

ORDINANCE #110.94

ORDINANCE NO. 110.18

AN ORDINANCE OF THE CITY OF BURNSIDE, KENTUCKY ANNEXING 1.32 ACRES OWNED BY LANDMARK MANAGEMENT LOCATED AT THE SOUTH EAST INTERSECTION OF HIGHWAY 27 AND BOAT DOCK RD. 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 is 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 9, 2013, 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;

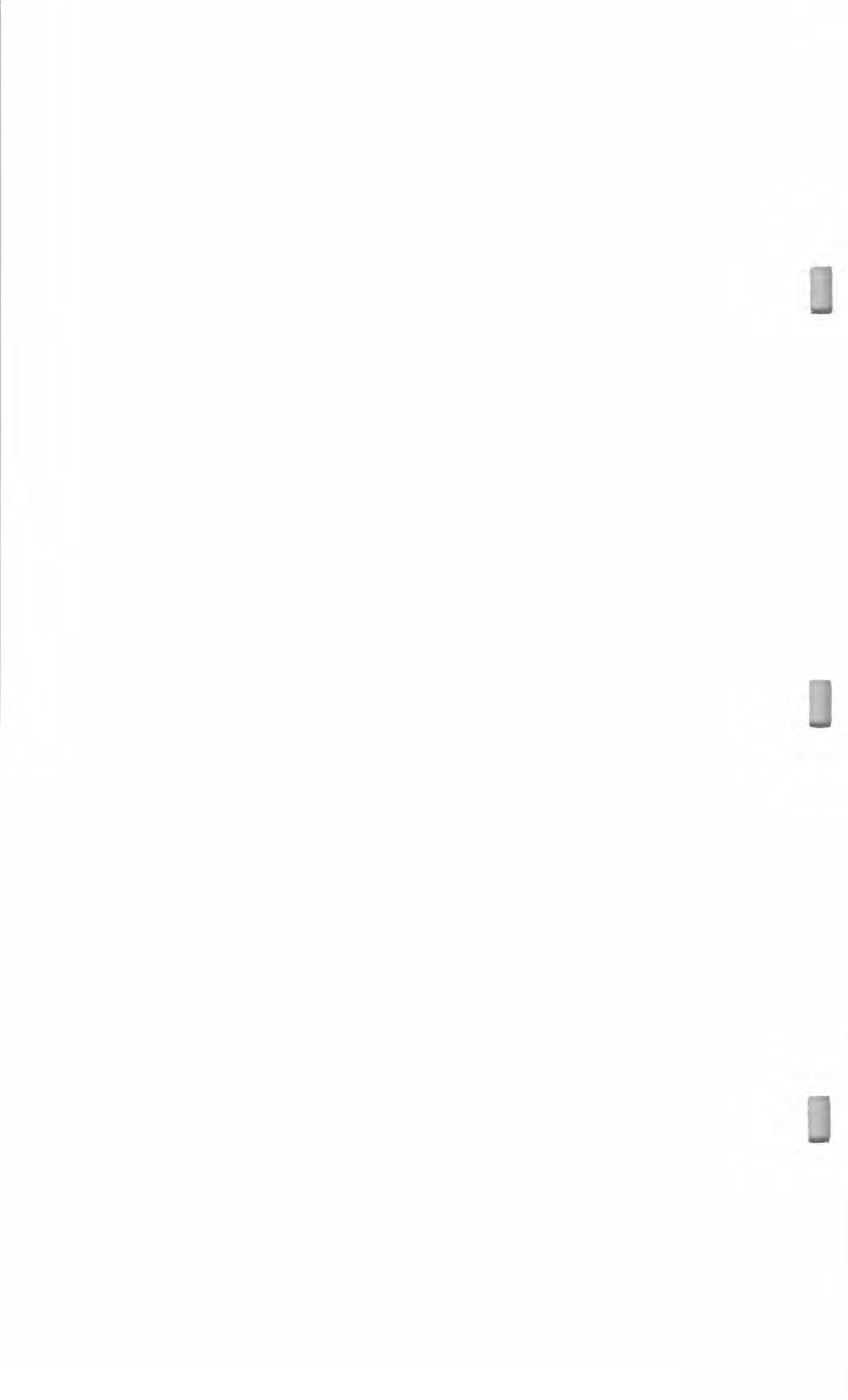
NOW, THEREFORE, PURSUANT TO THE AUTHORITY OF CHAPTER 81A OF THE KENTUCKY REVISED STATUTES (KRS) AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BURNSIDE:

- 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 Landmark Management and said property is hereby annexed into the territorial limits of the City of Burnside, Kentucky, a fourth 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 existing City limits of Burnside, Kentucky at the south east intersection of U.S. Highway 27 and Boat Dock Road, and being more particularly described as follows:

The following description was prepared by Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496. Said description was based on an actual GPS field survey in part, of some of monuments found along U.S. Highway 27 right-



of-way. Calls taken from a Survey plat by J.C. Dagley, other Deeds and Plats listed hereon of record in the Pulaski County Court Clerk's Office, and right-of-way data obtained from the Kentucky Transportation Cabinet, plans for U.S. Highway 27, also calls taken from previous annexation surveys for the City of Burnside. 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.

Beginning at a (existing) 1/2" rebar with cap stamped Bidarian 2876, located at the south east right-of-way intersection of U.S. Highway 27 and Boat Dock Road, having a KY State Plane single zone coordinate of (N: 3,531,863.943, E: 5,248,980.293). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

Thence with said Boat Dock Road right-of-way N 61°30'03" E, 135.10' to a (existing) P/K nail at the right-of-way intersection of said Boat Dock Road and Empire Drive;

Thence with said Empire Drive right-of-way S 52°20'37" E, 223.63' to a (existing) 5/8" rebar with cap JCD PLS 3138 in the line of Dean Littrell (Deed Book 596, page 245);

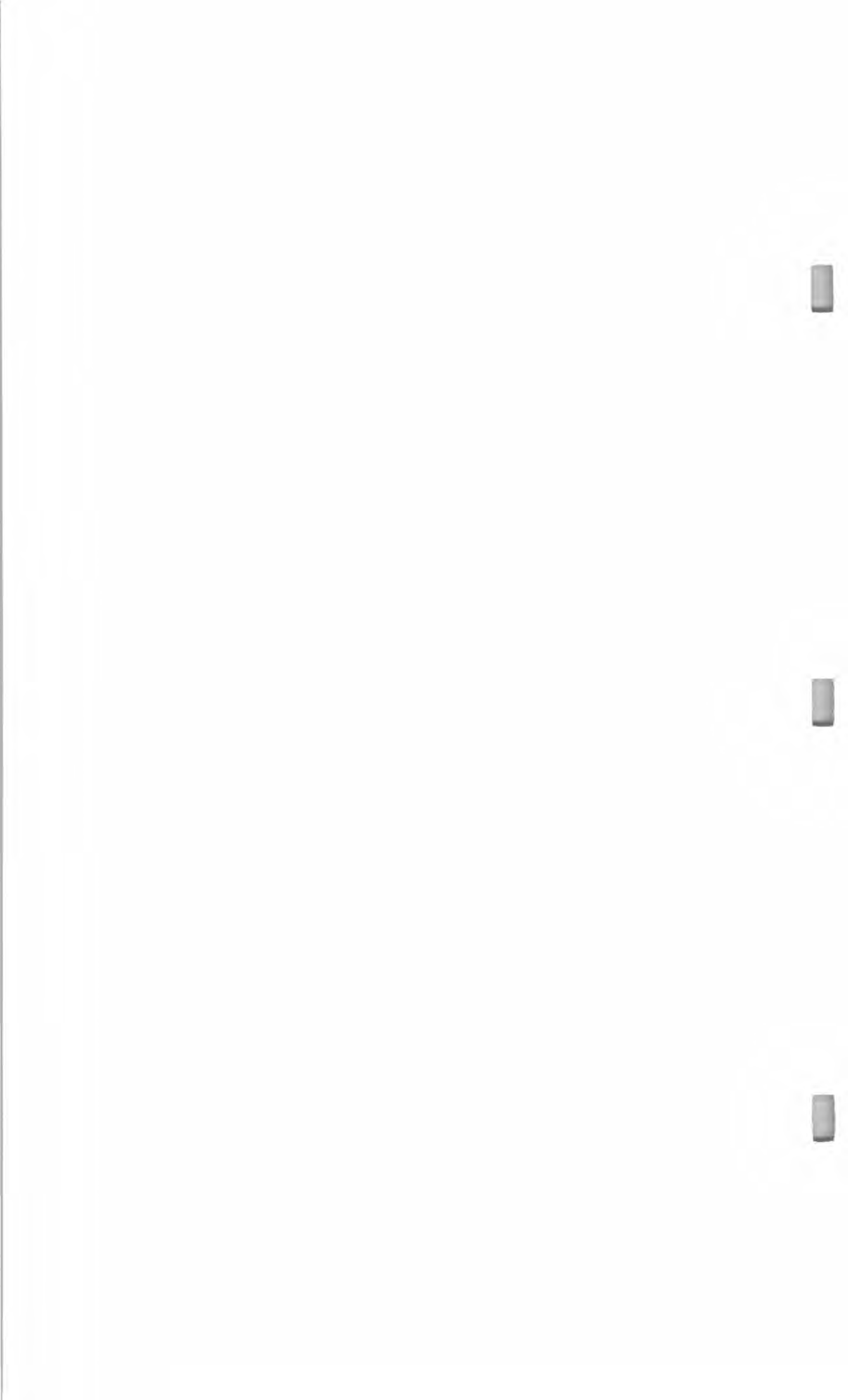
Thence with said Littrell the following two (2) calls:

- 1) S 37°30'28" W, 169.01' to a (existing) 5/8" rebar with cap stamped JCD PLS 3138;
- 2) N 88°18'55" W, 200.00' to a (existing) 5/8" rebar with cap stamped JCD PLS 3138 in the east right-of-way of U.S. Highway 27 and the existing City limit of Burnside;

Thence with said U.S. Highway 27 right-of-way and City of Burnside per Ordinance #110.10 a curve to the right, with a radius of 3722.90', arc length of 200.50' and a chord bearing N 02°00'54" E, 200.47' to the point of Beginning.

Said Annex boundary having an area of 57,585 square feet or 1.32 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.



- 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.

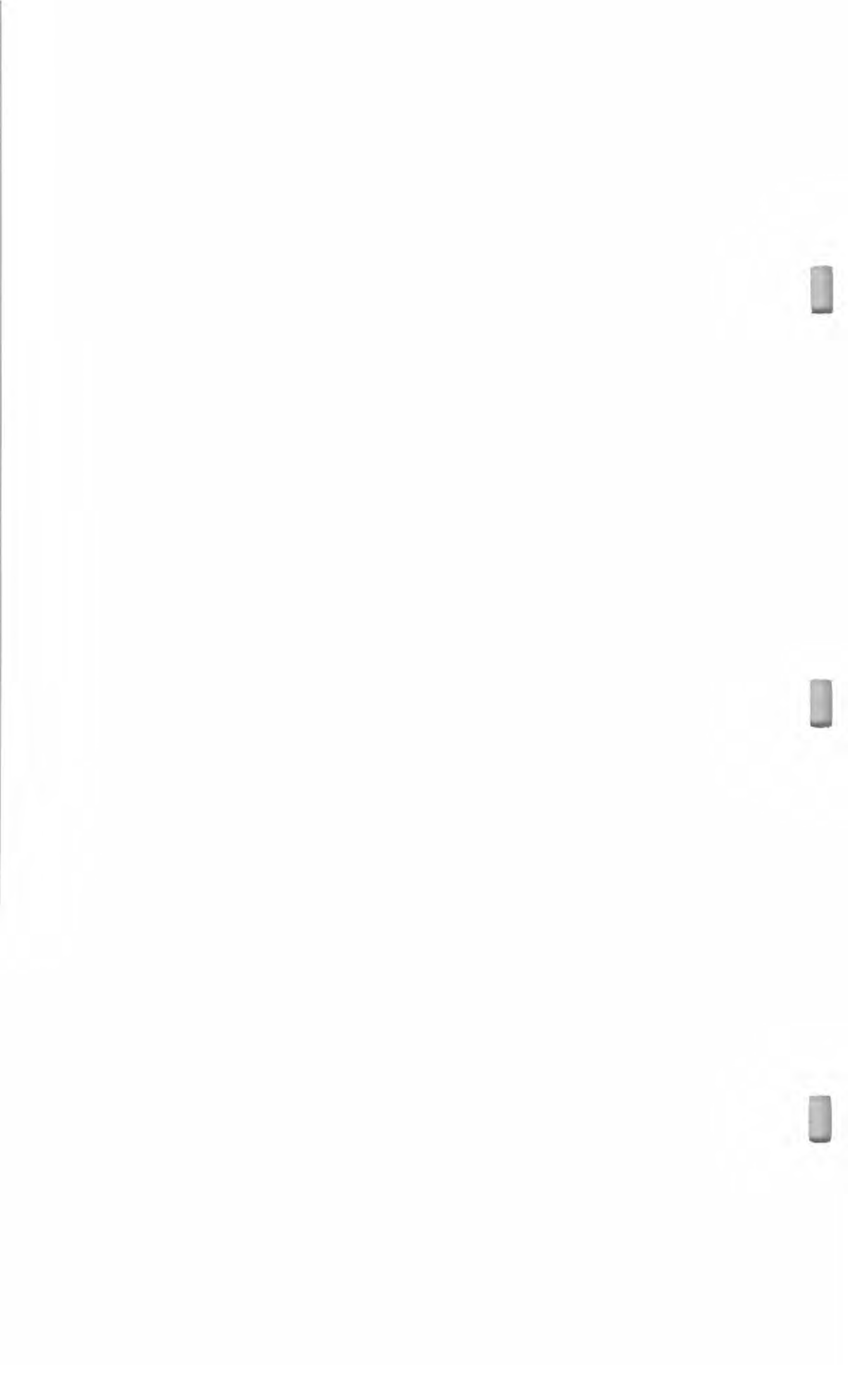
First Reading: 01/06/2014

Second Reading: 01/27/2014

Date of Publication 02/02/2014

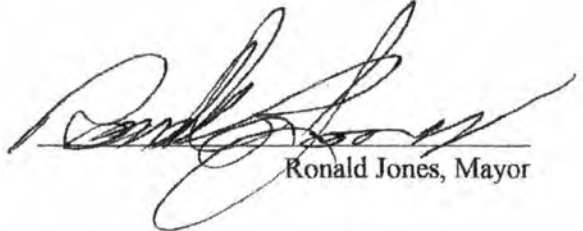
Ronald Jones, Mayor

Crissa Morris, City Clerk

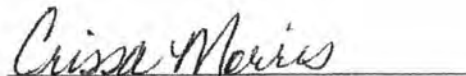


III. Upon final annexation, the annexed property shall retain the zoning classification of C-2 Commercial until changed by zoning map amendments and/or other proper procedure.

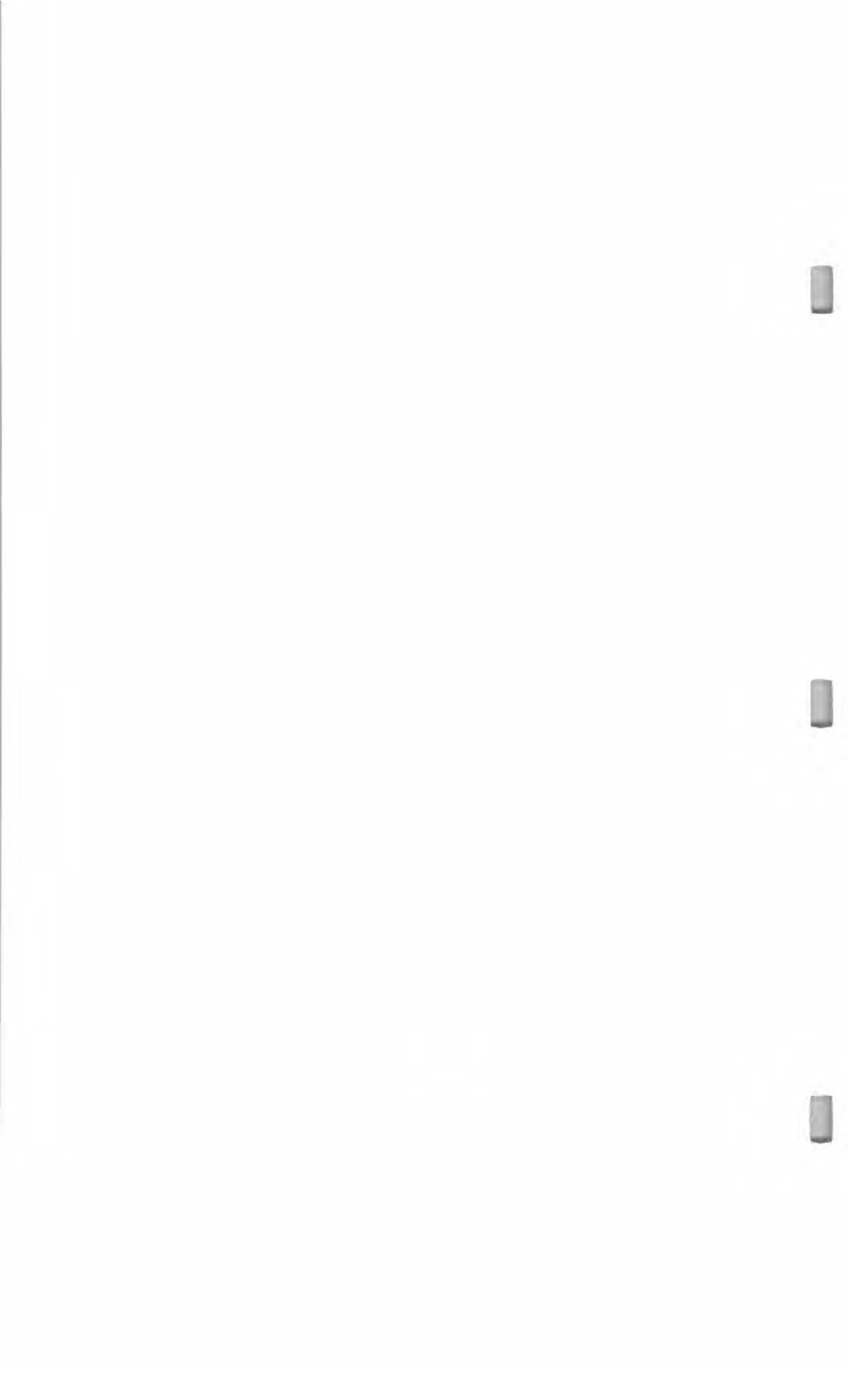
First Reading: 01/06/2014
Second Reading: 11/27/2014
Date of Publication 2/2/14



Ronald Jones, Mayor



Crissa Morris, City Clerk



**City of Burnside - Landmark Management, Annexation
Ordinance # 110.18
Description**

A certain tract or parcel of land located adjacent to the existing City limits of Burnside, Kentucky at the south east right-of-way intersection of U.S. Highway 27 and Boat Dock Road, and being more particularly described as follows:

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Thence with said Boat Dock Road right-of-way **N 61°30'03" E, 135.10'** to a (existing) P/K nail at the right-of-way intersection of said Boat Dock Road and Empire Drive;

Thence with said Empire Drive right-of-way **S 52°20'37" E, 223.63'** to a (existing) 5/8" rebar with cap JCD PLS 3138 in the line of Dean Littrell (Deed Book 596, page 245);

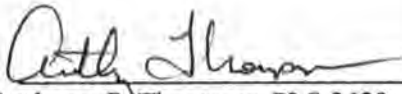
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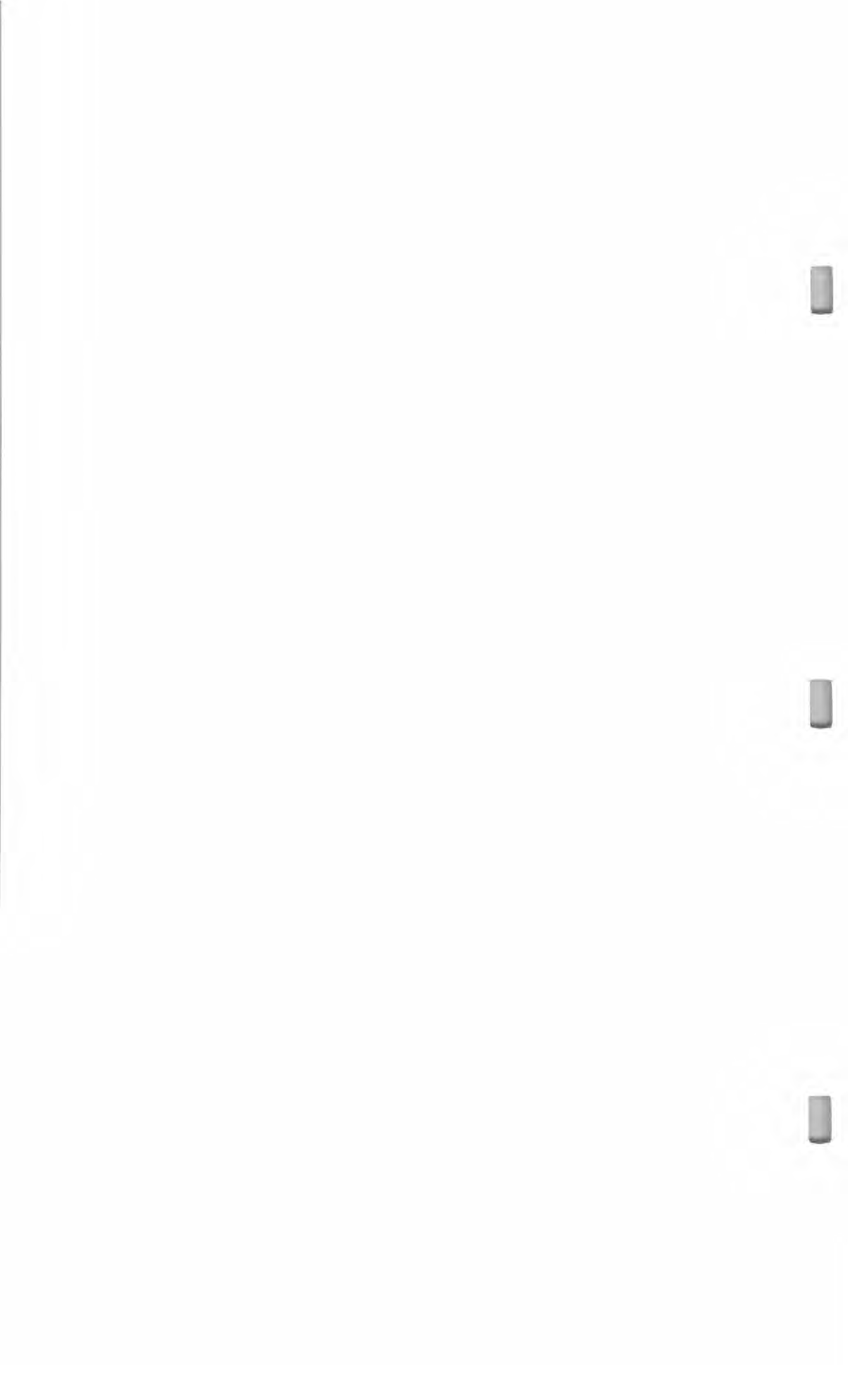
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- 2) **N 88°18'55" W, 200.00'** to a (existing) 5/8" rebar with cap stamped JCD PLS 3138 in the east right-of-way of U.S. Highway 27 and the existing City limit of Burnside;

Thence with said U.S. Highway 27 right-of-way and City of Burnside per Ordinance #110.10 a **curve to the right**, with a **radius of 3722.90'**, **arc length of 200.50'** and a **chord bearing N 02°00'54" E, 200.47'** to the point of Beginning.

Said Annex boundary having an area of 57,585 square feet or **1.32 acres**.




Anthony G. Thompson PLS 3630 12-18-13
Date



BEARINGS SHOWN HEREON WERE CORRELATED TO GRID NORTH KENTUCKY SFC. (1600) SINGLE ZONE, PER GPS OBSERVATIONS DESCRIBED HEREON.

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

BOAT DOCK ROAD 70'R/W
 DEPT. OF HIGHWAYS
 R.D.B. 8, PG. 371

VICINITY MAP
 (NOT TO SCALE)



EXISTING CITY OF BURNSIDE
 ORDINANCE NO. 110.10

U.S. HIGHWAY 27
 DEPARTMENT OF HIGHWAYS
 R.D.B. 8, PG. 371

POB
 (EXISTING) 1/2" REBAR
 WITH CAP M. BIDARIAN
 2876
 N: 3531863.943
 E: 5248980.293

ANNEX AREA
 57,585 Sq. Feet
 1.32 Acres

EMPIRE DRIVE 40' R/W
 S 52°20'37" E
 223.63'

(EXISTING) 5/8" REBAR
 WITH CAP JCD PLS 3138

LEGEND

- (THESE SYMBOLS AND LINE TYPES MAY OR MAY NOT APPEAR ON THIS PLAN)
- (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 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

DEAN LITRELL
 D.B. 596, PG. 245

CERTIFICATION:

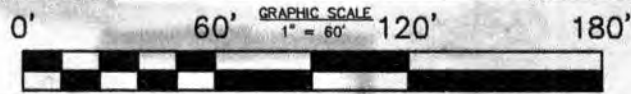
I HEREBY CERTIFY THAT BOUNDARY FOR ANNEXATION ORDINANCE NO. 110.18 FOR THE CITY OF BURNSIDE, KENTUCKY, SHOWN ON THIS PLAN IS BASED ON THE FOLLOWING INFORMATION: AN ACTUAL FIELD SURVEY OF MONUMENTS FOUND ALONG HIGHWAY 27 RIGHT-OF-WAY. CALLS TAKEN FROM SURVEY PLAT BY J.C. DAGLEY, OTHER DEEDS AND PLATS LISTED 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, ALSO CALLS TAKEN FROM PREVIOUS ANNEXATION SURVEYS FOR THE CITY OF BURNSIDE. 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 12-18-13
 ANTHONY THOMPSON DATE
 KY. PLS. NO. 3630

GPS DATA:

Percent of Boundary GPS used: ALL
 GPS Type: TOPCON HIBER 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 09,
 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.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	3722.90'	200.50'	200.47'	N 02°00'54" E



RESERVED FOR COUNTY COURT CLERK:

TITLE: CITY OF BURNSIDE - LANDMARK MANAGEMENT, ANNEXATION ORDINANCE 110.18	
CLIENT(S): CITY OF BURNSIDE P.O. BOX 8 BURNSIDE, KY. 42519	OWNER(S): LANDMARK MANAGEMENT 8281 NEWSTEAD LN. GLOUCESTER, VA. 23061
JOB NO: 13-1565	DRAWN BY: A.G.T.
FIELD CREW: A.G.T.	SCALE: 1" = 60'
DWG. DATE: 12-18-13	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 ENTITY IN THE TITLE BLOCK HEREON AND DOES NOT EXTEND TO ANY OTHER ENTITY, UNLESS RECERTIFIED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.

