

ORDINANCE NO. 03- 05

AN ORDINANCE ANNEXING A BOUNDARY OF REAL ESTATE 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.

All that certain tract or parcel of land situate, lying and being in Pulaski County, Kentucky, more particularly described as follows:

BEGINNING at a point in the common property line between the property of the Grantor and Lear-Siegler, Inc., said point being marked with a concrete marker and being located North 86 deg. 11' West, 181.3 feet from a point in the center line of the existing main track of Grantor, running between Chattanooga and Cincinnati, which said point in the centerline is intersected by said common property line projected eastwardly; and from said beginning point run thence North 86 deg. 11' West, along said common property line, a distance of 1,968.4 feet, more or less, to a point in the easterly boundary of the right of way of Kentucky Highway No. 1247, said point being marked by a concrete marker; thence in a southeasterly direction along said easterly boundary of said right of way for said Kentucky Highway No. 1247 the following courses and distances: South 7 deg. 25" East 61 feet; thence South 16 deg. 47' East 65.2 feet; thence South 26 deg. 37' East, 100 feet to a concrete right of way marker; thence South 33 deg. 28' East, 100 feet to a concrete right of way marker; thence South 36 deg. 55' East 47.2 feet to a concrete right of way marker; thence South 41 deg. 36' East, 200.5 feet to a concrete right of way marker; thence South 39 deg. 23' East, 504 feet to a concrete right of way marker; thence South 45 deg. 55' East, 113.7 feet to a concrete right of way marker; thence South 19 deg. 50' East, 223.8 feet to a concrete right of way marker; thence South 2 deg. 15' West 219.4 feet to a concrete right of way marker; thence South 8 deg. 05' West, 194.8 feet to a concrete right of way marker; thence South 15 deg. 40' West 42.9 feet to a concrete right of way marker; thence South 18 deg. 35' West 33.6 feet to a concrete right of way marker; thence North 79 deg. 50' East, along the southerly boundary of property of Grantor, 1,190.2 feet, more or less, to a point marked by concrete marker with steel pin set in fence corner, thence South 10 deg. 06' East, crossing said Kentucky Highway No. 1247, a distance of 1,170 feet; thence North

65 deg. 24' East, 51.6 feet; thence North 10 deg. 06' West crossing said Kentucky Highway No. 1247, 1,196.2 feet more or less, to a point marked by a concrete marker; thence North 37 deg. West 63 feet to a point marked by a concrete marker; thence North 3 deg. 49' East, 1,211.6 feet, more or less, to the point or place of beginning; containing 49.7609 acres, more or less, and being located substantially as shown delineated in red on print of Drawing No. 6-661, dated May, 1970;

TOGETHER with the privileges and appurtenances to the same belonging;

This conveyance is made SUBJECT, however, to such right as Kentucky State Highway Department or other public authority may have in and to the portion of the aforescribed premises containing 0.2009 acres of land for right of way for public road or highway purposes, located as shown outlined in green on said print.

LESS AND EXCEPT so much of the foregoing as was conveyed to the Commonwealth of Kentucky by Instrument dated September 3, 1991 of record in Road Book 18, Page 110 in the Office of the Clerk of Pulaski County, Kentucky.

Being the same property conveyed to Somerset Pulaski County Development Holdings, LLC, from Tecumseh Products Company, by Quitclaim Deed dated February 28, 2003, as recorded in Deed Book 712, Page 483, Pulaski County Court Clerk's Office, Kentucky.

The above described property is to be zoned I-1.

FIRST READING: April 14, 2003

SECOND READING: April 28, 2003

APPROVED:

J. P. Wiles
MAYOR

ATTEST:

[Signature]
CITY CLERK

ANNEXATION REQUEST FORM

I, Somerset Pinski Development ^{Holding Co. LLC} _{Foundation} formally request
annexation of my property located at 3360 S Hwy 1247
_____ into the City of Somerset.

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

Sincerely,

Carrol Pinski

Date 3-24-03

conveyed

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QUITCLAIM DEED

THIS DEED is made as of February 28, 2003, between TECUMSEH PRODUCTS COMPANY, a Michigan corporation ("Grantor"), having a mailing address of 100 E. Patterson Street, Tecumseh, Michigan 49286, and SOMERSET PULASKI COUNTY DEVELOPMENT HOLDINGS, LLC, a Kentucky limited liability company ("Grantee"), having a mailing address of P.O. Drawer 450, Somerset, Kentucky 42502.

WITNESSETH:

As a gift and for no consideration, Grantor quitclaims, releases and conveys to Grantee, WITHOUT WARRANTY WHATSOEVER, in fee simple, all of the right, title and interest of Grantor, if any, in and to the real property located in Pulaski County, Kentucky which is legally described on Exhibit A attached hereto and made a part hereof, together with all improvements thereon and appurtenances thereto.

This conveyance is subject to all real estate taxes assessed but not yet due and payable (which have been prorated between the parties) and all real estate taxes due and payable thereafter which Grantee assumes and agrees to pay.

Grantor reserves the right to have access to this property for a period of ninety (90) days after recordation of this Deed for appraisal purposes.

IN TESTIMONY WHEREOF, witness the signature of Grantor as of the date first above written.

GRANTOR:

TECUMSEH PRODUCTS COMPANY

By:



Name: Todd W. Herrick

Title: Chairman and CEO

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STATE OF MICHIGAN)
 : SS
COUNTY OF Lenawee)

The foregoing instrument was acknowledged before me this 28 day of February, 2003 by Todd W. Herrick, as Chairman & CEO of Tecumseh Products Company, a Michigan corporation on behalf of said corporation.

My commission expires: February 18, 2006

Kathleen Madigan
Notary Public [Affix Official Seal]

CONSIDERATION CERTIFICATE

The undersigned hereby swear and affirm, under penalty of perjury pursuant to KRS Chapter 382, no consideration was paid for the property transferred hereby and that the fair market value of this property is \$2,900,000.00.

GRANTOR:

TECUMSEH PRODUCTS COMPANY

By: 
Name: Todd W. Herrick

Title: Chairman & CEO

GRANTEE:

SOMERSET PULASKI COUNTY DEVELOPMENT HOLDINGS, LLC

By: Somerset Pulaski County Development Foundation, Inc., its _____

By: 

Its: Executive Director

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STATE OF MICHIGAN)
 : SS
COUNTY OF Lenawee)

The foregoing instrument was subscribed and sworn to before me this 28 day of February, 2003 by Todd W. Herrick, as Chairman & CEO of Tecumseh Products Company, a Michigan corporation, on behalf of said corporation.

My commission expires: February 18, 2006

Kathleen St. Jackson
Notary Public [Affix Official Seal]

COMMONWEALTH OF KENTUCKY)
 : SS
COUNTY OF PULASKI)

The foregoing instrument was subscribed and sworn to before me this 28 day of February, 2003, by CAROL ESTES, as Executive Director of Somerset Pulaski County Development Foundation, Inc., a Kentucky non-profit corporation, on behalf of said corporation as Executive Director of Somerset Pulaski County Development Holdings, LLC, a Kentucky limited liability company on behalf of said limited liability company.

My commission expires: July 1, 2006

Christopher Roney
Notary Public

THIS INSTRUMENT PREPARED BY:

Michael B. Vincenti

WYATT, TARRANT & COMBS, LLP
Michael B. Vincenti, Esq.
500 W. Jefferson Street
2700 PNC Plaza
Louisville, Kentucky 40202
(502) 562-7518

EXHIBIT

A - Legal Description

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EXHIBIT "A"

All that certain tract or parcel of land situate, lying and being in Pulaski County, Kentucky, more particularly described as follows:

BEGINNING at a point in the common property line between the property of the Grantor and Lear-Siegler, Inc., said point being marked with a concrete marker and being located North $86^{\circ} 11'$ West, 181.3 feet from a point in the center line of the existing main track of Grantor, running between Chattanooga and Cincinnati, which said point in the centerline is intersected by said common property line projected eastwardly; and from said beginning point run thence North $86^{\circ} 11'$ West, along said common property line, a distance of 1,968.4 feet, more or less, to a point in the easterly boundary of the right of way of Kentucky Highway No. 1247, said point being marked by a concrete marker; thence in a southeasterly direction along said easterly boundary of said right of way for said Kentucky Highway No. 1247 the following courses and distances: South $7^{\circ} 25'$ East, 61 feet; thence South $16^{\circ} 47'$ East, 65.2 feet; thence South $26^{\circ} 37'$ East, 100 feet to a concrete right of way marker; thence South $33^{\circ} 28'$ East, 100 feet to a concrete right of way marker; thence South $36^{\circ} 55'$ East, 47.2 feet to a concrete right of way marker; thence South $41^{\circ} 36'$ East, 200.5 feet to a concrete right of way marker; thence South $39^{\circ} 23'$ East, 504 feet to a concrete right of way marker; thence South $45^{\circ} 55'$ East, 113.7 feet to a concrete right of way marker; thence South $19^{\circ} 50'$ East, 223.8 feet to a concrete right of way marker; thence South $2^{\circ} 15'$ West, 219.4 feet to a concrete right of way marker; thence South $8^{\circ} 05'$ West, 194.8 feet to a concrete right of way marker; thence South $15^{\circ} 40'$ West, 42.9 feet to a concrete right of way marker; thence South $18^{\circ} 35'$ West, 33.6 feet to a concrete right of way marker; thence North $79^{\circ} 50'$ East, along the southerly boundary of property of Grantor, 1,190.2 feet, more or less, to a point marked by concrete marker with steel pin set in fence corner; thence South $10^{\circ} 06'$ East, crossing said Kentucky Highway No. 1247, a distance of 1,170 feet; thence North $65^{\circ} 24'$ East, 51.6 feet; thence North $10^{\circ} 06'$ West, crossing said Kentucky Highway No. 1247, 1,196.2 feet, more or less, to a point marked by a concrete marker; thence North 37° West, 63 feet to a point marked by a concrete marker; thence North $3^{\circ} 49'$ East, 1,211.6 feet, more or less, to the point or place of beginning; containing 49.7609 acres, more or less, and being located substantially as shown delineated in red on print of Drawing No. 6-661, dated May, 1970;

TOGETHER with the privileges and appurtenances to the same belonging;

This conveyance is made SUBJECT, however, to such rights as Kentucky State Highway Department or other public authority may have in and to

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the portion of the aforescribed premises containing 0.2009 acres of land for right of way for public road or highway purposes, located as shown outlined in green on said print.

LESS AND EXCEPT so much of the foregoing as was conveyed to the Commonwealth of Kentucky by Instrument dated September 3, 1991 of record in Road Book 18, Page 110 in the Office of the Clerk of Pulaski County, Kentucky.

BEING the remaining property acquired by Grantor by Deed dated June 4, 1970 of record in Deed Book 302, Page 141 in the aforesaid Clerk's office.

STATE OF KENTUCKY, COUNTY OF PULASKI, SCT. 1
TRUDY DENHAM, CLERK OF THE PULASKI COUNTY, CERTIFY
THAT ON THE 11 DAY OF March 2003, THE
FOREGOING DEED WAS PRODUCED TO ME CERTIFIED AS ABOVE
AND LODGED FOR RECORD. TRANSFER TAX WAS PAID IN THE SUM
OF 2900.00 WHEREUPON I HAVE RECORDED THE SAME,
TOGETHER WITH THIS CERTIFICATE, THIS 11 DAY
OF March 2003 IN Deed BOOK 112 PAGE 483
ATTEST TRUDY DENHAM, CLERK
BY Yasara New D.C.