

CITY OF BURNSIDE
ORDINANCE NO. 2015-005

AN ORDINANCE ANNEXATING INTO THE CORPORATE CITY LIMITS OF THE CITY OF BURNSIDE, KENTUCKY, AN AREA OF 686.55 ACRES OF REAL PROPERTY COMPRISED MOSTLY OF THE WATERS OF FISHING CREEK AND INCLUDING A PORTION OF SHORELINE INCLUDING A PORTION OF PULASKI COUNTY PARK, OWNED BY THE UNITED STATES OF AMERICA, CORP OF ENGINEERS, LOCATED ON FISHING CREEK OF LAKE CUMBERLAND

WHEREAS, the Common Council of the City of Burnside desires to annex that certain territory, which is more particularly described below finding that said territory is adjacent or contiguous to the boundary of the City of Burnside, and that the annexation of said territory will contribute to and facilitate the orderly growth and development of both the City of Burnside and the territory; that its annexation is desirable to facilitate and contribute to the commercial development and tourism potential for the City of Burnside and Pulaski County and the annexed territory in a manner most conducive to the welfare of the city and the territory, and

WHEREAS, the City Council finds that said territory is, by reason of its commercial and governmental use, suitable for development for urban purposes without unreasonable delay, and is adjacent and contiguous to the City Boundaries and by reason of population density, commercial, residential and other use of the property, said property is urban in character and is suitable for development for urban purposes without unreasonable delay. This property is not in any other boundary of an incorporated city, and all of these above findings are in keeping with KRS 81A.410 and other applicable Kentucky law. For such reasons:

BE IT ORDAINED BY THE CITY OF BURNSIDE, KENTUCKY AS FOLLOWS:

1. The property owned by The United States of America, Corp of Engineers, hereinafter more particularly described, shall be and is hereby incorporated into the City Limits of the City of Burnside as an annexation pursuant to KRS 81A and that all of the requirements of Kentucky law including notice have been met in this annexation.
2. The property to be annexed is more particularly described as follows:

A certain tract or parcel of land located adjacent to the existing northern City limits of Burnside, Kentucky, on Fishing Creek of Lake Cumberland near the Kentucky Highway 80 Bridge, and being more particularly described as follows:

The following description was prepared by Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496. Said description was based on an actual Static and RTK GPS field survey in part, of (found) United States Army Corps of Engineers (U.S.A.C.E.) monuments and (set) monuments. Calls taken from U.S.A.C.E. maps of Lake Cumberland obtained from the office at 855 Boat Dock Road, Somerset, Kentucky, contact Marshall T. Jennings, also calls taken from previous annexation surveys for the City of Burnside. 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.

Beginning at a point, located on the west bank of Fishing Creek, said having a KY State Plane single zone coordinate of (N: 3,543,401.0054, E: 5,234,039.5370). Said point further described as being a corner of the City of Burnside, Kentucky per Ordinance #110.5 and #110.16;

- 1) N 54°06'40" W a distance of 951.16';
- 2) S 79°16'43" W a distance of 237.44';
- 3) N 10°28'58" E a distance of 272.58';
- 4) N 41°27'02" W a distance of 864.43' to (found) U.S.A.C.E. Monument X-2406-1;
- 5) N 80°56'35" W a distance of 134.97' to (found) U.S.A.C.E. Monument X-2406-2;
- 6) N 43°17'27" W a distance of 489.09' to (found) U.S.A.C.E. Monument X-2406-3;
- 7) S 67°53'58" W a distance of 36.20' to (found) U.S.A.C.E. Monument X-2406-4;
- 8) N 37°36'00" W a distance of 124.13' to (found) U.S.A.C.E. Monument X-2406-5;
- 9) N 08°24'18" W a distance of 221.46' to (found) U.S.A.C.E. Monument X-2406-6;
- 10) N 47°19'09" W a distance of 1103.09';
- 11) N 74°15'02" E a distance of 685.66';
- 12) N 01°16'54" W a distance of 631.88';
- 13) N 22°57'05" E a distance of 620.29' to (found) U.S.A.C.E. Monument X-2408-A3;
- 14) N 31°04'53" E a distance of 1135.15' to (found) U.S.A.C.E. Monument X-2409-1;
- 15) N 15°05'09" E a distance of 396.74' to (found) U.S.A.C.E. Monument X-2409-2;
- 16) N 84°56'13" W a distance of 441.35' to (found) U.S.A.C.E. Monument X-2409-3;
- 17) N 08°48'25" E a distance of 224.16';
- 18) S 45°45'51" W a distance of 239.43' to (found) U.S.A.C.E. Monument X-2409-5;
- 19) S 77°29'46" W a distance of 155.10';
- 20) S 61°43'19" W a distance of 455.51' to (found) U.S.A.C.E. Monument X-2409-7;
- 21) S 86°11'06" W a distance of 324.93';
- 22) S 83°32'51" W a distance of 229.17';
- 23) S 87°48'58" W a distance of 356.42' to (found) U.S.A.C.E. Monument X-2408-B1;
- 24) S 40°19'19" W a distance of 353.29';
- 25) S 59°06'42" W a distance of 1377.58';
- 26) S 10°45'49" E a distance of 101.62' to (found) U.S.A.C.E. Monument X-2414-1;
- 27) N 32°10'32" W a distance of 1936.25' to a (set) 5/8" rebar with plastic cap stamped AGT 3630;
- 28) N 27°06'53" E a distance of 4037.89' to (found) U.S.A.C.E. Monument X-2419-1;
- 29) S 83°33'13" E a distance of 2033.31' to a (set) P/K nail with Alum. Washer stamped AGT 3630;
- 30) S 42°18'22" E a distance of 333.66' to (found) U.S.A.C.E. Monument X-2416-S4;
- 31) S 51°33'09" W a distance of 67.91' to (found) U.S.A.C.E. Monument X-2411-A1;
- 32) S 58°35'26" E a distance of 971.27' to (found) U.S.A.C.E. Monument X-2411-2;
- 33) S 63°22'10" E a distance of 1470.17' to (found) U.S.A.C.E. Monument X-2411-1;
- 34) S 56°23'29" E a distance of 834.37' to (found) U.S.A.C.E. Monument X-2411-4;
- 35) S 14°50'10" W a distance of 2095.90' to (found) U.S.A.C.E. Monument X-2407-1;
- 36) S 29°19'34" W a distance of 509.83';
- 37) S 30°02'53" W a distance of 402.52';
- 38) S 39°01'46" W a distance of 447.47';
- 39) S 27°25'05" W a distance of 398.68';
- 40) S 12°40'28" W a distance of 549.86';
- 41) S 07°58'14" W a distance of 518.00';
- 42) S 17°59'26" E a distance of 175.20';

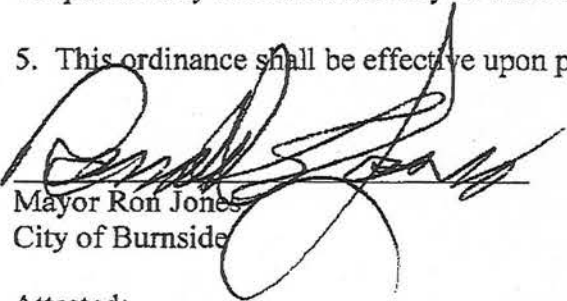
- 43) S 06°54'54" W a distance of 324.42';
- 44) S 28°12'30" E a distance of 215.88';
- 45) S 13°23'15" E a distance of 130.02' to (found) U.S.A.C.E. Monument X-2403-1;
- 46) S 32°11'33" E a distance of 172.90' to (found) U.S.A.C.E. Monument X-2403-2;
- 47) S 39°51'33" E a distance of 194.99' to (found) U.S.A.C.E. Monument X-2403-3;
- 48) S 46°47'08" E a distance of 208.43';
- 49) S 03°16'16" E a distance of 1586.43' to the point of Beginning.

Said Annex boundary having an area of **686.55 acres**.

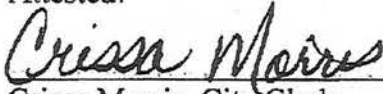
3. A map of this proposed area has been provided to the City of Burnside by by Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496. , and the City Council finds this map to appropriately reflect the above description.

4. This property shall be reflected, after publication of this ordinance, as being within the Corporate City Limits of the City of Burnside, Kentucky.

5. This ordinance shall be effective upon publication.


Mayor Ron Jones
City of Burnside

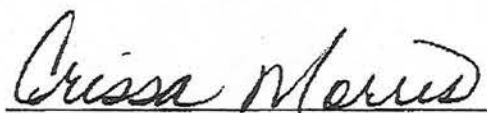
Attested:


Crissa Morris, City Clerk

First Reading:	July 6, 2015
Second Reading:	July 7, 2015
Publication Date:	July <u>15</u> , 2015

I certify I am the duly qualified City clerk of the City of Burnside, Kentucky, and the following 3 pages of Ordinance 2015-005 is a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on 07/07/2015, all as appears in the official records of said City.

WITNESS, my hand and Seal of the City of Burnside, Kentucky, this 28th day of July, 2015.


City Clerk

(Seal)

CERTIFICATION OF CLERK

The undersigned, the duly appointed Clerk of the City of Burnside, Kentucky does hereby certify, pursuant to KRS 81A.425, that notice of intent to annex was mailed, first class mail, including a copy of the Intent to Annex Ordinance adopted by the common council of the City of Burnside, on April 6, 2015 to the parties or persons residing in the area proposed to be annexed. A copy of the persons to whom the notice was mailed to each property owner listed on the records of the Pulaski County Property valuation Administrator as of January 1, 2015, owning property within the area intended to be annexed. Notices were mailed on April 21, 2015. Notice was mailed to the United States Corp of Engineers, Michael T. Abernathy, U.S. Army Corp of Engineers, Nashville District, P.O. Box 1070, Nashville, TN 37202-1070

Witness my hand and seal, this 10th day of July, 2015.


CRISSA MORRIS, CITY CLERK

(Seal)