

Ordinance # 110.70

ORDINANCE NO. 12- 06

AN ORDINANCE ANNEXING TO THE CITY OF SOMERSET TERRITORY AS SET FORTH BELOW AND DESCRIBED IN THE ATTACHED EXHIBITS, SAID TERRITORY HAVING BEEN DECLARED IN THE CITY'S INTENT TO ANNEX ORDINANCE TO BE DESIRABLE TO ANNEX BY THE CITY, AND PURSUANT TO KRS CHAPTER 81A AND ALL OTHER APPLICABLE LAW;

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

I. PURPOSE OF ORDINANCE/COMPLIANCE WITH APPLICABLE LAW

This Ordinance sets forth the Annexation of the subject property, which the City of Somerset, Kentucky has previously expressly stated its *intent to annex*, and further *declared the territory as desirable to annex* to the City of Somerset, Kentucky, pursuant to KRS 81A.420 and all other applicable law. Said Intent to Annex Ordinance was passed upon the second reading on the 9th day of January 20 12, and the Clerk's certification of notice to the property owner(s) was made part of the official record of said meeting per KRS 81A.425.

As required, said Intent to Annex Ordinance was published with all Exhibits on the 15th day of January 20 12, along with the required Notice per KRS regarding owners' rights to object via petition. Further, per KRS 424.130(1)(b), the Notice referred to above was published a second time along with the Ordinance's Exhibits on the 26th day of February 20 12.

To date, no bona fide petition has been presented to the Mayor and the 60 day period for such petitions having ended, the City herein exercises its right to Annex the territory set forth in the Intent to Annex Ordinance referred to above.

II. REQUIRMENTS FOR ANNEXATION SATISFIED BY THE CITY

The subject unincorporated territory is contiguous to current boundaries of the City Limits, is territory that is urban in character or is suitable for urban development without unreasonable delay, some of which currently contains water mains and/or sewer lines and/or natural gas lines which belong to the City of Somerset that provide services for customers throughout the County and currently outside of the City's corporate boundaries; further, the included and described territory that does not already contain such infrastructure is part of the City's future development and growth plans, much of which is contained in the City's approved Comprehensive Plan required by law to be adopted and reviewed on a periodic basis. Therefore the growth of the City's corporate boundaries and infrastructure into the subject territory is not a mere speculation that services may be provided in the future, but a solid and existing plan of which the City is financially capable of providing which will benefit the entire County and all communities

within its boundaries, and which benefits the Lake Cumberland watershed which serves and affects the entire South Eastern Region of the United States.

III. CURRENT MUNICIPAL VALUE OR PURPOSE

Pursuant to applicable case law interpreting Kentucky Annexation Laws, the City of Somerset may annex territory in strips, otherwise known as, and hereafter described as, "corridors", if said territory has a concrete and tangible municipal value or purpose existing at the time annexation is sought. The City of Somerset, by and through the City Council, herein states and declares that the City of Somerset has the required concrete and tangible municipal value or purpose for annexing the subject territory (See Section II above for additional information).

IV. DESCRIPTION OF TERRITORY

Please see Exhibit "A" (Description and Map) which contains an accurate description of the annexed territory pursuant to KRS 81A, attached hereto and incorporated herein in full by reference.

V. SEVERABILITY

If any part of this ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this ordinance shall continue in full force and effect.

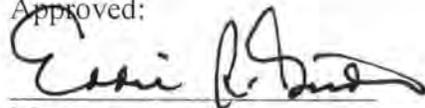
VI. FORCE AND EFFECT

This ordinance shall be in full force and effect upon passage by the Common Council, approval by the Mayor, and publication according to law.

FIRST READING March 12, 2012

SECOND READING March 26, 2012

Approved:


Mayor

ATTEST:


City Clerk

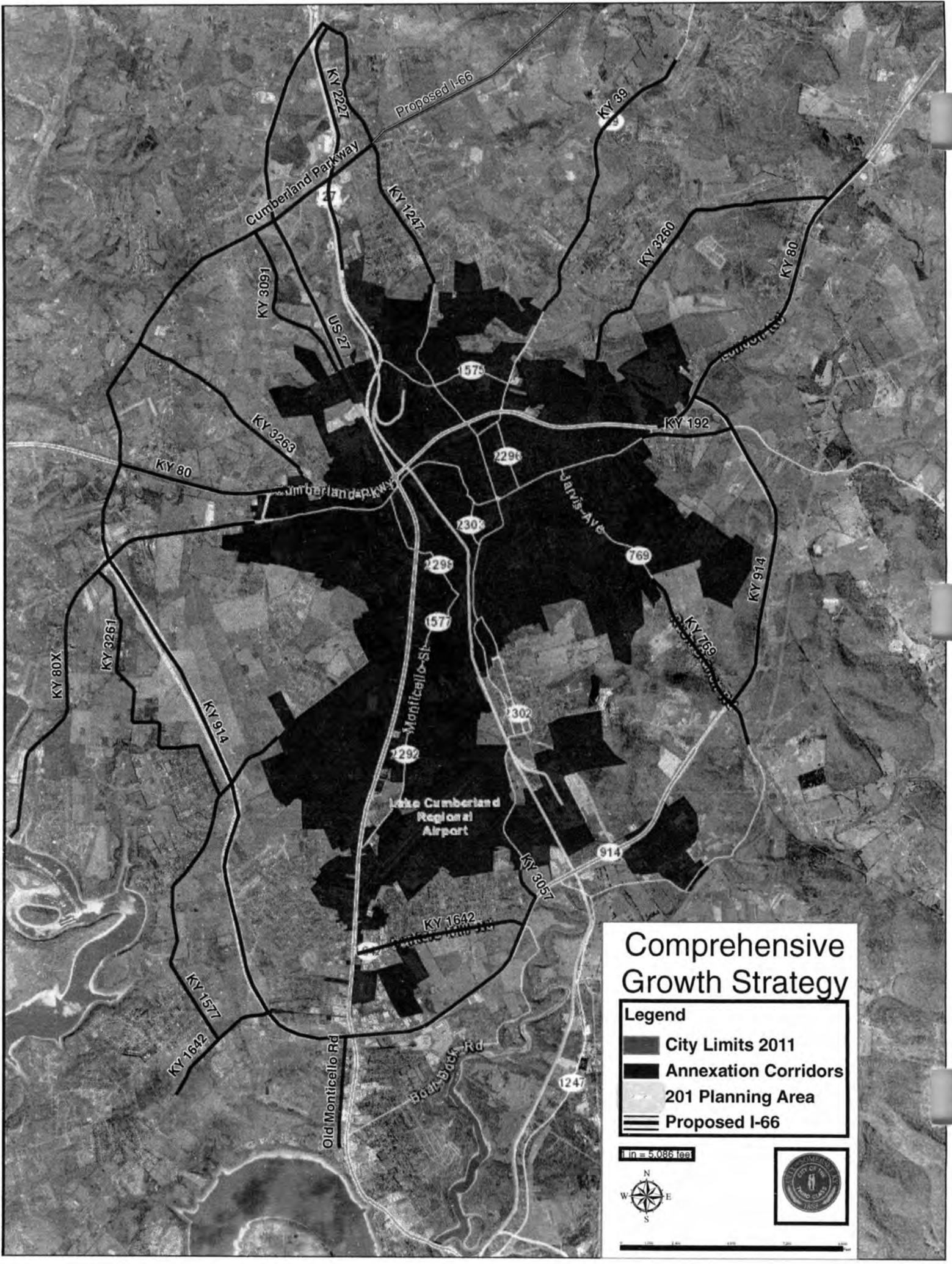
Description of Annexation

- Following the Kentucky State Right-of-Way of Highway 80 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 80 with Kentucky State Highway 80 Business continuing in a North-Easterly direction approximately 2.87 miles to the intersection of Kentucky State Highway 80 with Pulaski County road known as Barnesburg Road.
- Following the Kentucky State Right-of-Way of Highway 3260 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 3260 with a Pulaski County road known as Cory Lane continuing in a North-Easterly direction approximately 2.64 miles to the intersection of Kentucky State Highway 3260 with Kentucky State Highway 80.
- Following the Kentucky State Right-of-Way of Highway 39 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 39 with City of Somerset road known as Oak Leaf Lane continuing in a North-Easterly direction approximately 2.45 miles to the intersection of Kentucky State Highway 39 with the entrance of Eagle's Nest Subdivision.
- Following the Kentucky State Right-of-Way of Highway 1247 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 1247 with City of Somerset road known as Oak Leaf Lane continuing in a Northerly direction approximately 2.44 miles to the intersection of Kentucky State Highway 1247 with U.S. Highway 27.
- Following the Kentucky State Right-of-Way of Highway 2227 beginning at the corporate boundary of the City of Somerset in the vicinity of the property commonly known as "SomerSplash Recreational Complex" continuing in a Northerly direction approximately 2.04 miles to the intersection of Kentucky State Highway 2227 with Kentucky State Highway 1247.
- Following the Kentucky State Right-of-Way of U.S. Highway 27 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of U.S. Highway 27 with City of Somerset road known as McKee Road continuing in a Northerly direction approximately 3.05 miles to the intersection of U.S. Highway 27 with Kentucky State Highway 1247.
- Following the Kentucky State Right-of-Way of Highway 3091 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 3091 with City of Somerset road known as McKee Road continuing in a North-Westerly direction approximately 1.43 miles to the intersection of Kentucky State Highway 3091 with Kentucky State road known as the Louie B. Nunn Cumberland Parkway.
- Following the Kentucky State Right-of-Way of Highway 3263 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 3263 with City of Somerset road known as Foster Lane continuing in a North-Westerly direction approximately 1.74 miles to the intersection of Kentucky State Highway 3263 with Kentucky State road known as the Louie B. Nunn Cumberland Parkway.

- Following the Kentucky State Right-of-Way of Louie B. Nunn Cumberland Parkway beginning at the intersection of Kentucky State road known as Louie B. Nunn Cumberland Parkway with Kentucky Highway 1247 continuing in a South-Westerly direction approximately 3.05 miles to the intersection of Kentucky State road known as Louie B. Nunn Cumberland Parkway with Kentucky State Highway 914.
- Following the Kentucky State Right-of-Way of Highway 80X beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 80X with Kentucky State road known as Tigers Way continuing in a South-Westerly direction approximately 3.72 miles to the intersection of Kentucky State Highway 80X with the U.S. Corps of Engineers property boundary at Lake Cumberland.
- Following the Kentucky State Right-of-Way of Highway 3261 beginning at the intersection of Kentucky State Highway 3261 with Kentucky Highway 80X continuing in a South-Easterly direction approximately 2.52 miles to the intersection of Kentucky State Highway 3261 with Kentucky State Highway 1577.
- Following the Kentucky State Right-of-Way of Highway 1577 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 1577 with City of Somerset road Grand Central Boulevard continuing in a South-Westerly direction approximately 2.90 miles to the intersection of Kentucky State Highway 1577 with Kentucky State Highway 1642.
- Following the Kentucky State Right-of-Way of Highway 1642 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 1642 with Kentucky Highway 914 continuing in a South-Westerly direction approximately 1.02 miles to the intersection of Kentucky State Highway 1642 with Pulaski County road known as Stigall Lane.
- Following the Pulaski County Right-of-Way of Old Monticello Road beginning at the intersection of Pulaski County Right-of-Way of Old Monticello Road with Kentucky Highway 914 continuing in a Southerly direction approximately 0.91 miles to the intersection of Pulaski County road known as Old Monticello Road with Kentucky State Highway 2301.
- Following the Kentucky State Right-of-Way of Highway 1642 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 1642 with City of Somerset road known as Southport Drive continuing in an Easterly direction approximately 1.39 miles to the intersection of Kentucky State Highway 1642 with Kentucky State Highway 914.
- Following the Kentucky State Right-of-Way of Highway 914 beginning at the intersection of Kentucky State Highway 914 with Kentucky State road known as the Louie B. Nunn Cumberland Parkway continuing in a Southerly direction to the Intersection of Kentucky State Highway 914 and U.S. Highway 27, then in and Easterly direction approximately 8.24 miles in total to the intersection of Kentucky State Highway 914 with Kentucky State Highway 3057.
- Following the Kentucky State Right-of-Way of Highway 3057 beginning at the corporate boundary of the City of Somerset in the vicinity of Kentucky State Highway 3057 with the property commonly known as "UGN Manufacturing" continuing in a Southerly direction

approximately 0.27 miles to the intersection of Kentucky State Highway 3057 with Kentucky State Highway 914.

- Following the Kentucky State Right-of-Way of Highway 769 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 769 with Pulaski County road known as Family Circle Drive continuing in a South-Easterly direction approximately 1.58 miles to the intersection of Kentucky State Highway 769 with Pulaski County road known as Halcomb Drive.
- Following the Kentucky State Right-of-Way of Highway 192 beginning at the corporate boundary of the City of Somerset in the vicinity of the intersection of Kentucky State Highway 192 with Kentucky Highway 80 Business continuing in an Easterly direction approximately 0.75 miles to the intersection of Kentucky State Highway 192 with Kentucky State Highway 914.
- Following the Kentucky State Right-of-Way of Highway 914 beginning at the intersection of Kentucky State Highway 914 with Kentucky Highway 769 continuing in a Northerly direction approximately 2.81 miles to the intersection of Kentucky State Highway 914 with Kentucky State Highway 80.



Cumberland Parkway

Proposed I-66

KY 89

KY 1247

KY 3260

KY 3091

US 27

KY 80

KY 3263

KY 192

KY 80

Cumberland Parkway

Jarvis Ave

769

KY 914

KY 80X

KY 3261

KY 914

Monticello St

302

Lake Cumberland Regional Airport

KY 3057

914

KY 1642

KY 1577

KY 1642

Old Monticello Rd

Boys Back Rd

1247