

ORDINANCE NUMBER 24-31

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, 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 A TRACT OF LAND 15.516 ACRES SHOWN ON ANNEXATION MAP TITLED "815 SOMERSET KY LLC" DATED 9/26/24 BY AGE ENGINEERING SERVICES, INC. THE PROPERTY IS ADDRESSED AS 815 KY HWY 461. SOMERSET KY, 42503. THE PROPERTY IS THE PROPOSED LOCATION OF A CRC C-STORE.
- SECTION 2. THE PROPERTY IS COMMERCIAL SUITED BUT IS VACANT AND COMES IN BY ORDINANCE AS R-1.
- SECTION 3. A WAITING PERIOD OF 45 DAYS WAS OBSERVED.
- SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS

PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING;


NOVEMBER 11, 2024

SECOND READING (NOT BEFORE DECEMBER 26): FEBRUARY 10, 2025

APPROVED:


ALAN L. KECK, MAYOR
CITY OF SOMERSET, KY

ATTEST:


NICK BRADLEY, CITY CLERK



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, 815 Somerset, KY LLC (Matt York), formally request annexation

of my property located at 815 KY HWY 461, Somerset KY, 42503

into the City of Somerset.

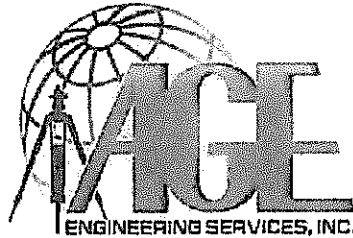
I also request that the 60-day waiting period be waived.

I also request that this property be zoned B-2.

Signature

10-15-24

Date



LEGAL DESCRIPTION FOR 15.516 ACRES
PROPOSED ANNEXATION
CITY OF SOMERSET ORDINANCE 24-31

This being the property acquired by the 815 Somerset KY LLC dated the 22nd day of April, 2022 by deed of conveyance from Barnesburglers, LLC of record in Deed Book 1053, Page 712 (also see Plat Cabinet G, Slide 357A, Tract 3A) at the Pulaski County Clerk's Office, Kentucky.

BEGINNING at a mag nail with a washer stamped Russell PLS #4048 located in the line of the existing City Limits of Somerset (Ordinance No. 21-26) and the western edge of the Kentucky Highway 461 right-of-way, also being a corner to Richard and Shaun Dyer property (Deed Book 942, Page 313; Plat Cabinet F, Slide 6B; Tract 4); said point said point having a Kentucky South Zone State Plane Coordinate of N: 1947074.53 E: 2006982.45 and being the **POINT OF BEGINNING** for this description;

Thence leaving the western edge of the Kentucky Highway 461 right-of-way and continuing along the fence line and common property line of 815 Somerset KY LLC (Deed Book 1053, Page 712; Plat Cabinet F, Slide 6B; Tract 3) and Richard and Shaun Dyer property (Deed Book 942, Page 313; Plat Cabinet F, Slide 6B; Tract 4) for the following three (3) calls: thence S84°45'53"W a distance of 112.56' to a corner fence post, said corner fence post being referenced by an iron reference pin found with no ID cap N20°24'08"E, a distance of 0.83' from the actual corner; thence from the corner fence post N37°12'16"W a distance of 711.69' to a corner fence post, said corner post being referenced by an iron reference pin found with a PLS Hudson 1253 cap S77°46'55"E, a distance of 0.70' from the actual corner; thence S53°55'48"W a distance of 41.73' to a point in the center of the creek, passing an iron witness pin stamped Russell PLS #4048 online at 2.00' from the actual corner in the center of the creek, said point being a common corner of the 815 Somerset KY LLC (Deed Book 1053, Page 712, Plat Cabinet G, Slide 357A, Tract 3A), Richard and Shaun Dyer property (Deed Book 942, Page 313; Plat Cabinet F, Slide 6B; Tract 4), and Stephen and Angela Gabbard (Deed Book 1063, Page 18; Plat Cabinet F, Slide 6B; Tract 2) properties;

Thence leaving the property line of Richard and Shaun Dyer property (Deed Book 942, Page 313; Plat Cabinet F, Slide 6B; Tract 4) and continuing along the centerline of the creek and common property line of 815 Somerset KY LLC (Deed Book 1053, Page 712, Plat Cabinet G, Slide 357A, Tract 3A) and Stephen and Angela Gabbard (Deed Book 1063, Page 18; Plat Cabinet F, Slide 6b; Tract 2) properties for the following twenty-two (22) calls: N42°27'42"W a distance of 3.89' to a point in the center of the creek; thence N65°25'48"W a distance of 40.54' to a point in the center of the creek; thence S89°51'39"W a distance of 15.93' to a point in the center of the creek; thence N49°52'16"W a distance of 46.38' to a point in the center of the creek; thence N76°44'25"W a distance of 9.29' to a point in the center of the creek; thence N49°39'45"W a distance of 10.88' to a point in the center of the creek; thence N78°19'44"W a distance of 15.71' to a point in the center of the creek; thence N26°20'24"W a

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distance of 7.00' to a point in the center of the creek; thence N17°21'20"E a distance of 7.39' to a point in the center of the creek; thence N40°49'58"W a distance of 16.38' to a point in the center of the creek; thence N56°40'16"W a distance of 11.75' to a point in the center of the creek; thence N80°57'25"W a distance of 9.25' to a point in the center of the creek; thence N56°25'00"W a distance of 19.49' to a point in the center of the creek; thence N13°03'41"W a distance of 16.53' to a point in the center of the creek; thence N38°51'27"W a distance of 47.34' to a point in the center of the creek; thence N36°51'58"W a distance of 26.93' to a point in the center of the creek; thence N49°59'28"W a distance of 29.34' to a point in the center of the creek; thence N25°50'44"W a distance of 80.33' to a point in the center of the creek; thence N02°42'14"E a distance of 9.73' to a point in the center of the creek; thence N21°44'41"W a distance of 36.72' to a point in the center of the creek; thence N03°04'34"W a distance of 15.98' to a point in the center of the creek; thence N14°21'52"W a distance of 44.33' to a point in the center of the creek; said point in the center of the creek being referenced by an iron pin stamped PLS Hudson #1253 N21°03'39"E a distance of 0.77' from the actual corner in the center of the creek;

Thence leaving the centerline of the creek and continuing along the common property line 815 Somerset KY LLC (Deed Book 1053, Page 712, Plat Cabinet G, Slide 357A, Tract 3A) and Stephen and Angela Gabbard (Deed Book 1063, Page 18; Plat Cabinet F, Slide 6B; Tract 2) properties for the following three (3) calls: N57°19'38"E a distance of 1.18' to an unmarked point on the east side of the creek bank; thence N64°40'45"E passing an iron witness pin found online at 2.83' and continuing 49.57' for a total distance of 52.40' to an iron pin stamped Russell PLS #4048; thence N00°49'05"E passing an iron witness pin stamped Hudson PLS #1253 being online at 9.30' and continuing a 172.79' for a total distance of 182.09' to an iron pin stamped Russell PLS #4048, said iron pin also being referenced by an iron pin found N01°56'05"E a distance of 2.51' from the actual corner;

Thence leaving the property line of Christopher and Maegan Bishop (Deed Book 1017, Page 518; Plat Cabinet F, Slide 6B; Tract 2) and continuing along the common property line of 815 Somerset KY LLC (Deed Book 1053, Page 712, Plat Cabinet G, Slide 357A, Tract 3A), and Country Boys, LLC (Deed Book 905, Page 652; Plat Cabinet E, Slide 277; Tract 8) properties for the following one (1) call: S71°14'41"E a distance of 655.46' to an iron pin found stamped Hudson PLS #1253;

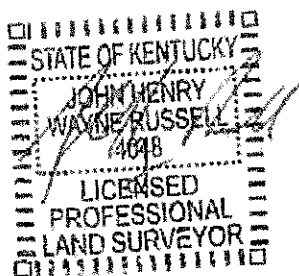
Thence leaving the property line of Country Boys, LLC (Deed Book 905, Page 652; Plat Cabinet E, Slide 277; Tract 8) and continuing along the common property line of 815 Somerset KY LLC (Deed Book 1053, Page 712, Plat Cabinet G, Slide 357A, Tract 3A), and Gregory and Lisa Pugh (Deed Book 964, Page 323; Plat Cabinet E, Slide 277; Tract 6) properties for the following three (3) calls: S70°45'57"E a distance of 293.29' to a 40" oak tree, passing over an iron witness pin set online 1.00' from the actual corner being the 40" oak tree; thence S61°45'59"E a distance of 49.35' to a 36" oak tree, passing over an iron witness pin set online 4.00' from the actual corner located at the 40" oak tree and passing over an iron witness pin set online 1.00' from the actual corner located at the 36" oak tree; thence S45°54'58"E a distance of 355.84' to an iron pin stamped Russell PLS #4048 at the western edge of Kentucky Highway 461 right-of-way;

Thence leaving the property line of Gregory and Lisa Pugh (Deed Book 964, Page 323; Plat Cabinet E, Slide 277; Tract 6) continuing along the common property line of 815 Somerset KY LLC (Deed Book 1053, Page 712, Plat Cabinet G, Slide 357A, Tract 3A), and the western edge of Kentucky Highway 461 right-of-way for the following four (4) calls: S33°45'36"W a distance of 4.76' to a KYTC right-of-way monument, thence S37°55'03"W a distance of 297.64' to a KYTC right-of-way monument, thence

S29°54'48"W a distance of 281.24' to a KYTC right-of-way monument and S40°13'39"W a distance of 66.86' to the point of beginning having an area of 15.516 acres.

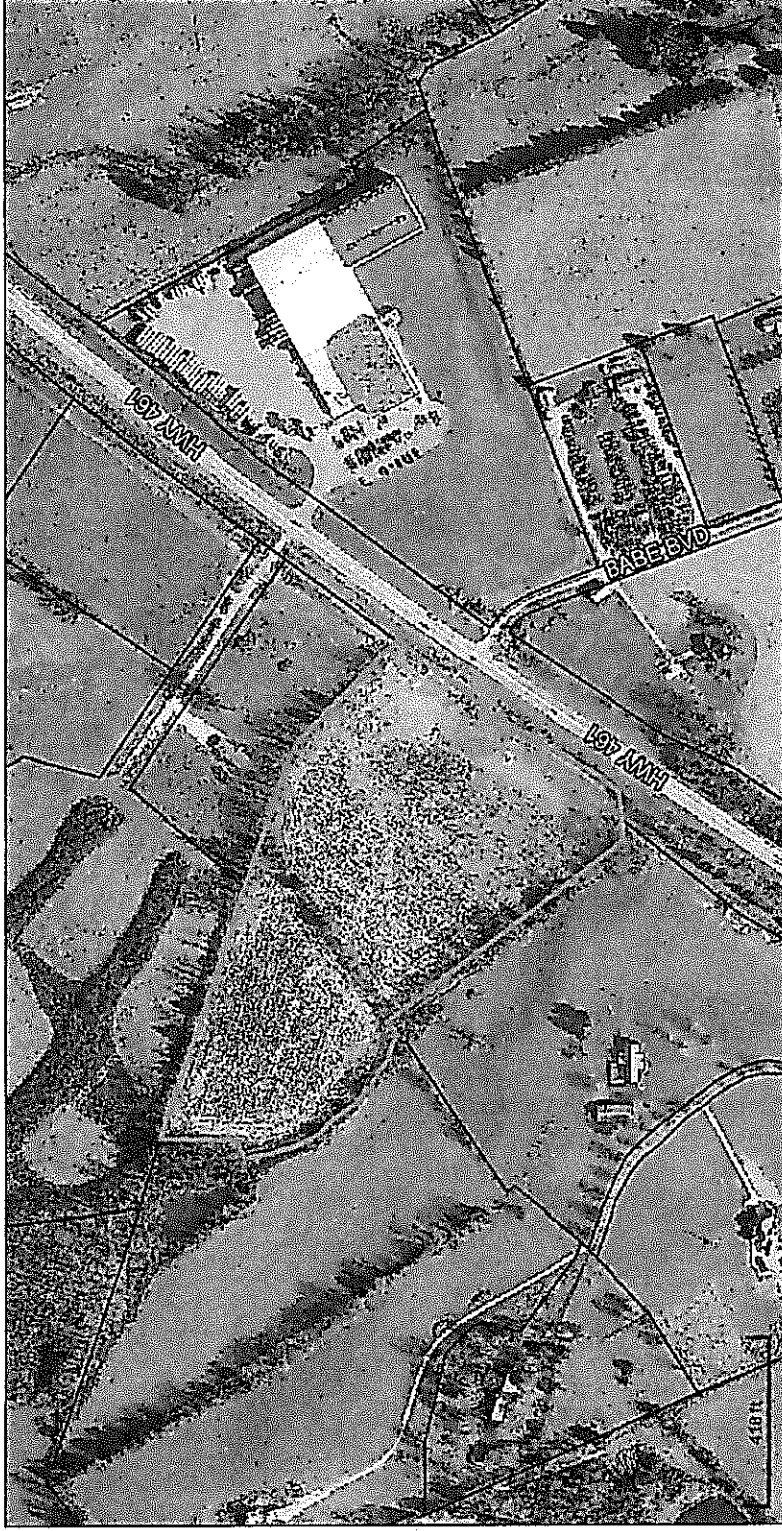
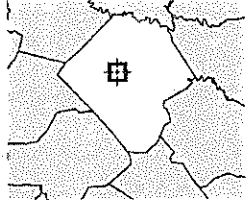
All bearings are referenced to grid north of the Kentucky Plane Coordinate System – South Zone (NAD83).

This description was prepared by AGE Engineering Services, Inc. on the 4th day of November, 2024.



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Overview



Parcel ID	102-0-1-44.1	Mailing Address	815 SOMERSET KY LLC	Total Value	\$700,000	Last 2 Sales Date	4/22/2022	Reason	Z	Qual	Q
Class	COMMERCIAL	Physical Address	100 PUBLIC SQUARE			Date	5/11/2016 <td></td> <td>A</td> <td></td> <td>U</td>		A		U
Taxing District	11		SOMERSET, KY 42501								
Acres/Lot	15.5		BARNESBURG RD								
Brief Tax Description			Pulaski County								
			PT TR 3 DANNY M CLARK BNDRY SUR 15.50 AC								
			(Note: Not to be used on legal documents)								

Date created: 11/5/2024
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