. SISSON 4748 IRON BRIDGE DRIVE LEXINGTON, KY. 40515
JOB NO: 11-1447	DRAWN BY: A.G.T.
FIELD CREW: A.G.T.	SCALE: 1" = 60'
DWG. DATE: 11-15-11	SHEET NO. 2 OF 2

AGT  
 LAND SURVEYING  
 Anthony Thompson, PLS  
 2610 HWY. 90  
 BRONSTON, KY. 42518  
 (606) 561-7224

GENERAL NOTE(S):  
 THESE DRAWINGS ARE NOT VALID UNLESS THE ORIGINAL SIGNATURE AND STAMP ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THESE DRAWINGS BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.  
 THIS SURVEY AND PLAT WAS PREPARED FOR THE ENTRY IN THE TITLE BLOCK HEREON AND DOES NOT EXTEND TO ANY OTHER ENTITY, UNLESS RECERTIFIED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.  
 IF THE ABOVE CONDITIONS ARE MET, THEN THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLES WITH 201KAR 18.150.

**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 2 pages of Ordinance No. 110.12 is a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on February 17, 2012, as appears in the official records of said City.

WITNESS, my hand and Seal, (or Seal of the City), this 16<sup>th</sup> day of March, 2012.



\_\_\_\_\_  
Signature of City Clerk

Seal (Notary Seal or City Seal)