

CITY OF GEORGETOWN

ORDINANCE NO. 2022-03

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 42.86 +/- ACRES LOCATED AT OR AROUND 3520 PARIS PIKE, IN SCOTT COUNTY, KENTUCKY.

SUMMARY

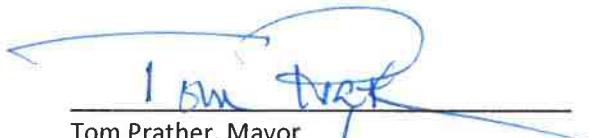
1. Annexes into Georgetown city limits, by written consent of the property owner in accordance with KRS 81A.412, approximately 42.86 +/- acres of property located at or around 3520 Paris Pike in Scott County, KY.
2. Provides for repeal of inconsistent laws, severability of provisions, and an effective date upon passage and publication.

The full text of Ordinance 2022-03 is available for examination in the City Clerk's Office, 100 North Court Street, Georgetown, Kentucky 40324 or at www.georgetownky.gov.

PUBLICLY INTRODUCED AND READ FIRST TIME: December 13, 2021

PUBLICLY READ SECOND TIME AND PASSED: January 13, 2022

APPROVED:


Tom Prather, Mayor

ATTEST:


Tracie Hoffman, City Clerk

I, Devon Elise Golden, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 2022-03 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.



Devon Elise Golden

CITY OF GEORGETOWN

ORDINANCE NO. 2022-03

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 42.86 +/- ACRES LOCATED AT OR AROUND 3520 PARIS PIKE, IN SCOTT COUNTY, KENTUCKY.

SPONSORS: Greg Hampton and Tammy Lusby Mitchell

WHEREAS, Cecil and Kay Bell, of 3520 Paris Pike, Georgetown, Kentucky 40324 (“Grantors”), property owners of record of the tract of land to be annexed, have given prior written consent to the annexation of the Property; and,

WHEREAS, the Property is contiguous to the existing city limits of the City of Georgetown and is urban in character and suitable for development for urban purposes without unreasonable delay; and,

WHEREAS, the Georgetown-Scott County Planning Commission has approved a Zoning Map Amendment (ZMA-2021-26) to rezone the Property to R-1C, with a condition that the Property be annexed into the City of Georgetown, Kentucky;

NOW, THEREFORE, be it ordained by the City of Georgetown, Kentucky:

SECTION ONE

Pursuant to KRS 81A.412, the Georgetown City Council hereby annexes the following unincorporated area of Scott County into the City limits of the City of Georgetown:

Being a portion of a certain tract of land lying in Georgetown, Scott County, Kentucky with an address of 3520 Paris Pike as recorded in Deed Book 123, Page 8 in the Scott County Clerk’s office and being more particularly described as follows:

Beginning at a point in the southwest property corner, said point being common with the northwest property corner of Rocky Creek Reserve as recorded in Plat Cabinet 12, Slide 260 in the Scott County Clerk’s office, said point also being common with the east property line of United Property Holdings, LLC as recorded in Plat Cabinet 12, Slide 246;

Thence with United Property Holdings, LLC for the following two (2) calls:

North 24°19'45" East a distance of 596.19 feet to a point;

Thence North 24°19'45" East a distance of 1585.61 feet to the northwest property corner, said point being common with United Property Holdings, LLC as recorded in Deed Book 421, Page 354 in the Scott County Clerk's office;

Thence with United Property Holdings, LLC, South 65°55'15" East a distance of 880.01 feet to a point;

Thence leaving United Property Holdings, LLC and through the property, South 24°19'45" West a distance of 2061.70 feet to a point in the north property line of Rocky Creek Reserve as recorded in Plat Cabinet 12, Slide 260 in the Scott County Clerk's office;

Thence with Rocky Creek Reserve, North 73°41'15" West a distance of 888.68 feet to the point of beginning and containing an area of 42.864 acres.

SECTION TWO

If any section, subsection, sentence, clause or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remaining portions of this ordinance.

SECTION THREE


All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

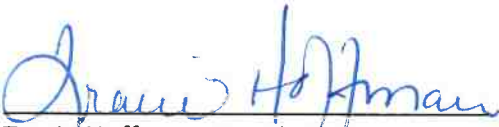
SECTION FOUR

This ordinance shall be subject to the passage and effectiveness of the Ordinance changing the zoning classification of the Property from A-1 to R-1C and shall take effect after the passage and publication of this ordinance and the "Zoning Ordinance" according to law.

PUBLICLY INTRODUCED AND READ FIRST TIME: December 13, 2021

PUBLICLY READ SECOND TIME AND PASSED: January 13, 2022

APPROVED: 
Tom Prather, Mayor

ATTEST: 
Tracie Hoffman, City Clerk

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION, made and entered into this 19 day of January, 2022, by and between CECIL D. BELL, JR. and KAY BELL, husband and wife, whose address is 3520 Paris Pike, Georgetown, KY 40324 ("Grantors") and the CITY OF GEORGETOWN, KENTUCKY ("Grantee") 100 N. Court Street, Georgetown, KY 40324;

WHEREAS, Grantors have requested Grantee to provide municipal services and/or water sewer services, as they become available, to Grantors' property located at or around 3520 Paris Pike, Georgetown, KY 40324 (the "Property"), more specifically described below, into the City of Georgetown, Kentucky; and

WHEREAS, in consideration of the Grantee's providing of future municipal services and/or water sewer services to the Property, Grantors have requested Grantee to annex the Property; and

WHEREAS, in further consideration of the Grantee's providing future municipal services and/or water sewer services to the Property, Grantors acknowledge that the Property may not be assigned a zoning designation in accordance with Grantors' wishes and Grantors release Grantee from any liability associated with the annexation and zoning of the Property.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Grantors hereby request and consent to annexation of the Property into the City of Georgetown, Kentucky pursuant to KRS 81A.412. Grantors shall be prohibited from opposing said annexation. In the event Grantors execute a remonstrance petition opposing said annexation, its signatures shall be deemed invalid and of no effect pursuant to KRS 81A.420.
2. Grantors hereby release the City of Georgetown ("Grantee"), the Georgetown-Scott County Planning Commission, Georgetown Municipal Water and Sewer Service, and their respective agents, officers, employees and representatives, from any and all claims arising out of or related in any way to the annexation and zoning of the Property.

3. The Property is more particularly described as follows:

Being a portion of a certain tract of land lying in Georgetown, Scott County, Kentucky with an address of 3520 Paris Pike as recorded in Deed Book 123, Page 8 in the Scott County Clerk's office and being more particularly described as follows:

Beginning at a point in the southwest property corner, said point being common with the northwest property corner of Rocky Creek Reserve as recorded in Plat Cabinet 12, Slide 260 in the Scott County Clerk's office, said point also being common with the east property line of United Property Holdings, LLC as recorded in Plat Cabinet 12, Slide 246;

Thence with United Property Holdings, LLC for the following two (2) calls:

North 24°19'45" East a distance of 596.19 feet to a point;

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Thence with United Property Holdings, LLC, South 65°55'15" East a distance of 880.01 feet to a point;

Thence leaving United Property Holdings, LLC and through the property, South 24°19'45" West a distance of 2061.70 feet to a point in the north property line of Rocky Creek Reserve as recorded in Plat Cabinet 12, Slide 260 in the Scott County Clerk's office;

Thence with Rocky Creek Reserve, North 73°41'15" West a distance of 888.68 feet to the point of beginning and containing an area of 42.864 acres.
4. This Consent to Annexation shall be perpetual and shall run with the Property and shall be binding upon Grantors and their heirs and assigns.
5. Grantors certify that the Property is not a part of an agricultural district established pursuant to KRS 262.850 and that the Property will not be included hereafter in an agricultural district. In the event Grantors execute a petition to include the Property in an agricultural district, their signatures shall be deemed invalid and of no effect, and the Property shall not be included in the agricultural district.

6. In the event that the Property is in an agricultural district, this document "Consent to Annexation" will serve as written authorization to decertify and/or remove the Property as described herein from any agricultural district established by KRS 262.850, latest revisions. At the Grantee's request, the Grantors shall provide a letter requesting decertification of said agricultural district.
7. Grantors shall not execute this form unless an accurate and legal description of the property to be annexed is provided in Section 3.
8. Any existing non-conforming uses or structures waived from the application of said applicable Ordinances are identified as the following: _____.
9. Grantors hereby authorize the City of Georgetown ("Grantee"), the Georgetown-Scott County Planning Commission, Georgetown Municipal Water and Sewer Service, their employees, officers, agents and representatives the right of entry onto the property described in Subsection 3 above to perform the necessary task and functions to accomplish the annexation, i.e., field survey work.
10. Grantors hereby acknowledge that they are in receipt of a copy of Chapter 44 of the Georgetown Code of Ordinances, entitled "Zoning and Land Use."
11. Prior to the Annexation of the property, Grantors shall comply with Chapter 44 of the Georgetown Code of Ordinances entitled "Zoning and Land Use," and all amendments thereto, if the Property is or subsequently becomes a part of Georgetown Municipal Water and Sewer Service's water/sewer service areas.

GRANTORS:



CECIL D. BELL, JR.



KAY BELL

CITY OF GEORGETOWN:

Tom Prather

STATE OF KENTUCKY)

SCOTT COUNTY)

Subscribed and sworn to before me by Tom Prather, Mayor, this 19th day of January, 2022.

(SEAL)

#604671
Arlene D. Wilson
NOTARY PUBLIC
My Commission expires: 7/23/2022

THIS INSTRUMENT PREPARED BY:

Devon Golden

Devon E. Golden, City Attorney
100 N. Court Street,
Georgetown, KY 40324
502-863-9800