

CITY OF GEORGETOWN

ORDINANCE NO. 2022-24

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 5.3 +/- ACRES LOCATED ON CYNTHIANA ROAD, 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 5.3 +/- acres of property located on Cynthiana Road 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 2022-24 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: August 8, 2022

PUBLICLY READ SECOND TIME AND PASSED: August 22, 2022

APPROVED: *Tom Prather*
Tom Prather (Aug 23, 2022 15:26 EDT)
Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
Tracie Hoffman (Aug 23, 2022 15:35 EDT)
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 2022-24 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
Devon Elise Golden

CITY OF GEORGETOWN

ORDINANCE NO. 2022-24

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 5.3 +/- ACRES LOCATED ON CYNTHIANA ROAD, IN SCOTT COUNTY, KENTUCKY.

SPONSORS: Connie Tackett and Mark Showalter

WHEREAS, Cobler Leasing, LLC, a limited liability company, of 2432 New Lair Road, Cynthiana, Kentucky 41031, property owner of record of the tract of land to be annexed, has 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;

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:

A certain tract of land lying in Scott County, Kentucky with an address of 2300 Cynthiana Road, Georgetown, KY and PVA # 187-20-027.001 and being Tract 3A as shown on Plat Cabinet 12, Slide 094 as recorded in the Scott County Clerk's office and being more particularly described as follows:

Beginning at a point in the southeast property corner of Tract 3A, said point being in Cynthiana Road (US 62), said point being approximately 240 feet northeast of the intersection of centerline of Nuthatch Trail as shown in Plat Cabinet 13, Slide 070 as recorded in the Scott County Clerk's office and the southeast property corner of Tract 3A. Thence leaving Cynthiana Rd (US 62) and with Barkley Meadows Unit 2 and Unit 3, North 62°37'25" West a distance of 817.01 feet to a point;

Thence leaving the common line with Barkley Meadows Units 2 and 3 and with the division line with Tract 3B as shown on Plat Cabinet 12, Slide 094 as recorded in the Scott County Clerk's office for the following four (4) calls:

North 46°05'33" East a distance of 51.01 feet to an iron pin found with cap stamped "LS 4156";

Thence North 62°37'25" West a distance of 107.40 feet to an iron pin found with cap stamped "LS 4156";

Thence North 46°05'33" East a distance of 108.40 feet to an iron pin found with cap stamped "LS 4156";

Thence North 53°24'45" East a distance of 110.20 feet to an iron pin found with cap stamped "LS 4156", said point being in the south property line of the City of Georgetown as recorded in Deed Book 265, Page 486 as recorded in the Scott County Clerk's office;

Thence leaving the common line with Tract 3B and with the common line with the City of Georgetown, South 62°37'25" East a distance of 973.46 feet to a point in Cynthiana Road (US 62);

Thence leaving the common line of the City of Georgetown and with Cynthiana Rd (US 62) for the following three (3) calls:

South 59°35'57" West a distance of 181.93 feet to a point;

Thence South 56°08'49" West a distance of 72.68 feet to a point;

Thence South 49°31'17" West a distance of 36.70 feet to the point of beginning and containing an area of 5.33 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 in full force and effect upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: August 8, 2022

PUBLICLY READ SECOND TIME AND PASSED: August 22, 2022

APPROVED: Tom Prather
Tom Prather (Aug 23, 2022 15:26 EDT)
Tom Prather, Mayor

ATTEST: Tracie Hoffman
Tracie Hoffman (Aug 23, 2022 15:35 EDT)
Tracie Hoffman, City Clerk

THOROUGHBREED
 DESIGN & ENGINEERING CONSULTANTS
 CM-CEI-CONSTRUCTION SERVICES
 GEOTECHNICAL ENGINEERING, DRILLING SERVICES,
 SPECIAL INSPECTIONS, MATERIAL TESTING,
 CIVIL DESIGN, LAND SURVEYING,
 (859) 785-0383
 P.O. BOX 481 LEXINGTON, KY 40588

ANNEXATION EXHIBIT
 COBLER LEASING, LLC
 2300 CYNTHIANA ROAD
 GEORGETOWN, SCOTT COUNTY, KENTUCKY

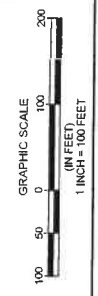
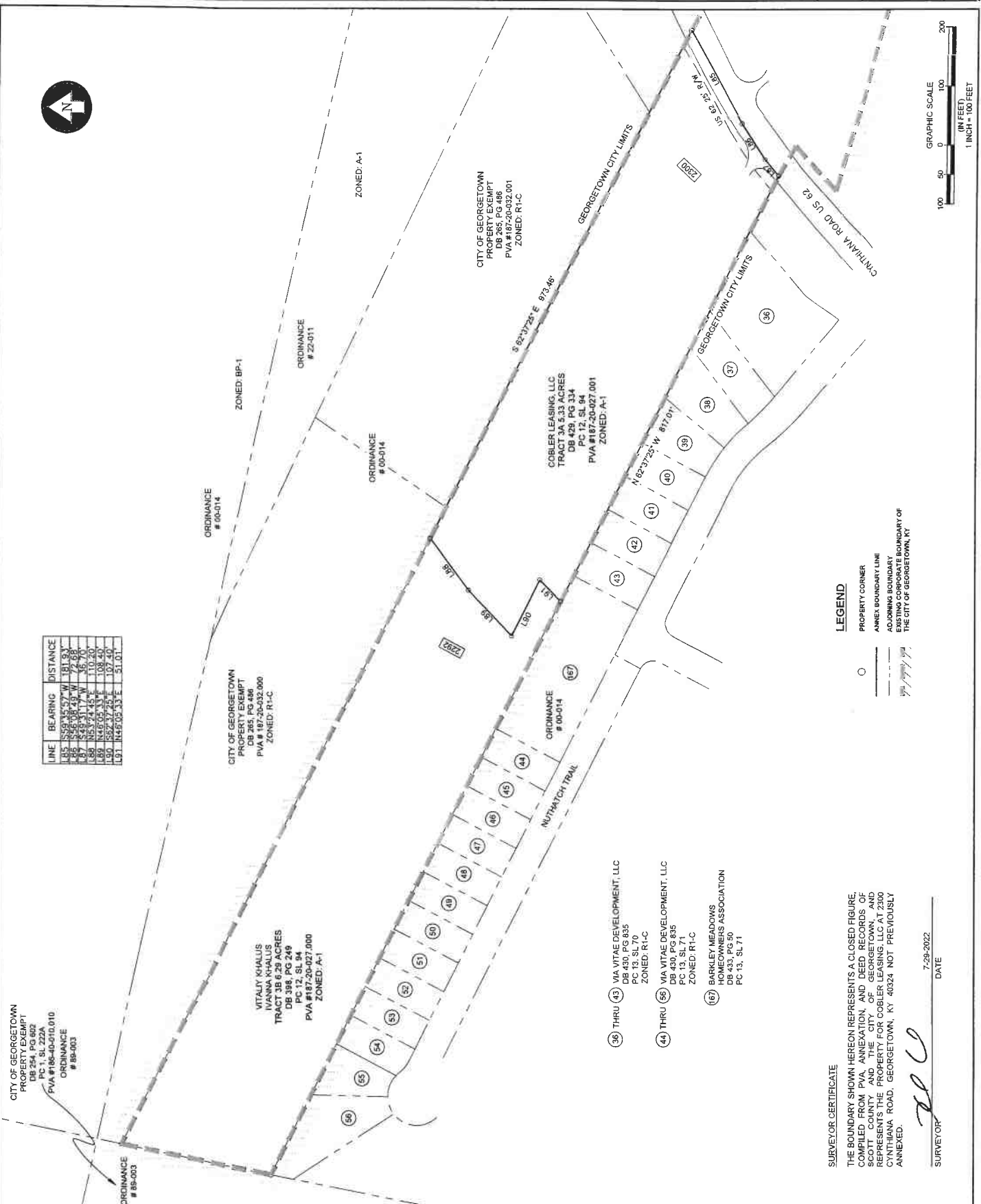
PROJECT NO:	CLG
DATE:	07-20-2022
DESIGNED BY:	KGW
REVISION:	
DATE:	

PLAT EXAMINATION RECORD
 REPRESENTS A BOUNDARY SURVEY AND COMPLES WITH 201 KAR 18.190

STATE OF KENTUCKY
 METRIC G. ANDERSON
 LAND SURVEYOR



LINE	BEARING	DISTANCE
185	S89°45'57" W	181.93
186	S66°08'29" W	72.68
187	S88°38'11" W	170.70
188	N46°05'33" E	108.40
189	S82°37'20" E	107.40
191	N44°50'53.33" E	51.01



LEGEND

- PROPERTY CORNER
- ANNEX BOUNDARY LINE
- - - ADJOINING BOUNDARY
- EXISTING CORPORATE BOUNDARY OF THE CITY OF GEORGETOWN, KY

SURVEYOR CERTIFICATE
 THE BOUNDARY SHOWN HEREON REPRESENTS A CLOSED FIGURE, COMPILED FROM THE ANNEXATION AND DEED RECORDS OF SCOTT COUNTY AND THE CITY OF GEORGETOWN, AND REPRESENTS THE PROPERTY FOR COBLER LEASING, LLC AT 2300 CYNTHIANA ROAD, GEORGETOWN, KY 40324 NOT PREVIOUSLY ANNEXED.

SURVEYOR: *[Signature]*
 DATE: 7-28-2022

A certain tract of land lying in Scott County, Kentucky with an address of 2300 Cynthiana Road, Georgetown, KY and PVA # 187-20-027.001 and being Tract 3A as shown on Plat Cabinet 12, Slide 094 as recorded in the Scott County Clerk's office and being more particularly described as follows:

Beginning at a point in the southeast property corner of Tract 3A, said point being in Cynthiana Road (US 62), said point being approximately 240 feet northeast of the intersection of centerline of Nuthatch Trail as shown in Plat Cabinet 13, Slide 070 as recorded in the Scott County Clerk's office and the southeast property corner of Tract 3A. Thence leaving Cynthiana Rd (US 62) and with Barkley Meadows Unit 2 and Unit 3, North 62°37'25" West a distance of 817.01 feet to a point;

Thence leaving the common line with Barkley Meadows Units 2 and 3 and with the division line with Tract 3B as shown on Plat Cabinet 12, Slide 094 as recorded in the Scott County Clerk's office for the following four (4) calls:

North 46°05'33" East a distance of 51.01 feet to an iron pin found with cap stamped "LS 4156";

Thence North 62°37'25" West a distance of 107.40 feet to an iron pin found with cap stamped "LS 4156";

Thence North 46°05'33" East a distance of 108.40 feet to an iron pin found with cap stamped "LS 4156";

Thence North 53°24'45" East a distance of 110.20 feet to an iron pin found with cap stamped "LS 4156", said point being in the south property line of the City of Georgetown as recorded in Deed Book 265, Page 486 as recorded in the Scott County Clerk's office;

Thence leaving the common line with Tract 3B and with the common line with the City of Georgetown, South 62°37'25" East a distance of 973.46 feet to a point in Cynthiana Road (US 62);

Thence leaving the common line of the City of Georgetown and with Cynthiana Rd (US 62) for the following three (3) calls:

South 59°35'57" West a distance of 181.93 feet to a point;

Thence South 56°08'49" West a distance of 72.68 feet to a point;

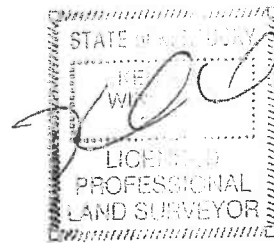
Thence South 49°31'17" West a distance of 36.70 feet to the point of beginning and containing an area of 5.33 acres.

The above description was provided by Keith Winstead, PLS 3870

Thoroughbred

239 No. Broadway

Lexington, KY 40507



A certain tract of land lying in Scott County, Kentucky with an address of 2300 Cynthiana Road, Georgetown, KY and PVA # 187-20-027.001 and being Tract 3A as shown on Plat Cabinet 12, Slide 094 as recorded in the Scott County Clerk's office and being more particularly described as follows:

Beginning at a point in the southeast property corner of Tract 3A, said point being in Cynthiana Road (US 62), said point being approximately 240 feet northeast of the intersection of centerline of Nuthatch Trail as shown in Plat Cabinet 13, Slide 070 as recorded in the Scott County Clerk's office and the southeast property corner of Tract 3A. Thence leaving Cynthiana Rd (US 62) and with Barkley Meadows Unit 2 and Unit 3, North 62°37'25" West a distance of 817.01 feet to a point;

Thence leaving the common line with Barkley Meadows Units 2 and 3 and with the division line with Tract 3B as shown on Plat Cabinet 12, Slide 094 as recorded in the Scott County Clerk's office for the following four (4) calls:

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Thence leaving the common line with Tract 3B and with the common line with the City of Georgetown, South 62°37'25" East a distance of 973.46 feet to a point in Cynthiana Road (US 62);

Thence leaving the common line of the City of Georgetown and with Cynthiana Rd (US 62) for the following three (3) calls:

South 59°35'57" West a distance of 181.93 feet to a point;

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Thence South 49°31'17" West a distance of 36.70 feet to the point of beginning and containing an area of 5.33 acres.

The above description was provided by Keith Winstead, PLS 3870

Thoroughbred

239 No. Broadway

Lexington, KY 40507



CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION, made and entered into this 29th day of July, 2022, by and between Cobler Leasing, LLC (Amberlee Cobler), whose address is 2432 New Lair Rd, Cynthiana, KY 41031 ("Grantor") and the CITY OF GEORGETOWN, KENTUCKY ("Grantee") 100 N. Court Street, Georgetown, KY 40324;

WHEREAS, Grantor has requested Grantee to provide municipal services and/or water sewer services, as they become available, to Grantor's property located on 2300 Cynthiana RD, 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, Grantor has 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, Grantor acknowledges that the Property may not be assigned a zoning designation in accordance with Grantor's wishes and Grantor releases Grantee from any liability associated with the annexation and zoning of the Property.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Grantor hereby requests and consents to annexation of the Property into the City of Georgetown, Kentucky pursuant to KRS 81A.412. Grantor shall be prohibited from opposing said annexation. In the event Grantor executes a remonstrance petition opposing said annexation, its signature shall be deemed invalid and of no effect pursuant to KRS 81A.420.
2. Grantor hereby releases 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: Future site of Best Pets Animal Clinic, LLC. Currently an empty lot 5.33 acre lot.
4. This Consent to Annexation shall be perpetual and shall run with the Property, and shall be binding upon Grantor, and its heirs and assigns.
5. Grantor certifies 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 Grantor executes a petition to include the Property in an agricultural district, its signature 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 Grantor shall provide a letter requesting decertification of said agricultural district.
7. Grantor 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. Grantor hereby authorizes 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. Grantor hereby acknowledges that it is 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, Grantor 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.

GRANTOR:

Ambrose Coble, DVM

STATE OF KENTUCKY)
)
SCOTT COUNTY)

Subscribed and sworn to before me by Ambrose Coble and

_____ , this 29 day of July , 2022

[Handwritten Signature]

NOTARY PUBLIC

My Commission expires: ~~07/29/2022~~

01/31/2024

(SEAL)

TYLER TERAN TERAWOOD
Notary Public-State at Large
KENTUCKY - Notary ID # KYNP42428
My Commission Expires 01-31-2026

CITY OF GEORGETOWN:

Tom Prather

STATE OF KENTUCKY)
SCOTT COUNTY)

Subscribed and sworn to before me by TOM PRATHER
Mayor (title), this 5th day of August, 2022

(SEAL)

Wendie M. Wilson
NOTARY PUBLIC
My Commission expires: 7/23/2026
#KYNP54857

THIS INSTRUMENT PREPARED BY:

Devon Golden (signature)
Devon Golden (print)
100 N. Court St. (address)
Georgetown, KY 40324 (address)
(502) 863-9800 (phone number)

