

ORDINANCE NO. 21-08

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY DECLARING
THE CITY'S INTENT TO ANNEX A TRACT OF PROPERTY INTO CITY
LIMITS AND REFERRING THE ANNEXATION TO THE RICHMOND
PLANNING AND ZONING COMMISSION FOR A ZONING
RECOMMENDATION**

WHEREAS, 1326 Barnes Mill Road, LLC. And Ramsey Development Project, LLC, the owner of the property described below, has consented to the voluntary annexation into City limits of the said tract (hereinafter, the "Property"); and

WHEREAS, the Property is contiguous to the City's boundaries and is urban in character; and

WHEREAS, no part of the Property proposed to be annexed is included within the boundary of another incorporated city; and

WHEREAS, the City of Richmond is capable of providing, and in fact is providing, City services to the Property; and

WHEREAS, the Board of Commissioners of the City of Richmond, Kentucky finds it to be in the public interest that the Property be annexed into City limits;

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION I

In accordance with the provisions of Chapter 81A of the Kentucky Revised Statutes, the City of Richmond, Kentucky does hereby express its intention to annex into City limits that certain tracts of property more particularly described as follows, to wit:

Ramsey Development Project, LLC
200.72 Acres +/-

PARCEL III

Description of a certain tract of land surveyed and divided between Daniel S. Reams and Charlie E. Reams October 14, 1936, situated in Madison County, Kentucky, on the waters of Tates Creek and on the west side of Goggins Lane:

Beginning at a point in said lane corner to Ross, thence with the center of same S 34 112 W 1.70 chains to a point corner to Wm. Hendren, thence with lines of same N 58 1/4 W 9 chains N 63 W 7.42 chains to a walnut N 70.75 W 15.26 chains S 25 W 16.96 chains to a post corner to Mrs. Ed McCan with her line N 62 518 W 32.55 chains to a point in Finneys Fork Branch, thence down the branch N 7 1/8 E 1.86 chains, N 3 718 W 5.38 chains, N 16 112 E 3.35 chains, N 2 W 2 chains, N 11.75 W 6.85 chains to a point in the

branch near a gate at the intersection of the division line with same N 70 112 E 14.60 chains to a walnut S 70.75 E 7.60 chains to a walnut S 57 1/4 E 6.37 chains to a post at corner of garden S 61 112 E 6.87 chains to a post north east corner of orchard, thence S 69 E 25.70 chains to a post or stone southwest corner of a 12 foot lane, thence a north course .33 chains to a stone old corner of Ross, thence with line of Ross and along the north line of the 12 foot alley S 50 E 15.45 chains to the beginning containing 96.08 acres more or less as surveyed by June W. Fowler October 27, 1936.

THIS PROPERTY IS SUBJECT to an easement conveyed to East Kentucky Power Cooperative, Inc. by Maurice W. Baker and Norma Jean Baker, spouse and spouse, by Deed dated August 2, 1996 and recorded in Deed Book 468, page 317 in the Madison County Clerk's office.

PARCEL IV

A certain tract of land located in Madison County, Kentucky on the North side of the Barnes Mill Pike, about 2 112 miles from Richmond, Kentucky bounded and described as follows:

Beginning at a point in the center of the Goggins Ferry Dirt Road, leading from the Pond Church to the Tates Creek Pike, a large walnut corner and corner to the remainder of the Enright farm, thence new line with same N 58 314 W 9.00 chains to a stake near top of ridge, N 63 W 7.43 chains to walnut tree in fence, N 70 3/4 passing a blazed locust sapling at 10.76 chains in all 15.26 chains to a stake in hollow, S 25 W 16.96 chains to a stake in line of Mrs. Ed. McCann, thence with her line S 62 E 4.50 chains, to a fence post, the old Turner corner, S 22 112 W 2.10 chains to a stone, S 25 114 W 29.85 chains to a point in center of the metal of the Barnes Mill Pike opposite a pool, thence with the center of the pike with the line of original survey N 81 314 E 7.00 chains, N 83 112 E 11.87 112 chains, S 85 112 E 2.44 chains, to a point in center of said pike and a corner to the Pond Church lot, thence with same as now fenced N 5 114 E 2.08 chains to a corner post, N 84 E 5.00 chains, to a point in center of the above mentioned dirt road, thence with center of same N 9 318 E 1.00 chains, N 34 1/4 E 33.50 chains to the beginning containing One Hundred and Ten (110) acres by survey made by Joe S. Boggs, Nov. 13th, 1914.

EXCLUSIONS:

A. Beginning at a concrete nail in the center line of Goggins Lane, a common corner to Dejarnette;

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thence with the center line of Goggins Lane, 4 calls, S36⁰57'55"W 40.51 feet to a concrete nail; thence S33⁰37'27"W 40.80 feet to a concrete nail; thence S25⁰22'40"W 27.35 feet to a concrete nail; thence S19⁰58'26"W 44.94 feet to a concrete nail and common corner to the Pond Church Tract; thence leaving the center line of Goggins Lane with the line of Tract 2, 2 calls, S75⁰37'51"W 52.58 feet to an iron pin; thence S88⁰24'42"W 216.90 feet to an iron pin and common corner to DeJarnette; thence leaving the line of Pond Church Tract with the line of DeJarnette 2 calls, **N38⁰58'01"E** 304.01 feet to an iron pin; thence S60⁰50'27"E 172.44 feet to a concrete nail in the center line of Goggins Lane and point of beginning and containing 1.00 acres. A plat of said property is recorded in the Madison County Court Clerk's office in Plat Book 4, page 82, reference to which is hereby made.

Being the same property conveyed to The Pond Christian Church by deed dated

November 9, 1972 and recorded in Deed Book 267, page 78 in the Madison County Clerk's office.

B. A certain tract or parcel of land lying and being in Madison County, Kentucky and being more particularly described as follows:

(a) BEGINNING 5.41 feet left of Barnes Mill Road Station 92+48.45, thence North 6° 15'0" W, 39.73 feet to a point 45.00 feet left of Barnes Mill Road Station 92+51.69, thence North 79° 58'39" E,

74.75 feet to a point 45.00 feet left of Barnes Mill Road Station 93+25.00, thence North 82°38' 19" East, 142.30 feet to a point 45.00 feet left of Barnes Mill Road Station 94+64.58, thence North 83°4'4" E, 435.53 feet to a point 55.00 feet left of Barnes Mill Road Station 99+00.00, thence South 89°54'22" East, 251.25 feet to a point 30.00 feet left of Barnes Mill Road Station 101+50.00, thence North 83° 11'7" East, 239.15 feet to a point 35.00 feet left of Barnes Mill Road Station 103+89.10, thence North 84° 36'20" East, 172.38

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feet to a point 55.00 feet left of Barnes Mill Road Station 105+50.00, thence South 70° 17'20" East, 90.05 feet to a point 42.26 feet left of Barnes Mill Road Station 106+33.20, thence South 6° 0'0" W, 21.54 feet to a point 21.00 feet left of Barnes Mill Road Station 106+36.51, thence North 84°52'42" West, 139.84 feet to a point 10.00 feet left of Barnes Mill Road Station 105+00.00, thence South 86°59'12" west, 126.26 feet to a point 6.50 feet left of Barnes Mill Road Station 103+75.00, thence South 84°41 '32" West, 371.01 feet to a point 8.50 feet left of Barnes Mill Road Station 100+04.00, thence South 83° 40'52" west, 204.02 feet to a point 6.00 feet left of Barnes Mill Road Station 98+00.00, thence South 83° 1 '43" West, 296.08 feet to a point 1.00 feet right of Barnes Mill Road Station 95+04.00, thence South 83° 29'15" West 200.00 feet to a point 1.50 feet left of Barnes Mill Road Station 93+04.00, thence South 83°41'39" west, 55.77 feet to a point of BEGINNING.

The above described parcel contains 1.224 acres or 53,322 square feet.

Being the same property conveyed to the Commonwealth of Kentucky Department of Transportation, Bureau of Highways, by deed dated August 2, 1979 and recorded in Deed Book 323, page 20 in the Madison County Clerk's office.

C. A certain tract of land located on the north side of Barnes Mill Road (KY HWY 876) 590 feet, more or less, west of the intersection of Goggins Lane and Barnes Mill Road in Madison County, Kentucky, and being bound by survey made July 21, 1981, by Charles E. Black, a licensed land surveyor (L.S. 670) and further described as follows:

Beginning at a steel pin in the north right of way line of Barnes Mill Road at an old field fence, and new corner of the DeJarnette Heirs; thence with said right of way line, 2 calls, S83° 11'07"W

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225.88 feet to a steel pin; thence S89° 59'27"W

16.95 feet to a steel pin and new corner to the DeJarnette Heirs; thence leaving said right of way line with a new line dividing the lands of the DeJarnette Heirs, 3 calls, N03°23'19"W 328.31 feet to a steel pin; thence N78° 18'31"E 233.02 feet to a steel pin; thence S05° 19'30" E 349.66 feet to the point of beginning and containing 1.85 acres.

A plat of said property is recorded in the Madison County Clerk's office in Plat Book 6, page 301, reference to which is hereby made.

Being the same property conveyed to Euzenith Sowers, et.al., by deed dated August 11, 1981, and recorded in Deed Book 338, page 523 in the Madison County Clerk's office.

There is excepted from Parcel III and/or Parcel IV and not now conveyed the following properties which have been heretofore conveyed:

EXCLUSION 1:

A certain tract of land located on the north side of Barnes Mill Road, west of Goggins Lane, near Richmond, Madison County Kentucky, and being bounded by survey made July 10, 1996, by John F. Stratman, Ill, a licensed Land Surveyor, (L.S. 2059), and further described as follows:

Beginning at a steel pin set at a concrete right-of-way marker in the north right-of-way line of Barnes Mill Road, a corner to White Oak Pond Christian Church; thence leaving the line of the Church and with said right-of-way line N 70° 17'20" W a distance of 50.00 feet to a steel pin set in said right-of-way line, a new corner to Maurice Baker; thence leaving said right-of-way line and with the new line of Baker N 19°45'08" E a distance of 432.92 feet to a set steel pin, a new corner to Baker; thence continuing with the new line of Baker S 63°38'24" E a distance of 180.00 feet to a nail set in the top of a wood fence post, a corner to Baker and to the Church; thence leaving the line of Baker and with the fenced line of the Church S 36°28'08" W a distance of 279.43 feet to a nail set in the top of a wood fence post; thence S 72°30'15" W a distance of 86.73 feet to a nail set in the top of a wood fence

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post; thence S 07°07'53" W a distance of 94.33 feet to the point of beginning and containing 1.0551 acres.

Recorded in Plat Book 13, page 179 in the Madison County Clerk's office, reference to which is hereby made for a more particular description.

Being the same property conveyed to White Oak Pond Christian Church, Inc., a Kentucky not for profit corporation, by Deed dated August 14, 1996 and recorded in Deed Book 468, page 442 in the Madison County Clerk's office.

EXCLUSION 2:

Being a tract of land in Madison County along Goggins Lane, and more particularly described as follows:

Beginning at a point on the new westerly right of way of Goggins Lane, said point being 40.00 ft. right of centerline station 111+76.89 and corner to White Oak Pond Christian Church, thence with said church S 66°39' 14" E 20.03 ft.; thence leaving said church line N 32°40'57" E 203.49 ft. to a point; thence N 31° 38'44" E 206.21 ft. to a point; thence N 32°03'18" E 205.98 ft. to a point; thence N 32° 06'45" E 218.22 ft. to a point; thence N 33°50'43" E 158.55 ft. to a point; thence N 32°53'31" E 158.28 ft. to a point; thence N 31° 12'55" E 192.87 ft. to a point; thence N 31° 55'36" E 193.00 ft. to a point; thence N 32°37' 11" E 200.23 ft. to a point; thence N 33°07' 19" E 464.94 ft. to a point common to Evelyn Welanetz; thence with Welanetz N 50°53' 18" W 59.47 ft. to a point; thence with the new westerly R/W of Goggins Lane for twelve calls: S 32° 18'13" W 118.06 ft. to a point 50.00 ft. right of 90+90; S 54°06'18" W 26.93 ft. to a point 60.00 ft. right of 91+15; S 32° 18'13" W 50.00 ft. to a point 60.00 ft. right of 91+65; S 10°30'08" W 26.93 ft. to a point 50.00 ft. right of 91+90 S 32° 18'13" W 310.00 ft. to a point 50.00 ft. right of 95+00; S 20°59'37" W 50.99 ft. to a point 40.00 ft. right of

95+50; S 32° 18'13" W 1150.00 ft. to a point 40.00 ft. right of 107+00; S 58° 52'07" W 67.080 ft. to a point 70.00 ft. right of 107+60; S 32° 18'13" W 50.00 ft. to a point 70.00 ft. right of 108+10; S 05° 44'19" W 67.08 ft. to a point 40.00 ft. right of 108+70; S 32° 18'13" W 95.25 ft. to a point 40.00 ft. right of 109+65.25; S 26° 14'26" W 219.70 ft. to the point of beginning and containing 2.358 acres.

1326 Barnes Mill Road, LLC
238.37 Acres +/-

Property 1: 1322 Barnes Mill Rd. Richmond KY (house & 4.948 acres)

Being all of that 4.948 acre tract shown on the Minor Plat entitled "Lot Survey for Maurice Baker Barnes Mill Road" recorded in Plat Cabinet 16, slide 68 in the Madison County Clerk's office, reference to which is hereby made for a more particular description.

BEING the same property conveyed to Norma R. Baker, by Deed dated December 29, 2006 and recorded in Deed Book 617, page 227 in the Madison County Clerk's office. Norma R. Baker died December 4, 2008 and devised said property to Maurice W. Baker, il pursuant to her Will recorded in Will Book 56, page 767 in the Madison County Clerk's office.

Property 2: 1326 Barnes Mill Road, Richmond. KY (233.42 acres)

Beginning at a stake in the center of the Barnes' Mill Pike corner to Miller and in Dejarnatt's line, and running thence with the Miller line, in 25° E 2,133 feet, thence still with Miller's line N 63 1/4° W 2,446 feet to the center of a water gap, thence down the branch still with Miller's line N 6° E 128 feet, N 5° W 368 feet, N 16° E 246 feet, N 14 112° W 467 feet, N 11 114° W 500 feet, N 27 112° W 191 feet, N 45 314° W 311 feet passing a double water gap corner to Turner and Deatherage in Miller's line, thence up the smaller branch with Deatherage line S 37 112° W 123 feet, S 19 112° W 100 feet, S 11° E 118 feet, S 51 112° W 295 feet, S 47 112° W 305 feet, S 74 114° W 145 feet to a division corner, a painted stone, thence S 2 314° E 5,147 feet to a stake in the center of Barnes Mill Pike passing a planted stone on north line of Pike, thence with the center of said Pike N 81° E 746 feet, N 56 1/4° E 700 feet and N 71° E 890 feet to the beginning, containing 238.37 acres.

This property is subject to the following:

EASEMENT 1:

An easement conveyed to East Kentucky Power Cooperative, Inc., by Maurice W. Baker and Norma Jean Baker, spouse and spouse, by Deed dated August 2, 1996 and recorded in Deed Book 468, page 317 in the Madison County Clerk's office.

EASEMENT 2:

An easement conveyed to Kentucky Utilities Company, by James M. Baker and Mae L. Baker, spouse and spouse, by Deed dated April 7, 1981 and recorded in Deed Book 335,

page 574 in the Madison County Clerk's office.

EXCLUSION:

There is excluded from the property described herein and not conveyed hereunder the residence and fenced yard,

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consisting of 4.948 acres, more particularly described on a plat which is recorded in Plat Cabinet 16, slide 68 in the Madison County Clerk's office, reference to which is hereby made for a more particular description.

EXCLUSION:

There is excluded from the property described herein and not conveyed hereunder the property in connection with the Highway Project, Madison County SRS 76-876-005008-2R, Parcel No. 6 which includes fee simple title to (a) 1.940 acres and temporary construction easements to (b) 0.090 acres and (c) 0.132 acres, conveyed to the Commonwealth of Kentucky, Department of Transportation, Bureau of Highways by Master Commissioner's Deed dated August 17, 1982 and recorded in Deed Book 345, page 472 in the Madison County Clerk's office.

SECTION II

This matter is hereby referred to the City of Richmond Planning and Zoning Commission for that body's recommendation as to the appropriate zoning classification.

SECTION III

This Ordinance shall be effective immediately upon its adoption following second reading and publication in accordance with the provisions of applicable Kentucky law.

DATE OF FIRST READING: April 13, 2021

MOTION BY: Commissioner Arnold

SECONDED BY: Commissioner McDaniel

DATE OF SECOND READING: April 20, 2021

MOTION BY: Commissioner: Commissioner Arnold

SECONDED BY: Commissioner: Commissioner Brewer

VOTE

Commissioner Arnold

YES

x

NO

Commissioner Brewer

x

Commissioner McDaniel

x

Commissioner Newby

x

Mayor Blythe

x


Mayor Blythe

ATTEST:



City Clerk

Approved as to form:



City Attorney, Tyler Frazier

ORDINANCE NO. 21-08

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY DECLARING THE CITY'S INTENT TO ANNEX A TRACT OF PROPERTY INTO CITY LIMITS AND REFERRING THE ANNEXATION TO THE RICHMOND PLANNING AND ZONING COMMISSION FOR A ZONING RECOMMENDATION

By Ordinance 21-08, the Board of Commissioners for the City of Richmond, Kentucky adopted on April 20, 2021 an Intent to Annex 1326 Barnes Mill Road, LLC consisting of 238.36 Acres +/- and Ramsey Development Project, LLC consisting of 200.72 Acres +/- into the City limits. The property owners have consented to the voluntary annexation at their request. The Ordinance further adopted the matter be referred to the Richmond Planning and Zoning Commissioner for that body's recommendation as to the appropriate zoning classification.

**ATTORNEY'S CERTIFICATION AS TO SUMMARY OF ORDINANCE FOR
PUBLICATION**

COMES NOW the undersigned Tyler Frazier, who does certify as follows:

1. That he is a licensed and practicing attorney in the Commonwealth of Kentucky.
2. That he has prepared, for purposes of publication in accordance with the requirements of Chapter 424 of the Kentucky Revised Statutes, the attached summary or summaries of Ordinance(s) duly enacted by the Board of Commissioners for the City of Richmond, Kentucky.

Dated this the 20 day of April, 2021.



Tyler Frazier

Ordinance: 21-08

CERTIFICATE OF CITY CLERK

I, Lisa Cassity, hereby certify that I am duly qualified and acting City Clerk of the City of Richmond, Kentucky, and that Ordinance 21-08 is a true and correct copy according to the Legal Books of the City of Richmond According to the Ordinance Legal Book stored in the city vault, this ordinance was approved and adopted April 20, 2021 at a duly held City Commission meeting in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820 and 61.825, that a quorum was present for this meeting and that said ordinance has not been modified, amended, revoked, or repealed and that same is now in full force and effect.

IN TESTIMONY WHEREOF, witness my signature as City Clerk and the official Seal of said City this the April 20, 2021.


Lisa Cassity, City Clerk

