

ORDINANCE 2012-13
AN ORDINANCE OF THE CITY OF LONDON, KENTUCKY CONFIRMING ANNEXATION
OF ORDINANCE 2004-03 dated June 14, 2004

WHEREAS, an Ordinance was enacted on June 14, 2004 by City Council of London and,

WHEREAS, said ordinance was to annex certain unincorporated territory contiguous to the City of London; and,

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of London it has become necessary to now adopt an ordinance carrying out the stated intention in the said Ordinance dated June 14, 2004 to complete the annexation of the territory as described in the aforesaid ordinance; and,

WHEREAS, more than sixty (60) days have elapsed since the Ordinance dated June 14, 2004 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.820.

NOW THEREFORE, that the City Council of the City of London hereby adopts legal description and plat a copy of which is attached hereto as Exhibit 2, as prepared by Charles J. Felts, Licensed Professional Land Surveyor No. 2581 as an accurate depiction of the property previously sought to be annexed into the corporate city limits of the City of London by Ordinance 2004-03 dated June 14, 2004 hereby adopts said legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this annexation.

Further, the City Clerk is hereby authorized to publish this ordinance in accordance with the Kentucky Revised Statutes.

First Reading dated: October 26, 2012
 Second Reading: October 29, 2012
 Publication Date: November 2, 2012

Adopted this 2nd day of November 2, 2012.

Results of the roll call vote are as follows:

	YES	NO	ABSTAIN
Sharon Bengé	X	_____	_____
Nancy Vaughn	X	_____	_____
Danny Phelps	X	_____	_____
Judd Weaver	Not Present	_____	_____
Bobby Joe Parman	X	_____	_____
Jason Handy	X	_____	_____

STATE OF KENTUCKY
 CITY OF LONDON
 I, Carolyn Adams, City Clerk of the City of London, do hereby certify that the foregoing contains a full, true and correct copy of Ordinance No. 2012-013 as taken from and compared with the original records in my office of which I am Legal Custodian adopted by the governing authority of said City of London at a meeting duly held on October 26, 2012 and October 29, 2012, that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
 Witness my hand this 2nd day of November, 2012.

Carolyn Adams
 CITY CLERK, CITY OF LONDON

ATTEST:

Carolyn Adams

 Carolyn Adams
 City Clerk

Troy Rudder

 Troy Rudder
 Mayor

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2004-03

AN ORDINANCE OF VOLUNTARY ANNEXATION INTO THE CORPORATE CITY LIMITS OF THE CITY OF LONDON, KENTUCKY, AN AREA OF ADJOINING PROPERTIES OWNED BY SDD, LLC., AND LONDON-LAUREL COUNTY TOURIST COMMISSION, LOCATED NEAR THE WEST SIDE OF I-75 AND HIGHWAY 80 INTERSECTION

This matter is before the City Council of the City of London pursuant to a request by SDD, LLC., and LONDON-LAUREL COUNTY TOURIST COMMISSION that the properties are located on the West side of I-75 and Highway 80 intersection which are of record in the Laurel County Court Clerk's Office, for SDD, LLC., in Deed Book 450 at page 506, and for LONDON-LAUREL COUNTY TOURIST COMMISSION in Deed Book 545 at page 220, be annexed into the corporate city limits of the City of London, Kentucky.

The City Council finds that this annexation is a voluntary annexation, being considered at the request of the property owners, SDD, LLC., and LONDON-LAUREL COUNTY TOURIST COMMISSION being the owners of the property described herein.

The City Council further finds that these properties are adjacent and contiguous to the City Boundaries and by reason of population density, commercial, residential and other use of the property, said property is urban in character and is otherwise suitable for development for urban purposes without unreasonable delay. These properties are not in any other boundary of an incorporated city, and all of these above findings are in keeping with KRS 81A.410 and KRS 81A. 412 and other applicable Kentucky law. For such reasons:

BE IT ORDAINED BY THE CITY OF LONDON, KENTUCKY AS FOLLOWS:

1. The property owned by SDD, LLC., hereinafter more particularly described, shall be and is hereby incorporated into the City Limits of the City of London as voluntary annexation pursuant to KRS 81A.412 and that all of the requirements of Kentucky law have been met in this voluntary annexation request.
2. The property to be annexed is more particularly described as follows:

Property lying and being laurel County, Kentucky, on the waters of Mitchell Creek Sinking Creek of the Rockcastle River, located 1000 feet west of the intersection of Interstate 75 and Kentucky Highway 80, and being more particularly described as follows:

NOTE: All rebars (set) are marked M.A. Turner RLS 2942. All bearings are based on the north line of the West Gate Inn property. (Deed Book 205, page 445). All rebars (found) are marked TPH, PLS 1616. Beginning at a rebar (found), the northwest corner of the West Gate Inn (Deed Book 205, Page 445).

Thence with the West Gate Inn property S 24 deg. 05'25" W a distance of 202.26 feet to a rebar (set), corner of the Francis Powell property (Will Book 14, page 726), 0.86 acre tract.

Thence with the Francis Powell property S. 23 deg. 47'29" W. a distance of 119.26 feet to a rebar (set), being the corner between West Gate inn and Francis Powell and in the Kentucky Highway 80 North right of way line.

EXHIBIT

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Thence with the Kentucky Highway 80 right of way S 73 deg. 49'50" W. a distance of 15.52 feet to a rebar (set).

Thence S 46 Deg. 28'05" W a distance of 67.45 to an X chiseled in concrete.
Thence S 32 deg. 27'25" W a distance of 37.70 feet to an existing right of way fence post (found) at the end of the fence.

Thence with the right of way fence N 60 deg. 35'11" W 134.07 feet to a rebar set in the right of way fence, being the southwest corner of the Francis Powell 0.87 acre tract.

Thence leaving the Francis Powell property and with the north right of way of Kentucky Highway 80 N 60 deg. 00'05" W a distance of 129.90 feet to a right of way fence post.

Thence N 62 deg. 05'10" W a distance of 110.92 feet to a right of way fence post.
Thence N 59 deg. 34'17" W a distance of 111.16 feet to a right of way fence post.
Thence n 23 deg. 08'22" E, a distance of 30.75 feet to a rebar (set) in the right of way and in the entrance to the Kentucky Hardwood Company leased property.

Thence N 75 deg. 30'30" W a distance of 65.24 feet to a right of way fence post.
Thence N 61 deg. 27'45" W a distance of 142.51 feet to a right of way fence post.
Thence N 74 deg. 11'15" W a distance of 44.20 feet to a rebar (set) at the corner of the Jimmy Black (Deed Book 251, Page 123) property and the Kentucky highway 80 right of way fence and an old fence intersection.

Thence leaving the Kentucky Highway 80 right of way and running with the Jimmy Black property N 09 deg. 49'24" E a distance of 622.11 feet to a rebar (set) northeast corner of Jimmy Black (Deed Book 272, Page 352).

Thence with jimmy Black N 16 deg. 32'07" E a distance of 622.18 feet to a steel fence post (found) on top of the ridge.
Thence S 73 Deg. 12'489" E a distance of 324.04 feet to a rebar (set) on top of the ridge.

Thence N 10 deg. 32'21" E a distance of 137.51 feet to a 36" poplar (found) a common corner to Jimmy Black and B.A. Tucker (Deed Book 220, Page 310) and Convergent Limited Liability Company and in an old fence line.

Thence leaving the Jimmy Black property line and running with the B.A. tucker line S 79 deg. 27'39" E a distance of 338.29 feet to a rebar (set) on top of the ridge and under a power line, and being the Northwest corner of the Faith Assembly Church of God property.

Thence leaving the Tucker property and with the Faith Assembly Church of God property line S 10 deg. 31'29" E a distance of 560.00 feet to a rebar (set).
Thence S 79 deg. 27'10" E a distance of 684.73 feet to a rebar (set) on the east side of an existing access road to Faith Assembly and being 40 feet parallel to the Interstate 75 controlled access right of way fence line.

Thence running parallel to and 40 feet from the aforementioned right of way fence N 06 deg 23'24" W a distance of 40.02 feet to a rebar (set) on the east side of the existing access road.

Thence N 10 deg. 49'48" West a distance of 508.22 feet to P&K nail (set) in the east side of the existing access road.
Thence n 09 deg. 42'12" W a distance of 11.89 feet to a P&K nail (set) in the east side of the existing access road and in the property line of B.A. Tucker (Deed Book 220, page 310).

Thence with the Tucker property S 79 deg. 27'45" E a distance of 43.15 feet to a rebar (set) in the Interstate 75 controlled access right of way fence.

Thence with the right of way fence S 10 deg. 48'36" E a distance of 508.65 feet to a pull post (found) in the fence line and corner to a 0.95 acres Francis Powell tract.

Thence with the right of way fence and with the Francis Powell tract S 06 deg. 10'09" E a distance of 130.89 feet to a point in the right of way fence.
Thence S 08 deg. 18'16" E a distance of 85.50 feet to a point in the right of way fence.

Thence S 07 deg. 41'51" E a distance of 118.16 feet to a point in the right of way fence.

Thence S 03 deg. 34'53" E a distance of 73.12 feet to a point in the right of way fence.

Thence S 03 deg. 33'24" E a distance of 58.43 feet to a rebar (set) in the right of way fence.

Thence leaving the right of way fence and with the B.A. Tucker property N 81 deg. 07'29" W a distance of 167.08 feet to a metal pipe (found) a corner common to Clayton Mobile Homes (Deed Book 327, Page 558) and Francis Powell and convergent Limited Liability Company.

Thence leaving the Francis Powell property line and with the Clayton Mobile Homes property line N 82 deg. 01'25" W a distance of 660.40 feet to a rebar (found).

Thence S 05 deg. 37'12" W a distance of 224.99 feet to a rebar (found) at the northeast corner of the West Gate Inn (Deed Book 205, page 445) property.
Thence leaving the Clayton Mobile Homes property and with the West Gate Inn property N 77 deg. 22'00" W a distance of 118.02 feet to the beginning.

3. The property owned by LONDON-LAUREL COUNTY TOURISM COMMISSION, hereinafter more particularly described, shall be and is hereby incorporated into the City Limits of the City of London as a voluntary annexation pursuant to KRS 81A.412 and that all of the requirements of Kentucky law have been met in this voluntary annexation request.
4. The property to be annexed is more particularly described as follows:

BEGINNING at a railroad spike in the west right of way of the Old Pittsburgh Road. Said railroad spike also being in the east line of a 20 foot roadway running from the north partially Controlled Access right of Way of Ky. State road No. 80 to the property being described herein;

Thence leaving the west line of the Old Pittsburgh road, N. 68 degrees 14 minutes W., crossing said 20 foot road, continuing with the north lines of property belonging to Standard Oil company, in all a total distance of 704.45 feet to an iron pipe in an east line of the Floyd Powell property.

Thence leaving the lines of Standard Oil Company, N. 02 degrees 33 minutes E., 349.95 feet to an iron pipe. Said iron pipe being in a south line of the Clyde Powell property;

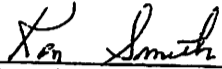
Thence leaving the lines of Floyd Powell, S. 85 degrees 00 minutes E., continuing with the lines of Clyde Powell, 661.00 feet to an iron pipe in the west line of the Old Pittsburgh Road being presently located on the south side of an existing pond;

Thence leaving the line of Clyde Powell, continuing with the west line of the Old Pittsburgh Road, S. 07 degrees 52 minutes E., 185.00 feet to a railroad spike in the west traffic bound portion of a crushed stone surface;

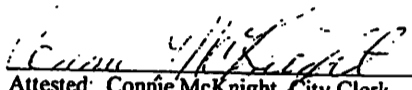
Thence S. 00 degrees 31 minutes E., 223.00 feet to a railroad spike near the east traffic bound edge of a crushed stone surface;

Thence S. 17 degrees 47 minutes W., 154.35 feet to the BEGINNING CORNER, containing 7.19323 acres.

- 5. A map of this proposed area has been provided by LONDON-LAUREL COUNTY TOURIST COMMISSION, and the City Council finds this map to appropriately reflect the above-description.
- 6. BE IT THEREFORE ORDAINED that both and each of the above described properties be annexed and become a part of the City of London, Kentucky.
- 7. These properties shall be reflected, after publication of this ordinance, as being within the Corporate City Limits of the City of London, Kentucky, zoning map. These properties shall be zoned C-1 (commercial) and the zoning map of the City of London shall be amended to reflect this zone.
- 8. This ordinance shall be effective upon publication.



 Mayor Kenneth Smith
 City of London



 Attested: Connie McKnight, City Clerk

First Reading: May 3, 2004
 Second Reading: June 7, 2004
 Publication Date: June 14, 2004