

CITY OF GEORGETOWN

ORDINANCE NO. 18-01

AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING 1.22 ACRES LOCATED AT 1100 LEXINGTON RD. IN SCOTT COUNTY, KENTUCKY

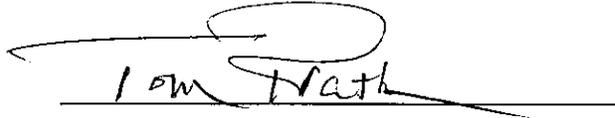
SUMMARY

1. Annexes into Georgetown city limits, by written consent of the property owners in accordance with KRS 81A.412, 1.22 acres of property on located at 1100 Lexington Rd. in Scott County, Kentucky.
2. Provides for an effective date upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: December 11, 2017

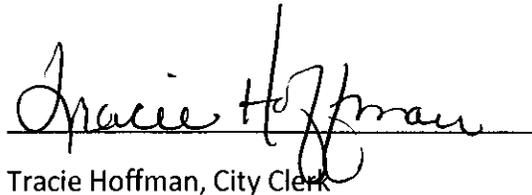
PUBLICLY READ SECOND TIME AND PASSED: January 8, 2018

APPROVED:



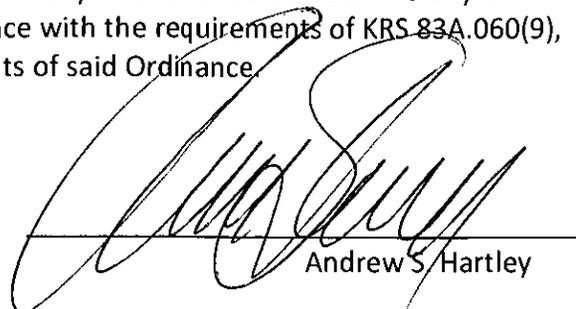
Tom Prather, Mayor

ATTEST:



Tracie Hoffman, City Clerk

I, Andrew S. Hartley, 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 18-01 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.



Andrew S. Hartley

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AN ORDINANCE ANNEXING INTO THE CITY OF GEORGETOWN CERTAIN REAL PROPERTY CONTAINING 1.22 ACRES LOCATED AT 1100 LEXINGTON RD. IN SCOTT COUNTY, KENTUCKY

SPONSOR: Connie Tackett

WHEREAS, Peters Carl B. Irrevocable Family GSST Trust, whose address is, 1100 Lexington Rd., Georgetown, KY 40324 ("Grantor"), 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 tract of land containing 1.22 acres located at 1100 Lexington Rd. in Scott County, Kentucky as more particularly described in Exhibits A and B attached hereto.

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 take effect after its passage and publication according to law.

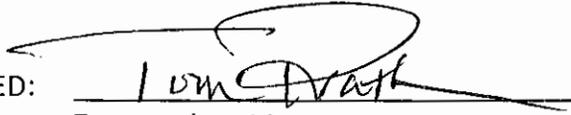
PUBLICLY INTRODUCED AND READ FIRST TIME:

December 11, 2017

PUBLICLY READ SECOND TIME AND PASSED:

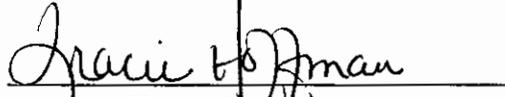
January 8, 2017

APPROVED:

A handwritten signature in black ink, appearing to read "Tom Prather", written over a horizontal line.

Tom Prather, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Tracie Hoffman", written over a horizontal line.

Tracie Hoffman, City Clerk

CONSENT TO ANNEXATION,
RELEASE AND RESTRICTIVE COVENANT

THIS CONSENT TO ANNEXATION, RELEASE AND RESTRICTIVE COVENANT made and entered into this 28 day of AUGUST 2017, by and between Peters Carl B. Irrevocable and City of Georgetown whose address is, family GSTT Trust 1100 Lexington Rd. , Georgetown, Kentucky, 40324 ("Grantors") and the CITY OF GEORGETOWN, KENTUCKY ("Grantee") 100 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 (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, their 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 that certain tract of land lying on the East side of US25 (Lexington Rd.) approximately 2,112' North of its Intersection with US62. Surrounded on all sides by the City of Georgetown incorporated city limits, in Scott County, Kentucky and be more particularly described as follows:

Beginning in the East right-of-way of Lexington Rd., said point being a common corner with the 601 Perimeter Drive LLC (D.B. 370, PG. 827) thence running with said right-of-way for one call:

N 08°38'43" E 254.89' to a point in the aforementioned East right-of-way and a common corner with the Boom Inc. property (D.B. 284, PG. 434). Thence leaving the East right-of-way and running with the Boom Inc. property and into the Prefco Nineteen Limited Partnership property (D.B. 222, PG.32) for one call S 65°36'38" E 261.20' to a common corner with the Prefco Nineteen Limited Partnership property and the South Elkhorn Village LLC property (D.B. 388, PG. 498). Thence with the South Elkhorn Village LLC property for one call S 03°34'16" W 165.30' to a common corner with the South Elkhorn Village LLC property and the 601 Perimeter Drive LLC property. Thence with the 601 Perimeter Drive LLC property N 85°37'41" W 257.84' to the Point of Beginning.

Containing 1.22 acres more or less, and being known as the Peters Carl B Irrevocable Fam GSTT property and 1100 Lexington Road.

4. Grantors shall not transfer the Property or any portion thereof without first notifying Grantee in writing and advising the proposed transferee of the terms hereof. Grantors shall not transfer the Property or any portion thereof until their transferee executes a similar document which releases the above released parties from any and all liability arising out of the annexation and zoning of the Property.
5. This Consent to Annexation, Release and Restrictive Covenant shall be perpetual and shall run with the Property, and shall be binding upon Grantors, and their heirs and assigns.
6. 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.
7. In the event that the Property is in an agricultural district, this document "Consent to Annexation, Release and Restrictive Covenant" 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.

8. Grantors hereby certify that the Consent to Annexation, Release and Restrictive Covenant form will also serve as their intent to annex property which may not be fully described or outlined in the property description found in subsection 3 of this form. The Grantors further certify and agree that the signing of a Consent to Annexation, Release and Restrictive Covenant form without a specific description does not void nor invalidate the Consent to Annexation, Release and Restrictive Covenant signed by the Grantor but does provide their intent to sign a subsequent document which specifically outlines through a metes and bounds description of the property to be included in the annexation.
9. Any existing non-conforming uses or structures waived from the application of said applicable Ordinances are identified as the following:
10. 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.
11. Grantors hereby acknowledge that they are in receipt of a copy of Title 20 of the Georgetown Code of Ordinances, entitled "Zoning and Land Use".
12. Prior to the Annexation of the property Grantors shall comply with Title 20 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:

Earlene S. Wagoner
Trustee

STATE OF KENTUCKY)
SCOTT COUNTY)

Subscribed and sworn to before me by Earlene Wagoner and
_____ , this 29 day of August , 2017

Elizbeth McHenry #519183
NOTARY PUBLIC
My Commission expires: 9/19/18

(SEAL)

CITY OF GEORGETOWN:

Tom Prather

STATE OF KENTUCKY)
SCOTT COUNTY)

Subscribed and sworn to before me by Tom Prather

Mayor (title), this 11 day of JANUARY, 2018

(SEAL)

#515791 Hester Wilson

NOTARY PUBLIC

My Commission expires: 7/23/18

THIS INSTRUMENT PREPARED BY:

_____ (signature)

_____ (print)

_____ (address)

_____ (address)

() _____ (phone number)

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-SUBJECT TO ALL EASEMENTS AND RIGHT OF WAY RECORDED OR UNRECORDED
 -PROPERTY LOCATED AT 1100 LEXINGTON RD IN GEORGETOWN, KENTUCKY
 -CURRENT DEED INFORMATION ACQUIRED FROM COUNTY PVA OFFICE
 -UTILITIES NOT SHOWN AS A PART OF THIS PLAT
 -THE BASIS OF BEARINGS FOR THIS PLAT IS THE KY-NAD 83 STATE PLANE COORDINATE SYSTEM

BOOM INC
 0.90 ACRES
 D.B. 284, PG. 434



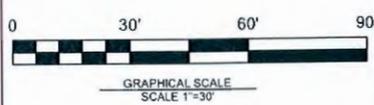
VICINITY MAP



STATE OF KENTUCKY
DANIEL N. HALE
 4156
 LICENSED PROFESSIONAL LAND SURVEYOR

LAND SURVEYOR'S CERTIFICATE
 I hereby certify that this plat was made under my direct supervision and that all information included on this plat is true and correct to the best of my knowledge and belief. The information contained here was computed for the City of Georgetown, Kentucky. Clearance No. _____ This plat depicts an annexation of a tract or parcel of land contiguous to the existing corporate limits of the City of Georgetown, Kentucky and has been filed in the Scott County Circuit Clerk's Office. This plat does not represent an actual survey on the ground and is prepared for informational purposes only. No monuments were set or verified in the preparation of this plat.

08-25-2017
 Date
 Daniel N. Hale, PLS #4156



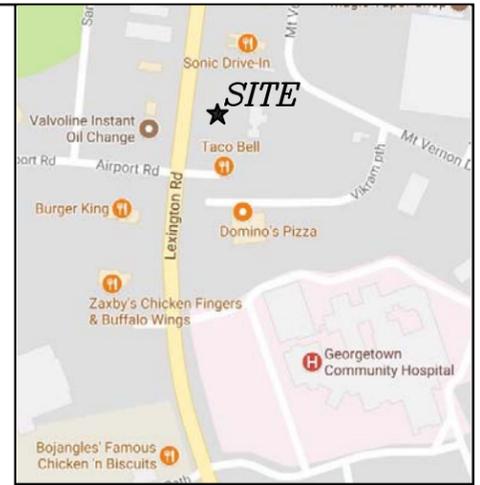
Annexation Plat
PETERS CARL B IRREVOCABLE FAMILY GSTT TRUST
 1100 LEXINGTON RD.
 GEORGETOWN, KENTUCKY 40324

SCALE: 1"=30'	DATE: 08-25-2017
REVISED:	DRAWN BY: DNH
ACAD NAME ANNEX_PLAT	JOB NUMBER ??

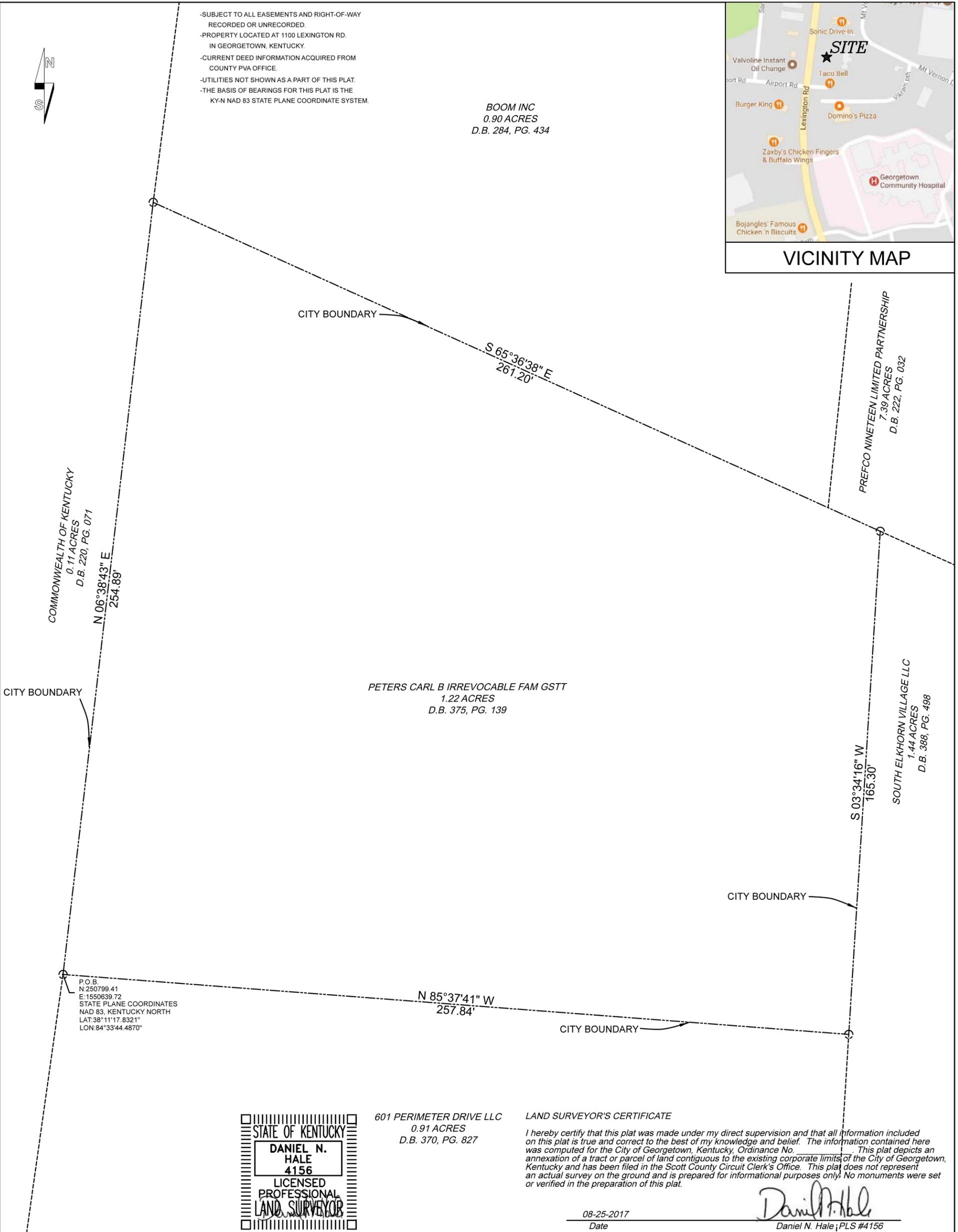
THOROUGHBRED ENGINEERING
 146 S. BROADWAY, GEORGETOWN, KY, 40324 SURVEYORS ENGINEERS PLANNERS (502) 863-1756
 CML DESIGN - GEOTECHNICAL ENGINEERING - IBC SPECIAL INSPECTIONS - MATERIAL TESTING
 LAND SURVEYING - GEOTECHNICAL DRILLING

-SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAY RECORDED OR UNRECORDED.
 -PROPERTY LOCATED AT 1100 LEXINGTON RD. IN GEORGETOWN, KENTUCKY.
 -CURRENT DEED INFORMATION ACQUIRED FROM COUNTY PVA OFFICE.
 -UTILITIES NOT SHOWN AS A PART OF THIS PLAT.
 -THE BASIS OF BEARINGS FOR THIS PLAT IS THE KY-N NAD 83 STATE PLANE COORDINATE SYSTEM.

BOOM INC
 0.90 ACRES
 D.B. 284, PG. 434



VICINITY MAP



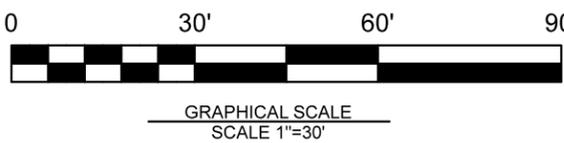
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Daniel N. Hale
 Daniel N. Hale; PLS #4156

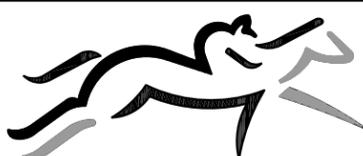


Annexation Plat

PETERS CARL B IRREVOCABLE FAMILY GSTT TRUST

1100 LEXINGTON RD.
 GEORGETOWN, KENTUCKY 40324

SCALE: 1"=30'	DATE: 08-25-2017
REVISED:	DRAWN BY: DNH
ACAD NAME ANNEX_PLAT	JOB NUMBER ??



THOROUGHBRED ENGINEERING

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 CIVIL DESIGN - GEOTECHNICAL ENGINEERING - IBC SPECIAL INSPECTIONS - MATERIAL TESTING
 LAND SURVEYING - GEOTECHNICAL DRILLING