

CERTIFICATION OF CITY CLERK

I, the undersigned, to hereby certify that I am the duly qualified and acting City Clerk of the City of Richmond, Kentucky, and as such City Clerk, I further certify that the foregoing is a true, correct and complete copy of Ordinance No. 04-13 duly enacted by the City Commission of the City of Richmond at a duly convened meeting held on June 22, 2004 on the same occasion signed by the Mayor is evidence of her approval, and now in full force and effect, all as appears from the official records of the City in my possession and under my control.

WITNESS, my hand and the seal of said City as of the 22nd day of June 2004.

Karleen K. Wortham
Karleen K. Wortham
City Clerk

(Seal of city)

RECEIVED AND FILED
DATE *June 28, 2004*

TREV GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Garbie Adams*

ORDINANCE NO 04-13

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY, ANNEXING APPROXIMATELY 100 ACRES OF LAND ADJACENT TO THE CITY LIMITS. (E. CORNELISON FLP #II, LTD. AND E. CORNELISON FLP #III, LTD.)

WHEREAS the owner of record of the unincorporated territory described below would like to have annexed to the incorporated area of the City of Richmond, Kentucky approximately 100 acres of land adjacent to the City Limits, and

WHEREAS, E. Cornelison FLP #II, Ltd. And E. Cornelison FLP #III, Ltd. The sole owner of the land being proposed for annexation has by letter dated December 30, 2003 applied for voluntary annexation.

WHEREAS, it is the intent of the Richmond City Board of Commissioners to annex this land described below as per annexation procedures established by Ordinance No. 96-17, adopted February 20, 1996.

WHEREAS, the proposed annexation meets the requirements of KRS 81A.410, and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412, and

WHEREAS, it is declared pursuant to KRS 81A.420 that it is desirable to annex this unincorporated territory and the Richmond Planning and Zoning Commission has conducted a Public Hearing pursuant to KRS 100.209 for its recommendation as to zone classifications and any zoning map amendments.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Richmond that:

SECTION I

The unincorporated territory described below being adjacent and contiguous to the corporate limits of the City of Richmond, Kentucky, is hereby annexed into the boundaries of the City of Richmond.

Tract 1 – R-1-A

Note: Any point referred in the following legal description as a “set iron pin and cap” is a set ½” diameter #4 iron rebar eighteen inches in length with a yellow plastic cap stamped “ABACUS 3265”. The basis of bearings for the following description is a recorded N87°36’56” along a call on the South side of Tract B-3 (a portion of DB 525 PG 408)

A certain tract of land on the west side of Concord Road approximately 1970 feet from the intersection of said road and KY Hwy 52 in Madison County, Kentucky and further described as follows:

Beginning at a set iron pin and cap in the west right-of-way of Concord Road, a county road having a dedicated right-of-way of twenty-five (25) feet by this survey from centerline of said road and corner common to Weitkamp (DB 206 PG 366), said pin being located N89°32'03"W 25.83 feet from a PK nail in the center of Concord Road, thence with the west right-of-way of Concord Road five (5) calls: S14°06'35"E 353.25 feet to a set iron pin and cap, S00°46'18"W around a curve with an arc length of 142.90 feet with a radius of 275.00 feet and a chord length of 141.90 feet to a set iron pin and cap, S15°39'32"W 320.64 feet to a set iron pin and cap, S10°43'10"W 93.00 feet to a set iron pin and cap, in the north right-of-way of KY HWY 52, a state road having a dedicated right-of-way of one hundred and fifty (150) feet by this survey from centerline of said road said pin being located N82°23'04"W 25.00 feet from a PK nail in the center of Concord Road, thence with the north right-of-way of KY HWY 52 eight (8) calls: N82°23'04"W 65.33 feet to a found ½" diameter iron pin and cap stamped (DOT), N82°23'04"W 281.78 feet to a found ½" diameter iron pin and cap stamped (DOT), S87°36'56"W 377.30 feet to a found ½" diameter iron pin and cap stamped (DOT), N77°28'20"W 139.44 feet to a found ½" diameter iron pin and cap stamped (DOT), N83°39'00"W 292.37 feet to a found ½" diameter iron pin and cap stamped (DOT), S87°57'41"W 353.31 feet to a found ½" diameter iron pin and cap stamped (DOT), N86°47'14"W 334.30 feet to a found ½" diameter iron pin and cap stamped (DOT), S85°48'15"W 336.84 feet to a found ½" diameter iron pin and cap stamped (DOT) and corner common to Evans Spurlin (DB 443 PG 20), thence with the line of Evans Spurlin two calls: N04°09'06"E 1219.76 feet to a set iron pin and cap, N24°51'51"E 586.78 to a set pin and cap and corner common to Weitkamp (DB 206 PG 366), thence with the line of Weitkamp one (1) call: S89°32'03"E 610.93 feet to a set iron pin and cap and corner common to E. Cornelison FLP #II Ltd, Tract R1-B (a portion of DB 525 PG 408), thence with the line of E. Cornelison FLP #II Ltd, Tract R1-B four (4) calls: S38°50'23"W 313.34 feet to a set iron pin and cap, S03°47'52"W 709.34 feet to a set iron pin and cap, S18°59'29"W 394.02 feet to a set iron pin and cap, S87°35'08"E 1682.93 feet to a set iron pin and cap and corner common to the west right-of-way of Concord Road, thence with the right-of-way of Concord Road two (2) calls: S13°33'05"W 979.93 feet to a set iron pin and cap, S07°55'15"W 108.94 feet to a set iron pin and cap and point of beginning and containing 28.34 acres more or less by Survey performed February 25, 2004 by Abacus Engineering and Land Surveying, Inc., Dwayne Wheatley L.P.L.S.#3265 and being a portion of the same property conveyed to E. Cornelison FLP #II Ltd, E. Cornelison FLP #III Ltd by Earl and Dovie Cornelison by deed dated April 28, 2000 of record in DB 525 PG 408, DB 525 PG 422 in the office of Madison County Clerk.

TRACT II – R1-B

Note: Any point referred in the following legal description as a “set iron pin and cap” is a set ½” diameter #4 iron rebar eighteen inches in length with a yellow plastic cap stamped “ABACUS 3265”. The basis of bearings for the following description is a recorded N87°36’56”E along a call on the South side of Tract B-3 (a portion of DB 525 PG 408)

A certain tract of land on the west side of Concord Road approximately 970 feet from the intersection of said road and KY HWY 52 in Madison County, Kentucky and further described as follows:

Beginning at a set iron pin and cap in the west right-of-way of Concord Road, a county road having a dedicated right-of-way of twenty-five (25) feet by this survey from centerline of said road and corner common to E. Cornelison FLP #II, Ltd, Tract R1-A (a portion of DB 525 PG 408), thence with the west right-of-way of said road one (1) call: S15°16’36”W 395.94 feet to a set iron pin and cap and corner common to E. Cornelison FLP #II Ltd, Tract B-3 (a portion of DB 525 PG 408), thence with the line of E. Cornelison FLP #II Ltd, Tract B-3 four (4) calls: N87°35’08”W 1682.93 feet to a set iron pin and cap, N18°59’29”E 394.02 feet to a set iron pin and cap, N03°47’52”E 709.34 feet to a set iron pin and cap, N38°50’23”E 313.34 feet to a set iron pin and cap and corner common to Weitkamp (DB 206 PG 366), thence with the line of Weitkamp one (1) call: S89°32’03”E 502.96 to a set iron pin and cap and point of beginning and containing 24.30 acres more or less by survey performed February 25, 2004 by Abacus Engineering and Land Surveying, Inc., Dwayne Wheatley L.P.L.S. #3265 and being a portion of the same property conveyed to E. Cornelison FLP #II Ltd, E. Cornelison FLP #III Ltd by Earl and Dovie Cornelison by deed dated April 28, 2000 of record in DB 525 PG 408, DB 525 PG 422 in the office of Madison County Clerk.

TRACT III – B-3

Note: Any point referred in the following legal description as a “set iron pin and cap” is a set ½” diameter #4 iron rebar eighteen inches in length with a yellow plastic cap stamped “ABACUS 3265”. The basis of bearings for the following description is a recorded N87°36’56”E along a call on the South side of Tract B-3 (a portion of DB 525 PG 408)

A certain tract of land on the north side of the intersection of KY HWY 52 and Concord Road in Madison County, Kentucky and further described as follows:

Beginning at a set iron pin and cap in the west right-of-way of Concord Road, a county road having a dedicated right-of-way of twenty-five (25) feet by this survey from centerline of said road and in the north right-of-way of KY HWY 52, a state road having a dedicated right-of-way on one hundred an fifty (150) feet by

this survey from centerline of said road said pin being located N82°23'04"W 25.00 feet from a PK nail in the center of Concord Road, thence with the north right-of-way of KY HWY 52 eight (8) calls: N82°23'04"W 65.33 feet to a found ½" diameter iron pin and cap stamped (DOT), N82°23'04"W 281.78 feet to a found ½" diameter iron pin and cap stamped (DOT), S87°36'56"W 377.30 feet to a found ½" diameter iron pin and cap stamped (DOT), N77°28'20"W 139.44 feet to a found ½" diameter iron pin and cap stamped (DOT), N83°39'00"W 292.37 feet to a found ½" diameter iron pin and cap stamped (DOT), S87°57'41"W 353.31 feet to a found ½" diameter iron pin and cap stamped (DOT), N86°47'14"W 334.30 feet to a found ½" diameter iron pin and cap stamped (DOT), S85°48'15"W 316.64 feet to a found ½" diameter iron pin and cap stamped (DOT) and corner common to Evans Spurlin (DB 443 PG 20), thence with the line of Evans Spurlin three (3) calls: N03°32'41"E 307.35 feet to a found ½" diameter iron pipe with no cap, N03°32'41"E 909.52 feet to a set iron pin and cap, N24°51'51"E 586.78 to a set iron pin and cap and corner common to Weitkamp (DB 206 PG 366), thence with the line of Weitkamp one (1) call: S89°32'03"E 610.93 feet to a set iron pin and cap and corner common to E. Cornelison FLP #II Ltd, Tract R1-B (a portion of DB 525 PG 408), thence with the line of E. Cornelison FLP #II Ltd, Tract R1-B four (4) calls: S38°50'23"W 313.34 feet to a set iron pin and cap, S03°47'52"W 709.34 feet to a set iron pin and cap, S18°59'29"W 394.02 feet to a set iron pin and cap, S87°35'08"E 1682.93 feet to a set iron pin and cap and corner common to the west right-of-way of Concord Road, thence with the right-of-way of Concord Road two (2) calls: S13°33'05"W 279.93 feet to a set iron pin and cap, S07°55'15"W 108.94 feet to a set iron pin and cap and point of beginning and containing 38.56 acres more or less by survey performed February 25, 2004 by Abacus Engineering and Land Surveying, Inc., Dwayne Wheatley L.P.L.S. #3265 and being a portion of the same property conveyed to E. Cornelison FLP #ii Ltd, E. Cornelison FLP #III Ltd by Earl and Dovie Cornelison by deed dated April 28, 2000 of record in DB 525 PG 408, DB 525 PG 422 in the office of Madison County Clerk.

SECTION II

The Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 on March 24, 2004 and recommended the zoning classification of subject property be (B-3) Highway Commercial, (R-1-B) Single Family Dwellings and (R-1-A) Single Family Dwelling. The property shall be so zoned in accordance with that recommendation.

SECTION III

The City Clerk shall cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

Date of First Reading: June 8, 2004

Motion By: Commissioner Barnes

Seconded By: Commissioner Blythe

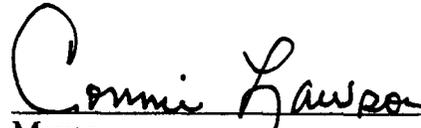
Vote:	Yes	No
Commissioner Barnes	X	
Commissioner Blythe	X	
Commissioner Brewer	X	
Commissioner Jones	Absent	
Mayor Lawson	X	

Date of Second Reading: June 22, 2004

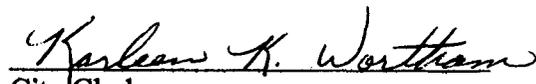
Motion By: Commissioner Barnes

Seconded By: Commissioner Jones

Vote:	Yes	No
Commissioner Barnes	X	
Commissioner Blythe	X	
Commissioner Brewer	X	
Commissioner Jones	X	
Mayor Lawson	X	


Mayor

Attest:


City Clerk

Cornelison Annexation

