

**MUNICIPAL ORDER**

A MUNICIPAL ORDER, ENACTED IN ACCORDANCE TO KRS 83A.060, AND PURSUANT TO KRS 81A.427, SETTING FORTH THE OBJECTIONS OF THE CITY OF SOMERSET, BY AND THROUGH THE CITY COUNCIL, REGARDING THE CITY OF BURNSIDE'S INTENT AND DESIRE TO ANNEX A PORTION OF A CORRIDOR OF HIGHWAY BELONGING TO THE KENTUCKY DEPARTMENT OF TRANSPORTATION (KYDOT) KNOWN AS HWY. 2301, AND LOCATED IN PULASKI COUNTY, KENTUCKY;

WHEREAS, pursuant to KRS 81A.427, the City of Somerset has the right to object and prevent annexation by enacting a municipal order according to KRS 83A.060; and

WHEREAS, the City of Somerset owns utility infrastructure as defined in KRS 81A.427(1), and that said infrastructure is located within all, or part, of the area which the City of Burnside has indicated and/or proposed that it intends to annex; and

WHEREAS, the City of Somerset herein incorporates by reference in full all attachments marked in its entirety as Exhibit "A", including but not limited to maps and/or drawings, attached hereto as permitted under KRS 81A.427(5), and describing in detail the referred to infrastructure owned by the City of Somerset so that said infrastructure is clearly identified within the subject area;

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

That the City of Somerset, Kentucky does hereby object for the purpose of preventing annexation of property containing infrastructure utilities owned by the City of Somerset, as well as to fulfill the requirements of KRS 81A.427, to the City of Burnside's intent and proposal to annex to the City of Burnside the area as set forth and shown in Exhibit "B", attached hereto and incorporated in full herein, which was provided to the City of Somerset by the City of Burnside.

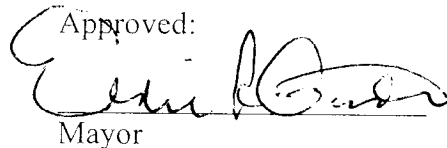
This Municipal Order was enacted by vote of the Somerset City Council on the 26 day of November 2012.

ATTEST:

City Clerk

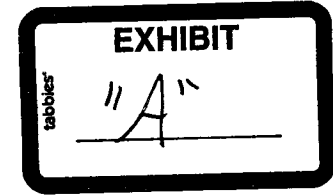


Approved:



Mayor

**Kentucky Highway 2301 Annexation  
Ordinance # 110.14**  
Description



A certain tract or parcel of land located adjacent to the City limits of Burnside, Kentucky and more particularly described as follows:

Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496, prepared the following description. Said description was prepared using record information from the Pulaski County Court Clerk's office, in Somerset, Kentucky and maps provided by the Kentucky Transportation Cabinet District 8 office. Some field measurements were taken using GPS, and noted on attached Plat. This is not a Boundary survey and is for **annexation purposes only**.

**Beginning** at a point in the west right-of-way US Highway 27, said point having a KY State Plane single zone coordinate of (N: 3,531,354.994, E: 5,248,788.764). Said point further described as being in the City limit line of Burnside, Kentucky per Ordinance #110.10;

**Thence** with the City of Somerset (Deed Book 578, page 686 & Deed Book 444, page 667) and in part Brent Harpster (Deed Book 858, page 267) the following five (5) calls:

- 1) S 82°56'27" W a distance of 216.91';
- 2) S 64°36'04" W a distance of 206.60';
- 3) S 33°23'37" W a distance of 315.31' to (found) 1" steel pipe;
- 4) S 02°13'30" E a distance of 12.13';
- 5) S 73°07'26" W a distance of 117.67' to a point on the U.S.A.C.E. line and in the line of the City of Burnside per Ordinance #110.5;

**Thence** with said U.S.A.C.E. line and the existing City of Burnside line the following eight (8) calls:

- 1) N 50°04'10" W a distance of 21.14';
- 2) with a curve turning to the right with an arc length of 41.42', with a radius of 169.30', with a chord bearing of N 74°30'49" W, with a chord length of 41.32';
- 3) N 67°35'02" W a distance of 39.00';
- 4) N 63°45'40" W a distance of 72.71';
- 5) with a curve turning to the left with an arc length of 100.86', with a radius of 149.75', with a chord bearing of N 82°09'23" W, with a chord length of 98.96';
- 6) S 79°02'35" W a distance of 44.83';
- 7) S 83°05'11" W a distance of 46.96';
- 8) N 07°24'53" E a distance of 29.99' to a point corner of lot 5 of Waitsboro Estates (Plat Cabinet C, Slide 264);

**Thence** with said Waitsboro Estates the following nine (9) calls:

- 1) N 80°08'55" E a distance of 85.58';
- 2) with a curve turning to the right with an arc length of 118.88', with a radius of 187.01', with a chord bearing of S 81°38'25" E, with a chord length of 116.89';
- 3) S 63°25'46" E a distance of 99.69';
- 4) S 63°25'46" E a distance of 1.89';
- 5) with a curve turning to the left with an arc length of 137.14', with a radius of 95.47', with a chord bearing of N 75°25'07" E, with a chord length of 125.65';

- 6) N 33°28'12" E a distance of 206.70';
- 7) N 35°31'45" E a distance of 40.01';
- 8) N 44°25'49" E a distance of 88.00';
- 9) N 62°07'18" E a distance of 101.59';

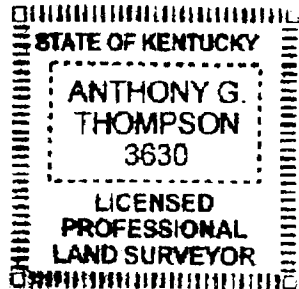
**Thence** with said Waitsboro Estates and in part Nellie, Inc. (Deed Book 605, page 537) N 67°02'15" E a distance of 102.99' to a (found) ½" rebar PLS 2876;

**Thence** crossing Old Monticello Road N 58°42'41" E a distance of 62.23' to the corner of said Nellie, Inc.;

**Thence** with said Nellie, Inc. the following two (2) calls:

- 1) N 82°56'27" E a distance of 116.35' to a (found) steel post;
- 2) N 86°57'00" E a distance of 61.20' to a point on the west right-of-way of US Highway 27 and the City of Burnside;

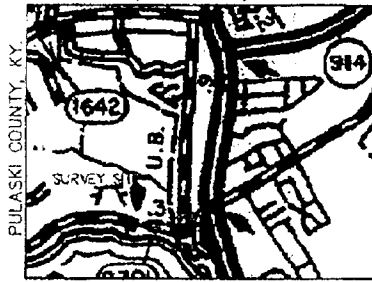
**Thence** with said US 27 and the City of Burnside a curve turning to the left with an arc length of 65.23', with a radius of 3919.70', with a chord bearing of S 03°31'37" E, with a chord length of 65.23' to the point of Beginning, said boundary having an area of 57,962 square feet or 1.331 acres.



*Anthony G. Thompson* 05-18-12  
 Anthony G. Thompson PLS 3630 Date

BEARINGS SHOWN HEREON WERE CORRELATED TO GRID HORIZON KENTUCKY SPC (1800) SINGLE ZONE, PER GPS OBSERVATIONS DESCRIBED HEREON.

VICINITY MAP (NOT TO SCALE)



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	169.30'	41.42'	41.32'	N 74°30'48" W
C2	149.75'	100.86'	98.96'	N 82°09'23" W
C3	187.01'	118.88'	116.89'	S 81°38'25" E
C4	85.47'	137.14'	125.65'	N 75°25'07" E
C5	3819.70'	65.23'	65.23'	S 03°31'37" E

LEGEND

(THICK SYMBOLS AND LINE TYPES MAY OR MAY NOT APPEAR ON THIS PLAN)

- (SET) 3/4" STEEL REBAR, 18" IN LENGTH WITH A ORANGE PLASTIC CAP STAMPED A.C.T. PLS. 3630
- (SET) 5/8" STEEL REBAR, 18" IN LENGTH WITH A YELLOW PLASTIC CAP STAMPED A.C.T. REF. MON. PLS. 3630
- (FOUND OR EXISTING) CORNER OR REFERENCE MONUMENT AS DESCRIBED HEREON.
- SURVEY POINT (AND MONUMENT SET)
- POS POINT OF BEGINNING

- ANNEX. BOUNDARY LINE
- - - RIGHT-OF-WAY
- - - REFERENCE LINE
- - - APPROXIMATE LOCATION OF ADJOINING BOUNDARY LINE (NOT SURVEYED THIS DATE)

ANNEX. AREA 57,962 SQ. FT. 1.33 ACRES

Charles Flynn & Monica Flynn Rev. Trust  
Deed Book 789, Page 128

Rok Niremami Donna Nell  
Deed Book 588, Page 178  
Plat Cos. C, Slide 264

SAADI W. HASSAN  
N. ZHA & BHAJA  
Deed Book 635, Page 100

WAITSEOR ESTATES, INC.  
Deed Book 535, Page 026  
Plat Cos. C, Page 264

WATTSBORO REC. RD (KENTUCKY HWY. 2301)

WATER WORKS DR

The City of Somerset  
Deed Book 578, Page 686  
Deed Book 444, Page 667

NELLIE, INC.  
Deed Book 605, Page 537  
Tract 1

LINE	BEARING	DISTANCE
L1	S 02°13'30" E	12.13'
L2	N 50°04'10" W	21.14'
L3	N 67°35'02" W	39.00'
L4	N 63°45'40" W	72.71'
L5	S 79°02'35" W	44.83'
L6	S 83°05'11" W	46.96'
L7	N 87°24'53" E	29.99'
L8	N 80°08'55" E	85.58'
L9	S 83°25'48" E	1.89'
L10	N 35°31'45" E	40.01'
L11	N 44°25'49" E	88.00'
L12	N 62°07'18" E	101.59'
L13	N 67°02'15" E	102.99'
L14	N 58°42'41" E	82.23'
L15	N 86°57'00" E	61.20'

NOTES:  
 LAND SHOWN HEREON IS SUBJECT TO ALL COVENANTS, EASEMENTS, EXCEPTIONS, RESTRICTIONS OF RECORD, NOT OF RECORD, OR THAT MAY APPLY.  
 LAND SHOWN HEREON MAY BE SUBJECT TO CERTAIN CITY, COUNTY, STATE, OR HEALTH DEPARTMENT REGULATIONS OR ZONING REGULATIONS.  
 NO TITLE REPORT WAS PROVIDED THIS SURVEY.  
 NO UNDERGROUND UTILITIES WERE SHOWN HEREON.  
 AERIAL PHOTO BACKGROUND PRECEDATES THIS SURVEY AND IS SHOWN FOR REFERENCE ONLY.  
 PURPOSE OF SURVEY (SCOPE): ANNEXATION

FIELD WORK COMPLETED ON: 05-16-12

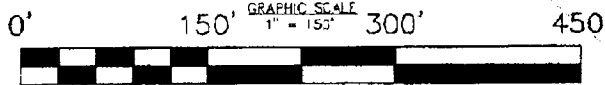
CPS DATA:  
 Percent of Boundary GPS used ALL  
 CPS Type TOECOM HIEER GA DUAL FREQUENCY RECEIVERS  
 Type GPS Survey: STATIC & RTK  
 Relative Positional Accuracy: 0.03' or better  
 Coordinates shown hereon based on  
 CPUS Solution Dated: 10-21-10  
 STATE PLANS NAD 83  
 GEOID 08  
 Kentucky Single Zone (1600)  
 U.S. feet  
 Convergence: 00°42'24.91822"  
 Scale Factor: 1.00009102  
 All Bearings and Distances shown hereon were based on above described Grc.

STATE OF KENTUCKY  
**ANTHONY G. THOMPSON**  
 3630  
 LICENSED PROFESSIONAL LAND SURVEYOR

CERTIFICATION:  
 I HEREBY CERTIFY THAT BOUNDARY FOR ANNEXATION ORDINANCE NO 110.14 FOR THE CITY OF BURNSIDE, KENTUCKY, SHOWN ON THIS PLAN IS BASED ON THE FOLLOWING INFORMATION: AN ACTUAL FIELD SURVEY IN PART OF THE EXISTING PAVEMENT, EXISTING MONUMENTS, AND CALLS TAKEN FROM DEEDS AND RECORDED PLATS SHOWN HEREON OF RECORD IN THE PULASKI COUNTY COURT CLERK'S OFFICE, AND RIGHT-OF-WAY DATA FROM THE KY. TRANSPORTATION CABINET, PLANS FOR KY HIGHWAY 27.

THE PURPOSE OF THIS ANNEXATION SURVEY IS TO DELINEATE THE LIMITS OF THE AFORESAID ANNEXATION. IT DOES NOT IN ANY WAY REFLECT A DETERMINATION OF THE INDIVIDUAL PARCEL BOUNDARIES AND SHOULD NOT BE USED FOR THAT PURPOSE.

*Anthony G. Thompson*  
 ANTHONY G. THOMPSON  
 KY. PLS. NO. 3630  
 DATE: 05-18-12



RESERVED FOR COUNTY COURT CLERK:

TITLE: CITY OF BURNSIDE - KENTUCKY H.W.Y. 2301 ANNEXATION ORDINANCE 110.14	
CLIENT(S) OWNER(S): CITY OF BURNSIDE P.O. BOX 8 BURNSIDE, KY. 42519	
JOB NO: 12-1476	DRAWN BY: A.G.T.
FIELD CREW: A.G.T.	SCALE: 1" = 150'
DWG. DATE: 05-18-12	SHEET NO. 3 of 3

AGT  
 LAND SURVEYING  
 Anthony Thompson, PLS  
 2610 HWY 90  
 BURNSIDE, KY. 42519  
 (606) 561-7224

GENERAL NOTES:  
 THESE DRAWINGS ARE NOT VALID UNLESS THE ORIGINAL SURVEY AND STAMP ARE ATTACHED. ANY REPRODUCTION OR VARIANCE TO THESE DRAWINGS BY OMISSION OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED ISSUED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.  
 THIS SURVEY AND PLAN WAS PREPARED FOR THE EXISTING PAVEMENT AND DOES NOT EXTEND TO ANY OTHER ENTITY, UNLESS NOTICED BY THE LICENSED PROFESSIONAL LAND SURVEYOR.  
 IF THE ABOVE CONDITIONS ARE MET, THIS PLAN OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 207 KAR 19.02