

ORDINANCE NO. 110.13

ORDINANCE OF THE CITY OF BURNSIDE, KENTUCKY ANNEXING 1.18 ACRES OWNED BY LANIS FORD AND JANE FORD, 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 owners of record of the subject property to be annexed have consented in writing to the proposed annexation as shown by their Consent dated October 14, 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 Lanis Ford and Jane Ford, 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: 3,533,518.125 E: 5,249,014.693.) Said point further described as being in the City limits of Burnside, Kentucky per Ordinance #110.10;

Thence with the lands of Joseph Sharpe, Debra Sharpe, Brent Fothergill and Jami Fothergill (Deed Book 775, Page 037) the following three (3) calls:

- 1) S 83° 20' 57" W 103.07' to a point;
- 2) N 00° 11' 14" E 60.13' to a point;
- 3) S 85° 15' 28" W 237.33' to a (found) car axel on the east side of Old Monticello Road 30' from center.

Thence with the east right-of-way of said Road N 04° 09' 08" E 132.29' to a (found) 2" steel pipe corner to Danny R. Flynn and Stephanie Flynn (Deed Book 461, Page 565);

Thence with said Flynn N 85° 19' 57" E 334.81' to a point on the west side of US Hwy. 27;

Thence with the west right-of-way of said Highway, and the existing Burnside City limit line the following two (2) calls:

- 1) S 17° 43' 28" E 51.22' to a point;
- 2) S 08° 15' 29" W 140.43' to the point of beginning, said boundary having an area of 51,696 square feet or 1.19 acres.

BEING THE SAME property acquired by Lanis Ford and Jane Ford by Deed of Conveyance dated July 26, 2010, recorded in Deed Book 859, Page 072, 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: 2/17/12

Second Reading and Approval: 3/15/12

Date of Publication: 4/4/12

Attest: Crissa Morris
CRISSA MORRIS, CITY CLERK

Ron Jones
RON JONES, MAYOR

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CRISSA MORRIS, CITY CLERK

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RON JONES, MAYOR

**Ford Annexation
Ordinance # 110.13
Description**

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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: 3,533,518.125 E: 5,249,014.693). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

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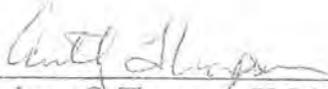
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Anthony G. Thompson PLS 3630 12-20-11
Date



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

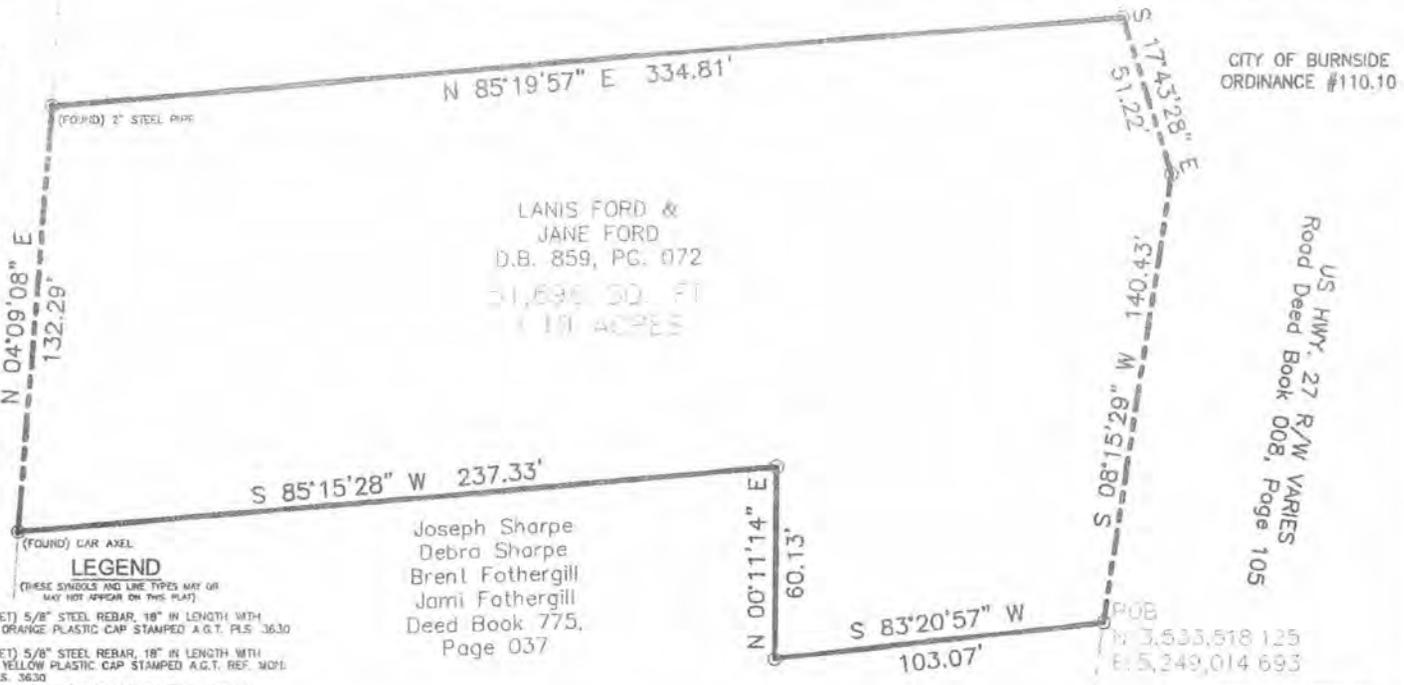
I CERTIFY I AM THE DULY QUALIFIED CITY CLERK OF THE CITY OF BURNSIDE, KENTUCKY. THIS PLAT REPRESENTS THE AREA PER ORDINANCE NO. 110.10 AND IS A TRUE AND CORRECT COPY DULY ADOPTED BY THE CITY COMMISSION AT A DULY CONVENED MEETING HELD ON _____ ALL AS APPEARS IN THE OFFICIAL RECORDS OF SAID CITY.

WITNESS MY HAND AND SEAL OR SEAL OF SAID CITY, THIS _____ DAY OF _____ 2011

SIGNATURE OF CITY CLERK

Donny R. Flynn
 Stephanie Flynn
 Deed Book 461, Page 565

OLD MONTICELLO ROAD 60' R/W



CITY OF BURNSIDE ORDINANCE #110.10

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

CITY OF BURNSIDE ORDINANCE #110.10

- 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. WOP/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)

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 herein 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 herein were based on above described Grid.

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: 12-12-11

CERTIFICATION:
 I HEREBY CERTIFY THAT BOUNDARY FOR ANNEXATION ORDINANCE NO. 110.10 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 US 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 12-20-11
 ANTHONY THOMPSON DATE
 KY. PLS. NO. 3630



RESERVED FOR COUNTY COURT CLERK:

TITLE: CITY OF BURNSIDE - FORD ANNEXATION ORDINANCE 110.10	
CLIENT(S): CITY OF BURNSIDE P.O. BOX 8 BURNSIDE, KY. 42519	OWNER(S): LANIS FORD 7399 STONE VALLEY BLUFF CLARKSTON, MI 48348
JOB NO: 11-1451	DRAWN BY: A.G.T.
FIELD CREW: A.G.T.	SCALE: 1" = 60'
DWG. DATE: 12-20-11	SHEET NO. 2 OF 2

AGT
LAND SURVEYING
 Anthony Thompson, PLS.
 2610 HWY 90
 FRENCHBURG, KY 42408
 (606) 584-7234

GPS SERVICES
 CAD SERVICES
 ALTA ACORN
 TOPOGRAPHIC
 SUBMERSIVE
 COMMERCIAL
 RESIDENTIAL
 FARMS

GENERAL NOTES:
 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 VALID 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 RECIPROCAL BY THE LICENSED PROFESSIONAL LAND SURVEYOR.