

ORDINANCE #110.87

ORDINANCE NUMBER 12- 21

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY COMMONLY KNOWN AS 2740 N. Highway 2227, AND DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, SAID ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNER(S), AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNER(S) HAVING WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THE PROPERTY HAVING MET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1.

THAT THE PROPERTY COMMONLY KNOWN AS 2740 N. Highway 2227, AS DESCRIBED IN THE ATTACHMENTS HERETO, WHICH ARE INCORPORATED IN FULL BY REFERENCE, IS HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.

SECTION 2.

THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: 9/10/12

SECOND READING: 9/24/12

APPROVED [Signature]  
EDWARD R. GIRDLER, MAYOR  
CITY OF SOMERSET, KENTUCKY

ATTEST

[Signature]  
DAVID GODSEY, CITY CLERK

2013 SEP -5 PM 2:41  
RALPH TROXTELL  
PULASKI COUNTY CLERK



ANNEXATION REQUEST FORM

I, Jerry Leigh PBA JWAYNE <sup>Enterprise</sup> formally request annexation

Of my property located

at 2740 N. Hwy 2227 Somerset 42503

\_\_\_\_\_ into the City of Somerset.

I also request that the 60 day waiting period be waived.

I am requesting that my property be zoned B-2.

Sincerely,

Jerry Leigh

Date 8-31 2012

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270559

**GENERAL WARRANTY DEED**

\*\* \*\* \* \*\* \* \*\*

**THIS DEED OF CONVEYANCE** made and entered into this the 21 day of April, 2008, by and between **CHARLES ROBERT HELTON** and **REBECCA HELTON**, husband and wife, single, of 493 Crooksville Road, Richmond, Kentucky 40475, and **WENDELL E. COMBS** and **DIANE COMBS**, husband and wife, of 414 Dreyfus Road, Berea, Kentucky 40403, hereinafter referred to as the Parties of the First Part and **JERRY LEIGH, D/B/A J WAYNE ENTERPRISES**, of 2740 North Highway 2227, Somerset, Kentucky 42501, hereinafter referred to as the Party of the Second Part.

**WITNESSETH:** That the Parties of the First Part, for and in consideration of the sum of **NINETY THOUSAND (\$90,000.00) DOLLARS**, the receipt and sufficiency of which are hereby acknowledged, the Parties of the First Part do hereby give, bargain, sell and convey unto the Party of the Second Part, its successors and assigns, all of their right, title and interest, in and to, the following described real property, to wit:

A certain tract or parcel of land located on the east side of KY 2227 in Pulaski County, Kentucky, approximately 1.0 miles from the junction of Racetrack Road.

**BEING** all of Tract 1 of a plat named Jerry Leigh Project, filed in Plat Cabinet D, Slide 3H in the Pulaski County Clerk's Office at Somerset, Kentucky.

The above described having an area of 3.0395 acres as surveyed by Bobby Hudson, LPLS 1253 on 04/07/2008.

**BEING** a portion of the same property conveyed unto Wendell E. Combs, a married man, and Charles Robert Helton, a married man, from Ruby Belle Small, by and through her guardian, Ronald Small, by Deed of Conveyance, dated the 31<sup>st</sup> day of March, 2006, and filed of record in Deed Book 782, Page 105, Pulaski County Court Clerk's Office, Kentucky.

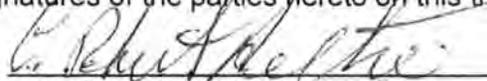
All corners and witness monuments referred to herein as iron pin set are one-half inch rebar 18 inches long and capped with an orange cap marked LS 1253, except as otherwise noted. All bearings are referenced to the Meridian.

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.

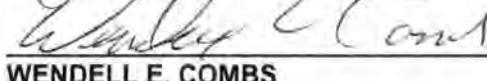
**TO HAVE AND TO HOLD** the same, together with all appurtenances there unto belonging unto the Party of the Second Part, its successors and assigns, in fee simple, forever, with **Covenant of General Warranty of Title**.

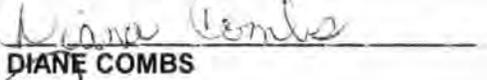
**Consideration Certificate:** The undersigned hereby swear and affirm under penalty of perjury that the full actual consideration paid or to be paid for the property transferred herein is the sum of **\$90,000.00**.

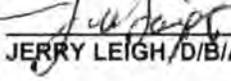
**IN TESTIMONY WHEREOF**, witness the signatures of the parties hereto on this the day and year first above written.

  
\_\_\_\_\_  
CHARLES ROBERT HELTON

  
\_\_\_\_\_  
REBECCA HELTON

  
\_\_\_\_\_  
WENDELL E. COMBS

  
\_\_\_\_\_  
DIANE COMBS

  
\_\_\_\_\_  
JERRY LEIGH/D/B/A J. WAYNE ENTERPRISES

STATE OF KENTUCKY

COUNTY OF Madison

The foregoing **DEED OF CONVEYANCE** and **CONSIDERATION CERTIFICATE** were this day subscribed, sworn and acknowledged to before me by **Charles Robert Helton and Rebecca Helton, husband and wife**, as their voluntary act and deed in due form of law.

Given under my hand and Notarial Seal on this the 21 day of April, 2008.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE-AT-LARGE

My commission expires: 10/25/09

STATE OF KENTUCKY

COUNTY OF Madison

The foregoing **DEED OF CONVEYANCE** and **CONSIDERATION CERTIFICATE** were this day subscribed, sworn and acknowledged to before me by **Wendell E. Combs and Diane Combs, husband and wife**, as their voluntary act and deed in due form of law.

Given under my hand and Notarial Seal on this the 21 day of April, 2008.

Kathleen Rogers  
NOTARY PUBLIC, STATE-AT-LARGE

My commission expires: 4/25/09

STATE OF KENTUCKY

COUNTY OF Madison

The foregoing **DEED OF CONVEYANCE** and **CONSIDERATION CERTIFICATE** were this day subscribed, sworn and acknowledged to before me by **Jerry Leigh, D/B/A J Wayne Enterprises**, as his voluntary act and deed in due form of law.

Given under my hand and Notarial Seal on this the 21 day of April, 2008.

Kathleen Rogers  
NOTARY PUBLIC, STATE-AT-LARGE

My commission expires: 4/25/09

**THIS INSTRUMENT PREPARED BY:**

D. BRUCE ORWIN  
116 NORTH MAIN ST. SUITE A  
P. O. BOX 557  
SOMERSET, KY 42502-0557  
(606) 678-4386

[Signature]  
ATTORNEY AT LAW

STATE OF KENTUCKY COUNTY OF PULASKI, SCT 1  
I, \_\_\_\_\_ CLERK OF PULASKI COUNTY, CERTIFY  
THAT ON THE 22 DAY OF April 2008 THE  
[unclear] WAS PRODUCED TO ME CERTIFIED AS ABOVE  
[unclear] 90.00 [unclear] TRANSFER WAS MADE IN THE SUM  
[unclear] WHEREUPON I HAVE RECORDED THE SAME.  
TOGETHER WITH THIS CERTIFICATE THIS \_\_\_\_\_ DAY  
OF April 2008 DEED BOOK 822 PAGE 318  
[unclear] CLERK  
Zeeba New

Leigh Property

