

ORDINANCE NUMBER 24- 19

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNER(S), AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THIS DOCUMENT WAS SENT TO THE JUDGE EXECUTIVE AND COUNTY ATTORNEY OF PULASKI COUNTY AFTER THE FIRST READING AS NOTICE UNDER 23 REGULAR SESSION SENATE BILL 141; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR 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 PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERETO AND BELOW ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS:

EXHIBIT A THE DELINEATED LAND COMPRISING TRACT .68 ACRES SHOWN ON AN ANNEXATION MAP TITLED "CITY OF SOMERSET ORDINANCE NUMBER 24-19." DATED 7/03/24 BY JD LAND SURVEYING, SAID LAND HAVING PVA LOT DESIGNATION 062-3-1-50.

SECTION 2. THE SUBJECT PROPERTY SHALL BE ZONED B2 AS IT IS IMPROVED WITH AN OFFICE BUILDING ON HWY 27.

SECTION 3. NOTICE TO PULASKI COUNTY FISCAL COURT WAS GIVEN AFTER THE FIRST READING AND 45 DAYS BEFORE THE SECOND READING.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: JULY 22, 2024

SECOND READING (NOT BEFORE SEPTEMBER 5, 2024): SEPTEMBER 10, 2024

APPROVED: 
ALAN L. KECK, MAYOR
CITY OF SOMERSET, KY


ATTEST: 
NICK BRADLEY, CITY CLERK

EXHIBIT "A"

City of Somerset, KY. Annexation Ordinance No. 24-19

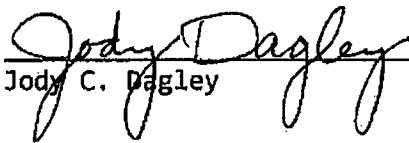
DESCRIPTION

A certain tract or parcel of land lying on the west side of U.S. Highway 27 in Somerset, Pulaski County, Kentucky and is more particularly described as follows:

All bearings shown hereon were correlated to Grid North Kentucky SPC (1600) Single Zone, per GPS observations as observed on October 27th, 2014.

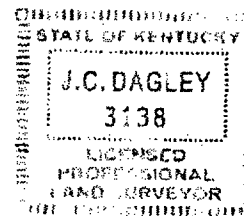
BEGINNING at a found 1" steel pipe located on the west right-of-way of U.S. Highway 27, said pipe being a corner to the existing City Limits of Somerset (Ordinance No. 17-24), said pipe having a Kentucky Single Zone State Plane Coordinates of N: 3,540,398.95, E: 5,249,096.55; Thence in part with the existing City Limits of Somerset, in part with Community Trust Bank (deed book 563, page 280) and in part with Larry D. Noe Properties, LLC (deed book 614, page 198), S 72°02'23" W a distance of 253.59' to a point being a corner to Billy and Wilma Boyd (deed book 905, page 027); Thence with Boyd, N 03°34'38" E a distance of 127.98' to an existing steel T-post, said steel T-post being a corner to Parker Place, LLC (deed book 1010, page 094); Thence with Parker Place, LLC, N 73°03'18" E a distance of 250.66' to an existing utility pole located on the west right-of-way of U.S. Highway 27; Thence with the west right-of-way of U.S. Highway 27, S 03°03'04" W a distance of 122.76' to the **POINT OF BEGINNING**, having an area of **0.68 acres and/or 29,552.11 sq. ft.**

Above described property is subject to all easements, exceptions, right-of-ways, covenants, and restrictions of record or that may apply.


Jody C. Dagley

7-3-24

Date







DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission

306 East Mount Vernon Street

P.O. Box 989

Somerset, KY 42502

Phone: (606) 425-5314

Fax: (606) 677-0688

www.cityofsomerset.com

ANNEXATION REQUEST FORM

I, Stephen A Robinson, formally request annexation

of my property located at 3765 S Hwy 27, Somerset, KY 42501

into the City of Somerset.

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

I also request that this property be zoned Commercial.

Signature

Date

DEED OF EASEMENT

THIS DEED OF EASEMENT made and entered this 26th day of September, 2022, by and between ROBINSON STEPHEN A & LISA, having an address of 3765 S Hwy 27, Somerset, Kentucky 42501, GRANTOR(S) and THE CITY OF SOMERSET, KENTUCKY, a Kentucky municipal corporation, of 306 East Mt. Vernon Street, Somerset, Kentucky 42501, GRANTEE.

WITNESSETH: That for and in consideration of _____ the benefits to be derived from the laying of a gravity sewer across the property of Grantor (s), and other good and valuable considerations, the receipt of all which is hereby acknowledge, GRANTOR(S) hereby give, grant and convey unto the GRANTEE, THE CITY OF SOMERSET, KENTUCKY, its successors and assigns, the right to lay, construct, operate, inspect, maintain, repair, reconstruct, and that said Water, Wastewater and Gas appurtenances will be a part of the utilities of the CITY OF SOMERSET, KENTUCKY, and said gravity sewer shall be of such dimension, character, and construction and to be used in such a manner as the Grantee may determine, along, through, under, across and upon the following described property, to-wit:

SEE EXHIBIT B; A PLAT OF SURVEY GRAPHICALLY SHOWING THE LOCATION OF THE EASEMENT USING NORTHING AND EASTING COORDINATES

Being the same property conveyed to ROBINSON STEPHEN A & LISA, Grantor(s), by deed of record in Deed Book 783, Page 262, Pulaski County Clerk's Office, Kentucky.

Together with the right to use such additional land on either side of the above described strip of land during the time the water main is being constructed, repaired, or reconstructed and the right of ingress and egress to and upon and along said tract of land at such times and at such points as may reasonably necessary for the construction, maintenance and reconstruction of said main.

TO HAVE AND TO HOLD the said easement herein granted unto the GRANTEE, THE CITY OF SOMERSET, KENTUCKY, its successors and assigns, forever, with General Warranty of Title.

GRANTOR(S) shall have the right to use the surface of the land lying over said easement for any purposes it desires, provided same does not in any way interfere with GRANTEE'S full, free use of the easement herein granted and provided further that no fill, no building or other structure shall be erected upon, across, over or through said strip of land without the written consent of GRANTEE. GRANTEE agrees to replace said property in as good condition as it was when GRANTEE began construction of the subject utilities.

CONSIDERATION CERTIFICATE

The parties hereto state that the consideration reflected in this Easement is the true consideration for the use of the said property, and further, said property has a fair market value of _____. GRANTEE joins this easement for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of GRANTOR(S) and GRANTEE, this day and date first above written.

GRANTOR(S): ROBINSON STEPHEN A & LISA

BY: _____

MEMBER WITH ACTUAL AUTHORITY

PRINTED NAME AND TITLE

GRANTEE: CITY OF SOMERSET, KENTUCKY, GRANTEE

BY: _____

ALAN KECK, MAYOR

ATTEST:

NICK BRADLEY, CITY CLERK

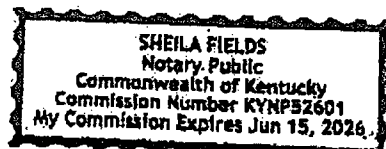
STATE OF KENTUCKY
COUNTY OF PULASKI...SCT

The foregoing Deed of Easement and Consideration Certificate was signed,
acknowledged and sworn to before me this 26th day of September, 2022 by ROBINSON
STEPHEN A & LISA GRANTOR(S).

Sheila Fields
NOTARY PUBLIC

KY NP52601

MY COMM. EXPIRES: June 15, 2026



STATE OF KENTUCKY
COUNTY OF PULASKI...SCT

The foregoing Consideration Certificate was signed, acknowledged and sworn to before me this 26th day of September, 2022 by THE CITY OF SOMERSET, KENTUCKY, GRANTEE, By and through ALAN KECK, Mayor, and attested by NICK BRADLEY, City Clerk, to be its free act and deed.

NOTARY PUBLIC
MY COMM. EXPIRES: _____

THIS INSTRUMENT PREPARED
WITHOUT THE BENEFIT OF A
TITLE SEARCH BY:

JOHN ADAMS
CITY ATTORNEY
400 EAST MT. VERNON STREET
SOMERSET, KY 42501

LEGAL DESCRIPTION

of a

Utility Easement

with the

City of Somerset

To be situated on the Robinson Stephen A & Lisa Property (D.B. 783, PG.262)

near

Somerset, Kentucky

All that tract or parcel of land situated on the Robinson Stephen A & Lisa Property near the Intersection of Highway 27 and Robinson Way in Somerset, Kentucky, and which is illustrated by Exhibit B in preparation of the Green Meadows Sanitary Sewer Extension Phase 1 and more particularly described and bounded as follows, to wit:

Exhibit B Description:

BEGINNING AT A POINT, on the Robinson Stephen A & Lisa property line near the intersection of Highway 27 and Robinson Way, said point having KY single zone location of Northing: 3540459.28, Easting: 5248875.19; thence, heading northeast to a point having KY single zone location of Northing: 3540462.64, Easting: 5248890.34; thence, heading south to a point having KY single zone location of Northing: 3540342.22, Easting: 5248885.28; thence, heading southeast to a point having KY single zone location of Northing: 3540319.25, Easting: 5248920.76; thence, heading southwest to a point having KY single zone location of Northing: 3540313.53, Easting: 5248901.99; thence, heading northwest to a point having KY single zone location of Northing: 3540324.82, Easting: 5248884.55; thence, heading south to a point having KY single zone location of Northing: 3540308.00, Easting: 5248883.84; thence, heading southwest to a point having KY single zone location of Northing: 3540303.37, Easting: 5248868.63; thence, heading north to a point having KY single zone location of Northing: 3540440.34, Easting: 5248874.39; thence, heading north to the point of beginning and containing an area of 2804.04 square feet (0.0644 acre).

End of Legal Description

WHITAKER HUBERT & FAUSTINE
105 WILLOW DR
SOMERSET, KY 42503

N: 3540462.65
E: 5248850.34
N: 3540399.28
E: 5248875.19

N: 3540440.34
E: 5248874.39

BOYD BILEY & WILMA
174 RIDGEVIEW DR
SOMERSET KY 42503

UTILITY EASEMENT
2804.04 S.F.
0.0644 ACRE

N: 3540324.62
E: 5248884.55
N: 3540308.00
E: 5248883.84
N: 3540303.37
E: 5248868.63

PARKER PLACE, LLC
265 MORNING MIST DR
SOMERSET KY 42503

ROBINSON STEPHEN A & LISA
3765 S HWY 27
SOMERSET KY 42501

N: 3540342.22
E: 5248885.28
N: 3540318.25
E: 5248920.76

N: 3540313.53
E: 5248901.99

COMMUNITY TRUST BANK
1015 E BROADWAY

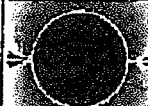
EXHIBIT B - UTILITY EASEMENT
ROBINSON STEPHEN A & LISA
3765 S HWY 27
SOMERSET KY 42501

Prepared For:

CITY OF SOMERSET
308 EAST MT. VERNON STREET
SOMERSET, KENTUCKY 42501

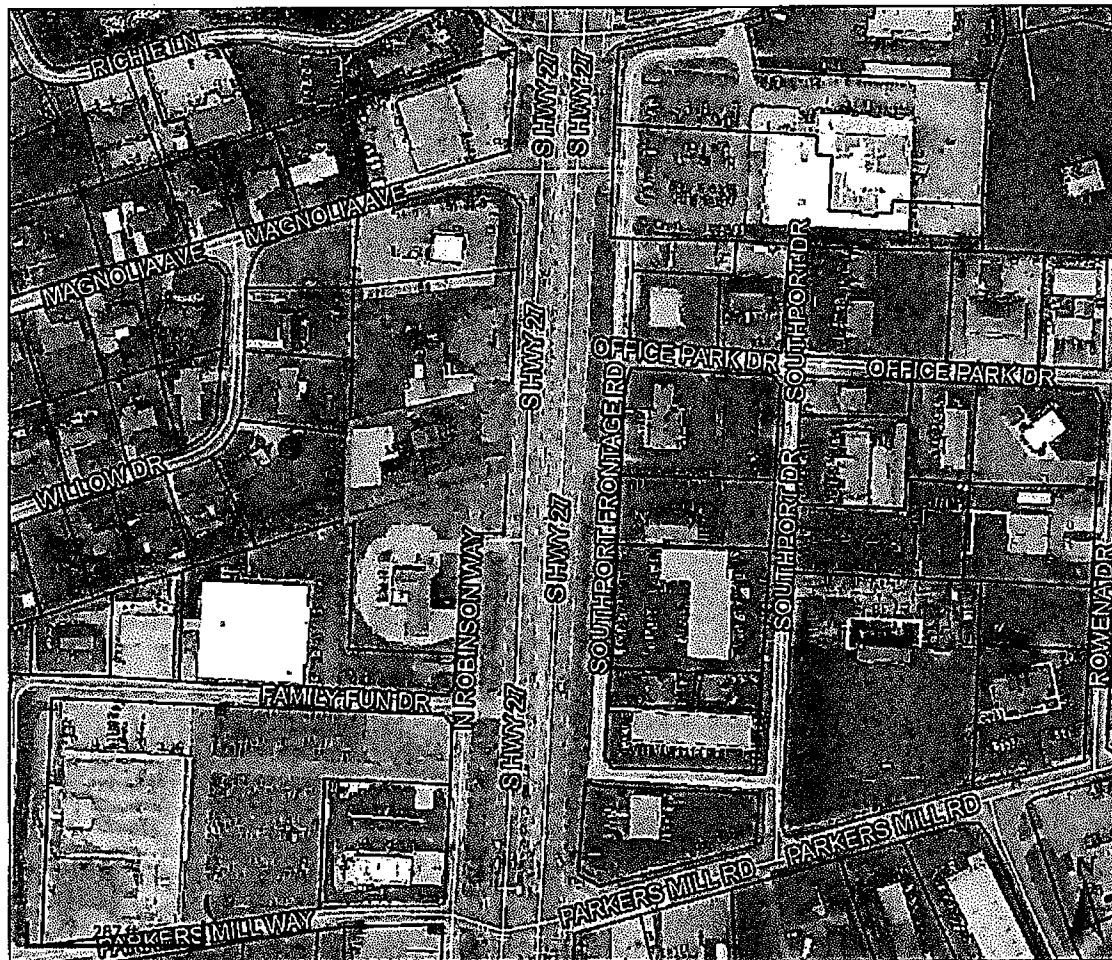
SCALE 1"=40'

APRIL 2022

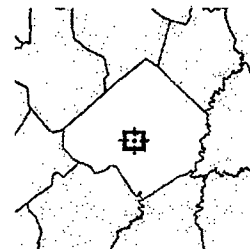


ECLIPSE SURVEYING, PLLC

10 WEST MT. VERNON STREET
SOMERSET, KENTUCKY 42501
PHONE: 606-421-0850



Overview



Legend

- Parcels
- Roads
- Land hook

Parcel ID	062-3-1-50	Mailing Address	ROBINSON STEPHEN A & LISA	Total Value	\$255,000	Last 2 Sales			
Class	COMMERCIAL		3765 S HWY 27			Date	Price	Reason	Qual
Taxing District	11		SOMERSET, KY 42501			5/1/2006	\$255000	Z	Q
		Physical Address	3765 S HWY 27			6/20/2000	\$169600	Z	Q
Acres/Lot	1.0		Pulaski County						
Brief	130 X 250 S HWY 27								
Tax Description	(Note: Not to be used on legal documents)								

Date created: 7/8/2024

Last Data Uploaded: 7/7/2024 5:03:26 PM

Developed by  Schneider
GEOSPATIAL