

ORDINANCE NUMBER 13-15

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY KNOWN AS **2070 S. HWY 27, SOMERSET, KY, 42501**, AND AS DESCRIBED BELOW AND IN THE ATTACHMENTS TO THIS ORDINANCE, WHICH ARE INCORPORATED IN FULL HEREIN BY REFERENCE, THE RECORD TITLE HOLDER IDENTIFIED AS **APS PROPERTIES, LLC**, A KENTUCKY LIMITED LIABILITY COMPANY; AND

WHEREAS, THE ANNEXATION REQUEST FORM(S) HAVE BEEN SUBMITTED BY SAID PROPERTY OWNER(S) AND THOSE FORMS HAVING BEEN ACCEPTED BY THE CITY AND WHICH SHALL SERVE AS RECORD THAT THE REQUESTING OWNER(S) HAVE WAIVED THE 60 DAY WAITING PERIOD BY AND THROUGH THE ANNEXATION REQUEST FORM, AND AFTER VERIFICATION THAT SAID FORMS WERE SIGNED BY THE RECORD TITLE HOLDER(S), OR AN AUTHORIZED AGENT OF SAID OWNER(S), REFERRED TO FORMS ATTACHED HERETO AND INCORPORATED HEREIN IN FULL BY REFERENCE; AND

WHEREAS, ANY AND ALL OTHER DOCUMENTS AND/OR RECORDS NEEDED TO PROCEED WITH THIS CONSENT ANNEXATION HAVE BEEN PROVIDED TO THE CITY, OR IS READILY AVAILABLE TO THE CITY AND PROPER AUTHORITIES; AND

WHEREAS, THE PROPERTY MEETS ALL REQUIREMENTS FOR CONSENT ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

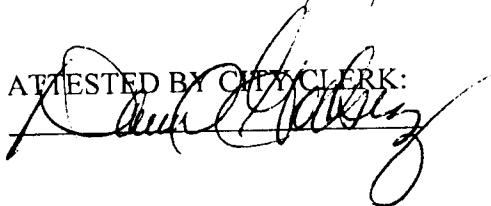
SECTION 1. THAT THE PROPERTY KNOWN AS *BUILDNG II*, **2070 S. HWY 27, SOMERSET, KY, 42501**, DESCRIBED IN THE ATTACHMENTS TO THIS ORDINANCE, ALL OF WHICH ARE INCORPORATED IN FULL HEREIN BY REFERENCE, AND HAVING A RECORD TITLE HOLDER(S) IDENTIFIED AS **APS PROPERTIES, LLC**, IS HEREBY FOUND BY THE CITY COUNCIL TO MEET ALL REQUIREMENTS OF CONSENT ANNEXATION SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW, AND THEREFORE IS HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.

SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: Aug 12, 2013

SECOND READING: Aug 26, 2013

ATTESTED BY CITY CLERK:



APPROVED BY   
EDWARD R. GIRDLER, MAYOR



# Bobby Hudson Land Surveying, Inc.

170 Highway 2227 Somerset, Kentucky 42503  
Voice - (606) 679-5628 Fax - (606) 679-9056 Email – bob@hudson-survey.com

LEGAL DESCRIPTION

06/19/13

## TRACT 1

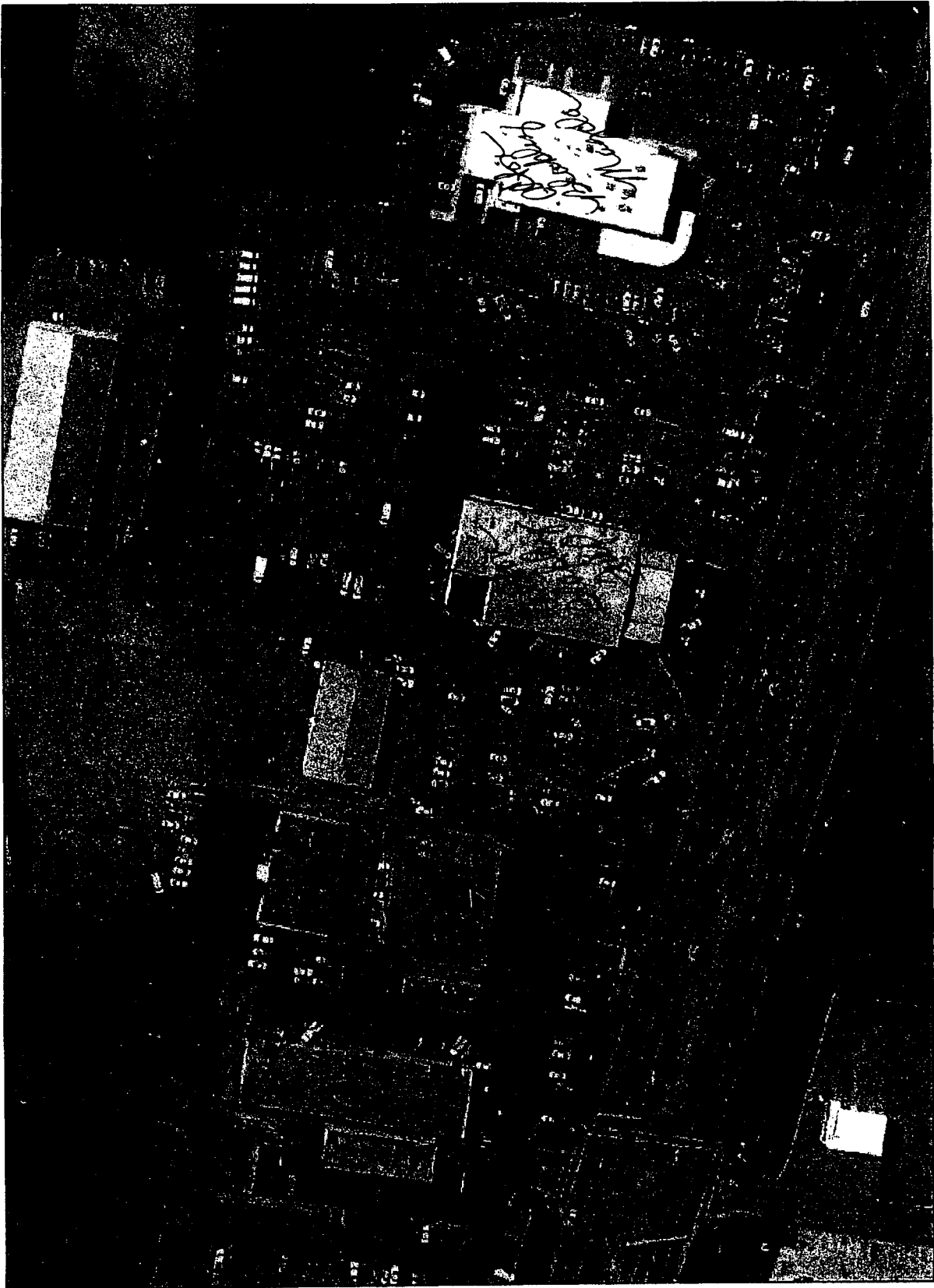
A CERTAIN TRACT OR PARCEL OF LAND LOCATED NEAR THE EAST SIDE OF HIGHWAY 27 IN PULASKI COUNTY, KENTUCKY APPROXIMATELY 0.1 MILES FROM THE JUNCTION OF FORD DRIVE.

BEING ALL OF TRACT 1 OF A PLAT NAMED APS PROPERTIES LLC PROJECT #2 FILED IN PLAT CABINET \_\_\_ SLIDE \_\_\_ IN THE PULASKI COUNTY CLERK'S OFFICE AT SOMERSET, KENTUCKY.

THE ABOVE DESCRIBED HAVING AN AREA OF 0.5209 ACRES AS SURVEYED BY BOBBY HUDSON, LPLS 1253 ON 06/04/2013 AND BEING THE PROPERTY CONVEYED TO APS PROPERTIES LLC BY DEED BOOK 885 PAGE 690 IN THE RECORDS OF THE PULASKI COUNTY CLERK'S OFFICE AT SOMERSET, KENTUCKY.

ALL CORNERS OR WITNESS MONUMENTS REFERRED TO HEREIN AS IRON PINS SET ARE ONE-HALF INCH REBAR 18 INCHES LONG AND CAPPED WITH A PINK CAP MARKED LS 1253, EXCEPT AS OTHERWISE NOTED. ALL BEARINGS ARE REFERENCED TO THE MERIDIAN.

THIS PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS OF WAY AND/OR EASEMENTS OF RECORD OR IN EXISTENCE AT THIS TIME AND REGULATIONS THAT MAY APPLY THROUGH PLANNING AND ZONING.



ANNEXATION REQUEST FORM

I, APS Properties, LLC. formally request annexation

③

Of my property located

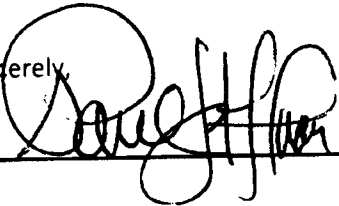
at 2070 S Hwy 27 Somerset Ky 40501

Bldg #2 into the City of Somerset.

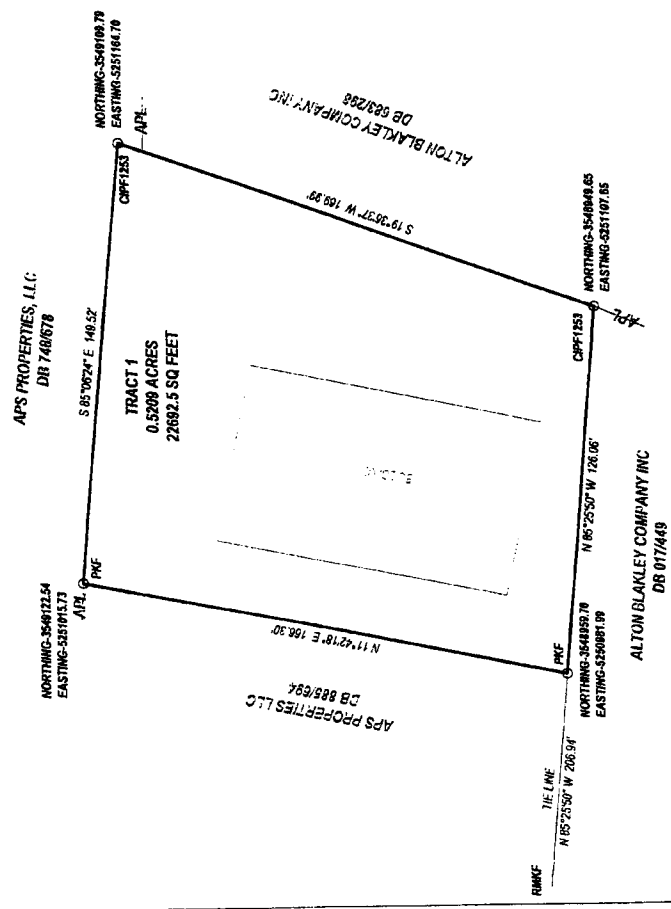
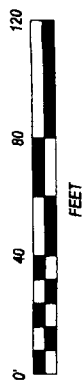
I also request that the 60 day waiting period be waived.

I am requesting that my property be zoned B2.

Sincerely,

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

Date 6-25-13



STATE OF KENTUCKY  
**BOBBY HUDSON**  
 13253  
 LICENSED PROFESSIONAL LAND SURVEYOR

PLANNING COMMISSION CERTIFICATE  
 I DO HEREBY CERTIFY THAT THIS RECORD PLAT HAS MET THE  
 REQUIREMENTS OF THE SOMERSET PLANNING COMMISSION AND IS NOW  
 ELIGIBLE FOR RECORDING.  
 SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TRUE NORTH WAS OBSERVED IN THE FIELD USING A GLOBAL POSITIONING SYSTEM (GPS).

THE APPROXIMATE LOCATION OF THIS PROPERTY IS: [Address]

THIS INSTRUMENT IS SUBJECT TO EASEMENTS AND ENCUMBRANCES THAT ARE SHOWN ON THE SURVEY MAP AND HAVE BEEN DETERMINED TO BE OUTSIDE THE SCOPE OF THIS INSTRUMENT.

UNLESS STATED OTHERWISE HEREON, NO EVIDENCE OF ANY TYPE OF EASEMENTS INCLUDING PREScriptive EASEMENTS WERE LOCATED OR DISCOVERED BY THIS SURVEYOR FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY TYPE OF EASEMENT.

UNLESS STATED OTHERWISE HEREON, THIS SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY LOCATING THE PROPERTY CORNERS BY MEASUREMENT AND THE UNADJUSTED ERROR OF CLOSURE IS [Value]. THIS SURVEY IS SUBJECT TO ALL PLANNING AND ZONING REGULATIONS AND RESTRICTIONS THAT MAY APPLY TO THE PROPERTY. THE ADJOINING PROPERTY OWNERS WERE OBTAINED FROM THE PROPERTY VALUATION AUTHORITY (PVA) OF THE COUNTY OF [County]. THE MONUMENTATION SHOWN ON THIS PLAT IS SET AS 1/2" X 1/8" REBAR WITH CAPS LABELED U.S. 1203, UNLESS OTHERWISE NOTED.

CERTIFICATION OF OWNERSHIP AND DEDICATION  
 I (WE) HEREBY CERTIFY THAT I (WE) ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN WITH YOUR FREE CONSENT AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER SPACES TO PUBLIC OR PRIVATE USE AS SHOWN ON THIS PLAT AND COUNTY AND CITY RECORDS, UNLESS OTHERWISE NOTED.

SIGNATURE OF OWNER: [Signature] DATE: 6/25/13  
 SIGNATURE OF OWNER: [Signature] DATE: 6/25/13  
 SIGNATURE OF NOTARY: [Signature] DATE: 6/25/13

PLAT OF BOUNDARY SURVEY  
 APS PROPERTIES LLC PROJECT #2  
 BOULDER CREEK  
 SOMERSET COUNTY  
 KENTUCKY 40501

DATE: 08/12/2013

ORIGINAL PLAT

COUNTY CLERK'S USE ONLY

UNLESS STATED OTHERWISE HEREON, NO EVIDENCE OF ANY TYPE OF EASEMENTS INCLUDING PREScriptive EASEMENTS WERE LOCATED OR DISCOVERED BY THIS SURVEYOR FOR ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY TYPE OF EASEMENT.

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SIGNATURE OF OWNER: [Signature] DATE: 6/25/13  
 SIGNATURE OF OWNER: [Signature] DATE: 6/25/13  
 SIGNATURE OF NOTARY: [Signature] DATE: 6/25/13

VICINITY MAP

NOT TO SCALE