

MINUTES OF MEETING HELD MARCH 11, 2002

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, March 11, 2002 at 7:00 p.m. with the following present: Mayor JP Wiles, Council Members David Burdine, Clarence Floyd, Jerry Wheeldon, Mark Beasley, Charles New, Donna Hunley, John R. Minton, William Earl Owens, Pat Bourne, Jerry Burnett, City Attorney Joe Travis and City Clerk David Godsey. Absent: Peggy Dugger and Robin Daughetee.

Mr. Wheeldon moved the minutes of the last regular meeting held on February 25, 2002 and the reports be approved as delivered. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mr. Burdine and Mr. Floyd.

Mr. New moved all departmental bills for the month of February be approved. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mr. Burdine and Mr. Floyd.

First reading was given the following Ordinance:

ORDINANCE NO. 02-04

ORDINANCE AMENDING ORDINANCE NO. 80-13, KNOWN AS THE ZONING ORDINANCE AND ALTERING THE ZONING MAP, BY CHANGING A BOUNDARY OF LAND NOW ZONED R-1 TO B-2.

Macedonian property on Stewart Drive.

Mr. Floyd moved the above Ordinance be approved on its first reading. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mr. Burdine and Mr. Floyd.

Second reading was given the following Ordinances:

ORDINANCE NO. 02-01

AN ORDINANCE ANNEXING A BOUNDARY OF REAL ESTATE (MORE COMMONLY KNOWN AS 915 OAK LEAF LANE) TO THE CITY OF SOMERSET, KENTUCKY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

That the City of Somerset, Kentucky, does hereby annex to the City of Somerset, Kentucky, the following boundary of unincorporated territory which is adjacent to property now contained in the City Limits.

BEGINNING at a 14" cedar in forks of Cemetery Road, said point being 787 feet from center line of Kentucky Highway 39; thence with fence line following courses and distances North 52 degrees 09' 33" West for a distance of 236.16 feet to a point; thence North 42 degrees 09' 19" West for a distance of 81.13 feet to a point; thence North 33 degrees 13' 19" West for a distance of 111.60 feet to a 30" ash; thence leaving said fence line and a new line North 47 degrees 16' 06" East for a distance of 45.65 feet to a 12" ash; thence North 36 degrees 45' 37" East for a distance of 87.61 feet to a 12" walnut; thence North 45 degrees 48' 27" East for a distance of 86.96 feet to a gate post; thence North 82 degrees 07' 29" East for a distance of 13.20 feet to a gate post; thence North 84 degrees 30' 40" East for a distance of 467.07 feet to a point on J.T. Wilson's line; thence South 32 degrees 37' 01" West for a distance of 601.51 feet with J.T. Wilson and Maxine Wilson's and Leonard Girdler's property line to point of beginning. Said property

contains 3.8355 acres more or less, as surveyed by Mohammad Bidarian, KY, L.S. 2876, on 10-5-89.

BEING the same property conveyed unto the Parties of the First Part by deed of record in Deed Book 494, Page 221, Pulaski County Court Clerk's Office, Kentucky.

FIRST READING February 25, 2002

SECOND READING March 11, 2002

ORDINANCE NO. 02-02

AN ORDINANCE ANNEXING A BOUNDARY OF REAL ESTATE (MORE COMMONLY KNOWN AS 650 OAK LEAF LANE) TO THE CITY OF SOMERSET, KENTUCKY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY.

That the City of Somerset, Kentucky, does hereby annex to the City of Somerset, Kentucky, the following boundary of unincorporated territory which is adjacent to property now contained in the City Limits.

TRACT I NORTHERN JUNIOR HIGH SCHOOL SITE

A certain tract or parcel of land located, lying and being North of the City of the City of Somerset, in Pulaski County, Kentucky and lying between Highway 1247 and Highway 39 and more particularly bounded and described as follows:

BEGINNING at the Northwest corner of the Dutton Cemetery; running thence S 80 degrees 45 minutes 06 seconds W 436.50 feet to a post; thence S 00 degrees 46 minutes 28 seconds E 589.01 feet to a post; thence S 68 degrees 13 minutes 52 seconds E 55.52 feet to a post; thence S 09 degrees 33 minutes 41 seconds E 626.86 feet to a post; thence S 54 degrees 04 minutes 51 seconds E 465.47 feet to a post; thence S 05 degrees 07 minutes 07 seconds E 37.00 feet to a post; thence S 50 degrees 18 minutes 28 seconds E 345.90 feet to a post; thence N 39 degrees 31 minutes 25 seconds E 819.72 feet to a post; thence N 26 degrees 24 minutes 18 seconds W 748.40 feet to a post; thence S 80 degrees 09 minutes 35 seconds W 79.49 feet to a post; thence N 31 degrees 23 minutes 14 seconds W 59.94 feet to a post; thence N 44 degrees 11 minutes 23 seconds W 378.75 feet to a post; thence N 86 degrees 34 minutes 26 seconds W 204.82 feet to a post; thence N 02 degrees 44 minutes 50 seconds E 204.96 feet to the point of beginning, containing 33.0130 acres as surveyed by Bobby Hudson on January 8, 1985.

BEING the same party conveyed to the Board of Education of Pulaski County, Kentucky by Clellan Prewitt and Leora Prewitt, his wife, and Oak Leaf Farms, Inc., a Kentucky corporation, by Deed dated August 21, 1985, recorded in Deed Book 442 at Page 48 in the Office of the Pulaski County Court Clerk.

FIRST READING February 25, 2002

SECOND READING March 11, 2002

ORDINANCE NO. 02-03

AN ORDINANCE ANNEXING A BOUNDARY OF REAL ESTATE (MORE COMMONLY KNOWN AS 1111 LEAF LANE) TO THE CITY OF SOMERSET, KENTUCKY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY.

That the City of Somerset, Kentucky, does hereby annex to the City of Somerset, Kentucky, the following boundary of unincorporated territory which is adjacent to property now contained in the City Limits.

A certain tract or parcel of land in the community of Somerset, Pulaski County, Kentucky, located on Highway 39 on the waters of Caney Fork, a tributary of Pitman Creek, and more particularly bounded and described as follows:

Unless stated otherwise, any monument referred to herein as "pin and cap" is a set 5/8" diameter steel rebar, twenty four (24") inches in length, with a red plastic cap stamped "LS 3138".

Unless stated otherwise, any monument referred to herein as "reference monument" is a set 5/8" diameter steel rebar, twenty four (24") inches in length, with a yellow plastic cap stamped "reference monument LS 3138". All bearings stated herein are correlated to the magnetic meridian as observed September 16, 2000, along the east line of the tract described herein.

TRACT I

Beginning at an "iron pin", said "iron pin" being the **POINT OF BEGINNING**, said "iron pin" located on Highway 39 Right-of-way (DB016, Pg. 563) and being located a distance of 35.0 feet from centerline, said "iron pin" being a corner to Pulaski County School property (DB 448, Pg. 315) and being located S 28 deg. 47' 54" W, a distance of 40.0 feet from an "iron pin" located on Tract II; thence leaving School property and continuing with Highway 39, S 28 deg. 47' 54" W, a distance of 152.33 feet to a point; thence S 40 deg. 09' 15" W, a distance of 101.93 feet to a point, said point being a distance of 45.0 feet from centerline; thence S 24 deg. 51' 12" W, a distance of 120.46 feet to an "iron pin" set at the base of a concrete Right-of-way monument and being located a distance of 35.0 feet from centerline of Hwy. 39, said iron pin being a corner to William Hubble (DB 382, Pg. 492); thence leaving Hwy. 39 and continuing with Hubble, N 57 deg. 07' 10" W, a distance of 179.70 feet to an "iron pin", said "iron pin" being located N 26 deg. 33' 04" W, a distance of 73.48 feet from the Northeast corner of Caney Fork School; thence in part with Hubble and in part with Clarence Dye (DB 240, Pg. 406) S 32 deg. 05' 58" W, a distance of 361.63 feet to an existing 2.0" iron pipe corner, said iron pipe being a corner to Dye and a corner to Herbert Dunagan (DB 367, Pg. 357); thence leaving Dye, S 31 deg. 32' 34" W, 225.84 feet to a set PK NAIL and ALUMINUM DISK with LS #3138 inscribed, said PK NAIL being a corner to Frank Adams (DB 321, Pg. 472); thence leaving Dunagan, S 31 deg. 31' 11" W, a distance of 31.01 feet to an "iron pin", said "iron pin" being located N 66 deg. 35' 48" W a distance of 169.27 feet of an existing concrete Right-of-way Monument; thence continuing with Adams, N 65 deg. 54' 59" W, a distance of 336.03 feet to an "iron pin"; thence N 62 deg. 20' 36" W passing over a "reference monument" at a distance of 228.03 feet, a total distance of 238.03 feet to a 36" White Oak corner marked with (2) sets of (3) hacks this survey; thence N 53 deg. 44' 12" W passing over a "reference monument" at 179.57 feet, a total distance of 189.57 feet to a hickory stump in fence and (identified by Frank Adams), said stump being a corner in the line of Cundiff Square Towne Center LTD (DB 633, Pg. 154); thence leaving Adams and continuing with Cundiff and fence, N 38 deg. 25' 46" E, a distance of 30.05 feet to a post corner, said post being a corner to Pulaski County School property (DB 442, Pg. 48) and being located S 41 deg. 18' 38" W, a distance of 10.0 feet from a "reference monument"; thence leaving Cundiff and continuing with School property and existing fence, N 41 deg. 18' 38" E passing over a "reference monument" at 10.0 feet, a total distance of 819.78 feet to an "iron pin", said "iron pin" being a corner to School property (DB 448, Pg. 310) anti (DB 448, Pg. 315); thence with School property, N 74 deg. 20' 16" E, a distance of 292.48 feet to an "iron pin"; thence S 53 deg. 53' 48" E, a distance of 142.61 feet to an "iron pin"; thence S 57 deg. 03' 35" E, a distance of 194.78 feet to an "iron pin"; thence S 57 deg. 17' 18" E, a distance of 258.47 feet to the POINT OF BEGINNING and containing 17.13 acres, according to a survey by Jody Dagley LS 3138, with JD Land Surveying, LLC, from September 16, 2000 through September 24, 2000.

Being a part of the same property conveyed to Dorothy Girdler, a/k/a Dorothy Hines Girdler, now deceased, by Leonard Girdler, by Deed of Conveyance dated December 2,

1949, of record in Deed Book 171, Page 217, Pulaski County Court Clerk's Office, Kentucky. Dorothy Hines Girdler departed this life testate July 7, 2000. For Authority of Eddie Hines to execute this instrument, see Codicil annexed to Last Will and Testament of Dorothy Hines Girdler of record in will Book 40, Page 286, Pulaski County Court Clerk's Office, Kentucky.

TRACT II

BEGINNING at an "iron pin", said "iron pin" being the **POINT OF BEGINNING**, and located on Highway 39 Right-of-way (DB 016, Pg. 563) and being located a distance of 35.0 feet from centerline, said "iron pin" being a corner to Pulaski County School property (DB 448, Pg. 315) and being located N 28 deg. 47' 54" E, a distance of 40.0 feet from an "iron pin" located on Tract I; thence leaving Highway 39 and continuing with School property, N 57 deg. 17' 18" W, a distance of 258.47 feet to an "iron pin"; thence N 57 deg. 03' 35" W, a distance of 194.78 feet to an "iron pin"; thence N 53 deg. 16' 19" W, a distance of 296.83 feet to an "iron pin", said "iron pin" being a corner in the line of Patrick F. Jenkins, Jr. (DB 575, Pg. 678); thence leaving School property and continuing with Jenkins, N 42 deg. 45' 01" E, a distance of 274.57 feet to an "iron pin", being a corner in Jenkins line and a corner to Thomas W. Fletcher (DB 480, Pg. 672); thence leaving Jenkins and continuing with existing fence and Fletcher in part and in part with Ocia Fletcher (DB 487, Pg. 396), S 56 deg. 36' 28" E, a distance of 682.12 feet to an "iron pin", said iron pin located on Highway 39 Right-of-way and being 35 feet from centerline, said point being located N 28 deg. 47' 54" E, a distance of 1.73 feet from the base of a concrete Right-of-way monument; thence leaving Fletcher and continuing with Highway 39, S 28 deg. 47' 54" W passing the base of a Concrete Right-of-way monument at 1.73 feet, a total distance of 284.50 feet to the POINT OF BEGINNING and containing 4.666 acres, according to a survey by Jody Dagley LS 3138, with JD Land Surveying, LLC, from September 16, 2000 through September 24, 2000.

Being a part of the same property conveyed to Dorothy Girdler, a/k/a Dorothy Hines Girdler, now deceased, by Leonard Girdler, by Deed of Conveyance dated December 2, 1949, of record in Deed Book 171, Page 217, Pulaski County Court Clerk's Office, Kentucky. Dorothy Hines Girdler departed this life testate July 7, 2000. For authority of Eddie Hines to execute this instrument, see Codicil annexed to Last Will and Testament of Dorothy Hines Girdler of record in Will Book 40, Page 286, Pulaski County Court Clerk's Office, Kentucky.

FIRST READING February 25, 2002

SECOND READING March 11, 2002

Mr. Wheeldon moved to adopt the above Ordinances on their second reading. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mr. Burdine and Mr. Floyd.

Mrs. Hunley moved to amend the existing Water Purchase Contract between the City of Somerset and the Western Pulaski County Water District for the purpose of extending the time limitation to be in effect for forty years from the effective closing date of the District's Financial Agreement. In addition the allowed capacity will be increased 200,000 gallons per day. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, Mr. Beasley, Mr. New, Mrs. Hunley, Mr. Minton, Mr. Owens, Mr. Bourne, Mr. Burnett, Mr. Burdine and Mr. Floyd.

Mark Travis commented on the Skate Board Park along with possibilities of a BMX Bike Track for the City of Somerset.

There being no further business the meeting adjourned.

ATTEST:


CITY CLERK

APPROVED


MAYOR