

RESOLUTION 01:2020

A RESOLUTION OF THE BOARD OF CITY COUNCIL OF THE CITY OF MOREHEAD, KENTUCKY ADOPTING A CORRECT AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 34:2019

WHEREAS, the City of Morehead, Kentucky did on December 9, 2019 adopt Ordinance 34:2019 annexing a certain tract of land lying adjacent to and contiguous with the present city boundaries and including property of Hallwood Development, LLC, Commercial Warehousing, Inc. and Better Life Church, Inc, in Rowan County, Kentucky;

WHEREAS, the City of Morehead, Kentucky included the legal description of the territory annexed in said Ordinance which was prepared by the land surveyor;

WHEREAS, upon submission to the Secretary of State's Land Office, a minor typographical error was discovered in the legal description; and

WHEREAS, a corrected legal description was prepared by a Licensed Professional Land Surveyor, a copy of which attached to this Resolution, along with the plat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CITY COUNCIL OF THE CITY OF MOREHEAD, KENTUCKY AS FOLLOWS:

SECTION 1: That the Board of City Council of the City of Morehead, Kentucky hereby adopts the attached legal description for a certain tract of land lying adjacent to and contiguous with the present city boundaries and including property of Hallwood Development, LLC, Commercial Warehousing, Inc. and Better Life Church, Inc., in Rowan County, as an accurate description of the property previously annexed into the corporate limits of the City of Morehead, by Ordinance 34:2019, a copy of said ordinance is attached hereto. The Board of City Council of the City of Morehead, Kentucky hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2: This new legal description as prepared by Richey B. Newton, a Licensed Professional Land Surveyor, #3674, is attached as Exhibit A and the corresponding Plat is attached as Exhibit B.

Passed and adopted by the Board of City Council of the City of Morehead, Kentucky this ____ day of January 2020.

Laura White-Brown, Mayor

Crissy Cunningham, City Clerk

CITY OF MOREHEAD ANNEXATION DESCRIPTION

A CERTAIN PARCEL OF LAND LYING ON THE WATERS OF THE NORTH FORK OF TRIPLET CREEK, ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF MOREHEAD, COUNTY OF ROWAN, COMMONWEALTH OF KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

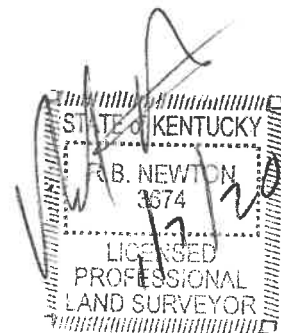
BEGINNING AT A POINT ON THE LINE OF THE PARCEL CONVEYED TO ROWAN COUNTY BOARD OF EDUCATION IN DEED BOOK 113, PAGE 393 OF THE ROWAN COUNTY CLERK'S RECORDS, ON THE LINE OF THE CITY OF MOREHEAD ANNEXATION ORDINANCE 40:2007, A CORNER TO THE CITY OF MOREHEAD ANNEXATION ORDINANCE 19:2006 AND ON THE NORTHERN RIGHT-OF-WAY LINE OF HALLWOOD DRIVE. SAID POINT HAVING KENTUCKY STATE PLANE SINGLE ZONE COORDINATES OF N: 3969823.43, E: 5572792.67; THENCE WITH SAID CITY OF MOREHEAD ANNEXATION ORDINANCE LINE, CROSSING SAID HALLWOOD DRIVE FOR ONE (1) CALL:

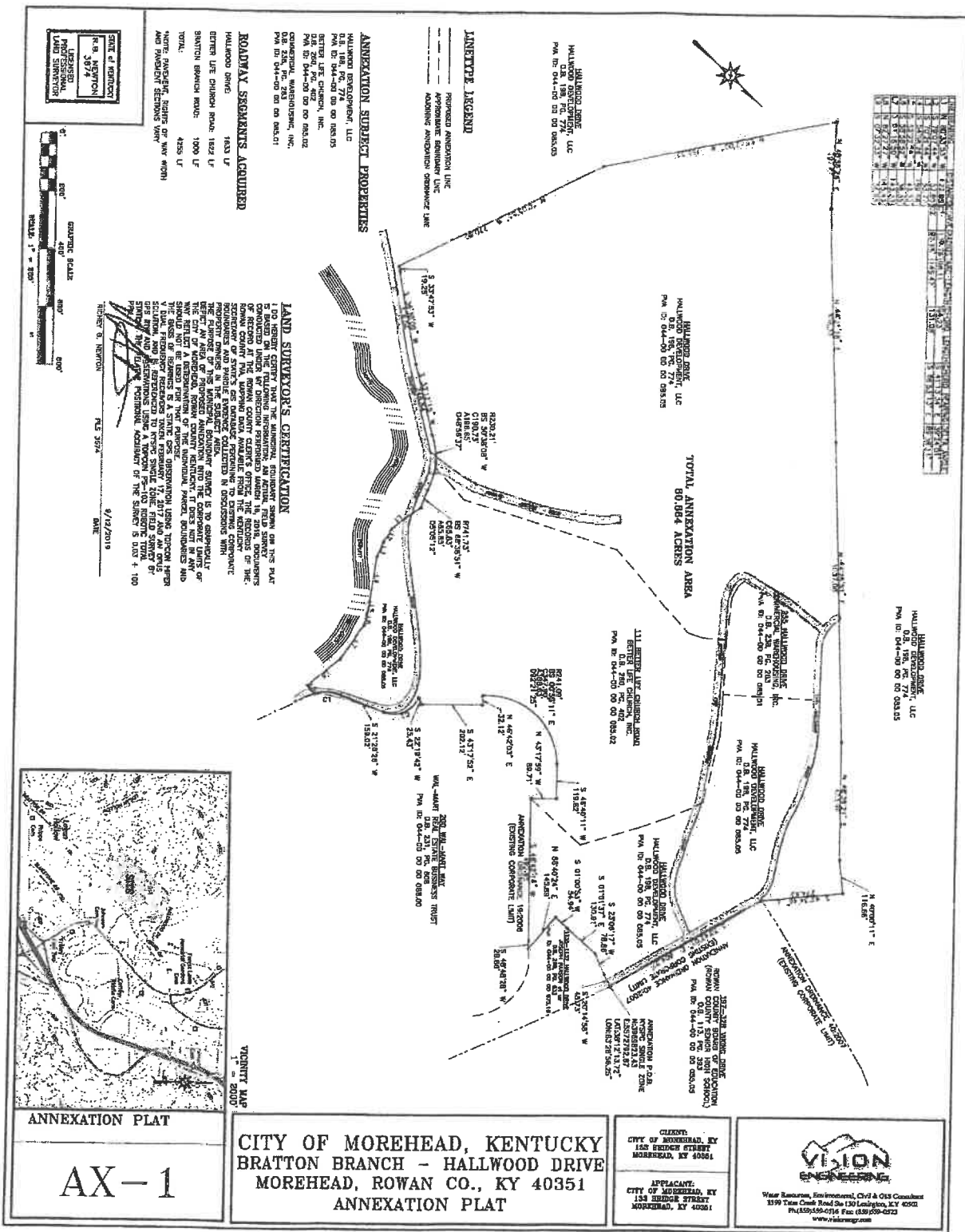
1. SOUTH 20°14'58" WEST A DISTANCE OF 45.73 FEET TO A CORNER OF THE PARCEL CONVEYED TO JOSEPH PARSON et ux IN DEED BOOK 269, PAGE 633; THENCE WITH THE LINE OF PARSON AND CONTINUING WITH SAID ANNEXATION ORDINANCE 19:2006 LINE FOR FOUR (4) CALLS:
2. SOUTH 23°06'17" WEST A DISTANCE OF 78.86 FEET;
3. SOUTH 01°01'37" EAST A DISTANCE OF 130.91 FEET;
4. SOUTH 01°00'53" WEST A DISTANCE OF 54.94 FEET;
5. NORTH 86°40'24" EAST A DISTANCE OF 145.89 FEET TO A CORNER OF THE PARCEL CONVEYED TO WAL-MART REAL ESTATE BUSINESS TRUST IN DEED BOOK 231, PAGE 608; THENCE WITH THE LINE OF SAID WAL-MART REAL ESTATE BUSINESS TRUST AND CONTINUING WITH SAID ANNEXATION ORDINANCE 19:2006 LINE FOR ELEVEN (11) CALLS:
6. SOUTH 48°48'28" WEST A DISTANCE OF 28.86 FEET;
7. SOUTH 46°42'14" WEST A DISTANCE OF 492.95 FEET;
8. NORTH 43°17'59" WEST A DISTANCE OF 89.71 FEET;
9. SOUTH 46°40'11" WEST A DISTANCE OF 119.82 FEET;
10. ALONG A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 388.63', A RADIUS OF 241.09', A CHORD BEARING OF SOUTH 00°55'11" EAST, AND A CHORD LENGTH OF 347.90';
11. NORTH 46°42'03" EAST A DISTANCE OF 32.12 FEET;
12. SOUTH 43°17'52" EAST A DISTANCE OF 202.12 FEET;
13. SOUTH 22°19'42" WEST A DISTANCE OF 25.42 FEET;
14. ALONG A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 145.47', A RADIUS OF 92.98', A CHORD BEARING OF SOUTH 66°53'13" EAST, AND A CHORD LENGTH OF 131.08';
15. SOUTH 21°26'26" EAST A DISTANCE OF 159.02 FEET;
16. ALONG A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 96.11', A RADIUS OF 139.76', A CHORD BEARING OF SOUTH 41°13'34" EAST, AND A CHORD LENGTH OF 94.23'; THENCE WITH A NEW ANNEXATION LINE FOR TWENTY (20) CALLS:
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18. NORTH 82°27'27" WEST A DISTANCE OF 145.43 FEET;
19. SOUTH 81°16'50" WEST A DISTANCE OF 143.33 FEET;
20. SOUTH 58°56'52" WEST A DISTANCE OF 38.35 FEET;
21. SOUTH 59°22'54" WEST A DISTANCE OF 43.32 FEET;
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23. SOUTH 70°29'44" WEST A DISTANCE OF 53.77 FEET;
24. SOUTH 79°07'44" WEST A DISTANCE OF 52.85 FEET;
25. NORTH 80°33'53" WEST A DISTANCE OF 122.95 FEET;

Exhibit A

26. ALONG A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 65.85', A RADIUS OF 741.73', A CHORD BEARING OF SOUTH 66°38'51" WEST, AND A CHORD LENGTH OF 65.83',;
27. ALONG A REVERSE CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 196.65', A RADIUS OF 230.21', A CHORD BEARING OF SOUTH 50°38'08" WEST, AND A CHORD LENGTH OF 190.73',;
28. SOUTH 33°12'15" WEST A DISTANCE OF 248.84 FEET;
29. SOUTH 36°30'09" WEST A DISTANCE OF 326.06 FEET;
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31. NORTH 70°05'55" WEST A DISTANCE OF 770.80 FEET;
32. NORTH 55°12'09" WEST A DISTANCE OF 795.32 FEET;
33. NORTH 48°56'26" EAST A DISTANCE OF 297.66 FEET;
34. NORTH 44°21'16" EAST A DISTANCE OF 806.36 FEET;
35. NORTH 44°28'51" EAST A DISTANCE OF 1037.08 FEET;
36. NORTH 46°36'21" EAST A DISTANCE OF 403.96 FEET;
37. NORTH 40°00'11" EAST A DISTANCE OF 116.66 FEET;
38. SOUTH 49°34'46" EAST A DISTANCE OF 274.63 FEET TO A CORNER OF SAID CITY OF MOREHEAD ANNEXATION ORDINANCE 40:2007; THENCE WITH SAID ANNEXATION ORDINANCE LINE FOR ONE (1) CALL:
39. SOUTH 73°42'01" EAST A DISTANCE OF 604.27 FEET TO THE POINT OF BEGINNING, CONTAINING 80.864 ACRES.

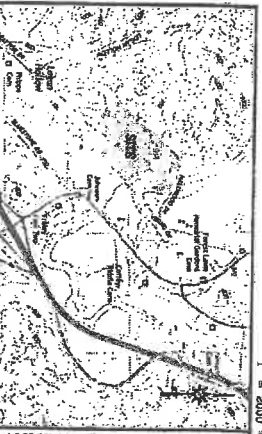
THE ABOVE DESCRIBED BEING A PORTION OF THE PROPERTY CONVEYED TO HALLWOOD DEVELOPMENT, LLC IN DEED BOOK 198, PAGE 774, THE SAME PROPERTY CONVEYED TO COMMERCIAL WAREHOUSING, INC. IN DEED BOOK 238, PAGE 263 AND THE SAME PROPERTY CONVEYED TO BETTER LIFE CHURCH, INC. IN DEED BOOK 260, PAGE 402 OF THE ROWAN COUNTY CLERK'S RECORDS.





SITE OF REMOVAL
R.A. NEWTON
3874

GRAPHIC SCALE
1" = 100'



ANNEXATION PLAT
AX-1

CITY OF MOREHEAD, KENTUCKY
BRATTON BRANCH - HALLWOOD DRIVE
MOREHEAD, ROWAN CO., KY 40351
ANNEXATION PLAT

CLIENT:
CITY OF MOREHEAD, KY
100 BRIDGE STREET
MOREHEAD, KY 40351

APPLICANT:
CITY OF MOREHEAD, KY
100 BRIDGE STREET
MOREHEAD, KY 40351

VISION ENGINEERING
Water Resources, Environmental, Civil & GIS Consulting
1190 Tate Creek Road Ste 100 Lexington, KY 40502
PH: (606) 659-0716 Fax: (606) 659-0723
www.visionengr.com

ORDINANCE NO. 34 :2019

**AN ORDINANCE OF THE CITY OF MOREHEAD, KENTUCKY ANNEXING TO
THE CITY OF MOREHEAD, KENTUCKY AN UNINCORPORATED
TERRITORY LYING ADJACENT TO AND CONTIGUOUS WITH THE
PRESENT CITY BOUNDARIES AND INCLUDING PROPERTY OF
HALLWOOD DEVELOPMENT, LLC, COMMERCIAL WAREHOUSING, INC.
AND BETTER LIFE CHURCH, INC. AND MORE ACCURATELY DEFINED
HEREIN**

WHEREAS, the Board of City Council of the City of Morehead, Kentucky desires to annex unincorporated territory which is contiguous with and adjacent to the City's boundary and is suitable for urban development purposes without unreasonable delay;

WHEREAS, the owners of the property described herein have consented in writing to the annexation of said property pursuant to KRS 81A.412 and said requires of KRS 81A.412 have been met. Said consents are attached hereto;

WHEREAS, said territory currently includes city services and benefits including city sewer utilities and police and fire protection;

WHEREAS, the annexation shall contribute to the prosperity of and be advantageous to the city and the citizens; and

WHEREAS, no area to be annexed is included within the boundary of another incorporated city;

NOW, THEREFORE, BE IT ORDAINED by the Board of City Council of the City of Morehead, Kentucky as follows:

Section One: The unincorporated territory, more accurately defined herein, which lies adjacent to the present boundaries of the City of Morehead, Kentucky, is hereby annexed to and made a part of the City of Morehead, Kentucky.

Section Two: The territory hereby annexed is accurately defined and described as follows:

A CERTAIN PARCEL OF LAND LYING ON THE WATERS OF THE NORTH FORK OF TRIPLETT CREEK, ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF MOREHEAD, COUNTY OF ROWAN, COMMONWEALTH OF KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LINE OF THE PARCEL CONVEYED TO ROWAN COUNTY BOARD OF EDUCATION IN DEED BOOK 113, PAGE 393 OF THE ROWAN COUNTY CLERK'S RECORDS, ON THE LINE OF THE CITY OF MOREHEAD ANNEXATION ORDINANCE 40:2007, A CORNER TO THE CITY OF MOREHEAD ANNEXATION ORDINANCE 19:2006 AND ON THE NORTHERN RIGHT-OF-WAY LINE OF HALLWOOD DRIVE. SAID POINT HAVING KENTUCKY STATE PLANE SINGLE ZONE COORDINATES OF N: 3969823.43, E: 5572792.67; THENCE WITH SAID CITY OF MOREHEAD ANNEXATION ORDINANCE LINE, CROSSING SAID HALLWOOD DRIVE FOR ONE (1) CALL:

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5. NORTH 86°40'24" EAST A DISTANCE OF 145.89 FEET TO A CORNER OF THE PARCEL CONVEYED TO WAL-MART REAL ESTATE BUSINESS TRUST IN DEED BOOK 231, PAGE 608; THENCE WITH THE LINE OF SAID WAL-MART REAL ESTATE BUSINESS TRUST AND CONTINUING WITH SAID ANNEXATION ORDINANCE 19:2006 LINE FOR ELEVEN (11) CALLS:
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9. SOUTH 46°40'11" WEST A DISTANCE OF 119.82 FEET;
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15. SOUTH 21°26'26" EAST A DISTANCE OF 159.02 FEET;
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39. SOUTH 73°42'01" EAST A DISTANCE OF 604.27 FEET TO THE POINT OF BEGINNING, CONTAINING 80.864 ACRES.

THE ABOVE DESCRIBED BEING A PORTION OF THE PROPERTY CONVEYED TO HALLWOOD DEVELOPMENT, LLC IN DEED BOOK 198, PAGE 774, THE SAME PROPERTY CONVEYED TO COMMERCIAL

WAREHOUSING, INC. IN DEED BOOK 238, PAGE 263 AND THE SAME PROPERTY CONVEYED TO BETTER LIFE CHURCH, INC. IN DEED BOOK 260, PAGE 402 OF THE ROWAN COUNTY CLERK'S RECORDS.

Section Three: A survey of said area is attached to this ordinance and incorporated herein by reference.

Section Four: Based upon the recommendation for the Morehead-Rowan County-Lakeview Heights Joint Planning commission, the area shall be zone B-2 and Agriculture in accordance to the map attached hereto.

INTRODUCED, SECONDED, AND GIVEN FIRST READING at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this 11th day of November 2019.

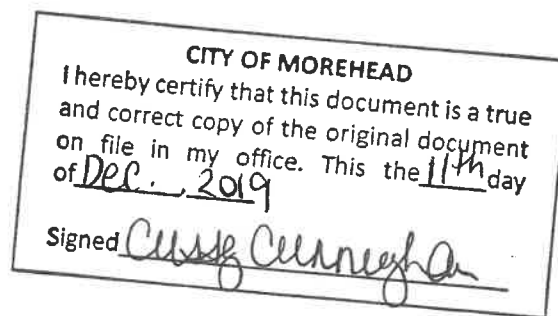
INTRODUCED, SECONDED, AND GIVEN SECOND READING at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this 9th day of December 2019.

APPROVED:


LAURA WHITE-BROWN, MAYOR

ATTESTED:


CRISSY CUNNINGHAM, CITY CLERK





**VISION
ENGINEERING**

Water Resources, Environmental, Civil & GIS Consultant
 2590 Tate Creek Road Ste 130 Lexington, KY 40502
 Ph: (606) 590-0216 Fax: (606) 590-0231
www.visionengr.com

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION made and given this 26 day of Sept. 2019 to the City of Morehead, Kentucky by Hallwood Development, LLC, by and through its Members, Dwayne Allen, Shirley Lewis and Larry Breeze:

WHEREAS, Hallwood Development, LLC expressed its desire that said property consisting of approximately 80.864 acres and adjoining the City boundaries (hereinafter referred to as "Annexation Area") be annexed into said city limits by the City of Morehead, Kentucky;

WHEREAS, Hallwood Development, LLC owns property located in the Annexation Area as depicted on the plat attached hereto and made a part of this Consent;

WHEREAS, the Board of City Council of the City of Morehead, Kentucky desires to enact an Ordinance pursuant to KRS 81A.412 annexing said property (Annexation Area) which is more particularly described herein;

WHEREAS, Hallwood Development, LLC, by and through its Members, Dwayne Allen, Shirley Lewis, and Larry Breeze, desires to unilaterally and unconditionally consent to the annexation by the Board of City Council of the City of Morehead, Kentucky of the real property more fully described herein;

NOW, THEREFORE, Hallwood Development, LLC as an owner of a portion of the property in the Annexation Area, hereby agrees and consents, pursuant to KRS 81A.412, to the annexation by the Board of City Council of the City of Morehead, Kentucky of the unincorporated real property located in Rowan County, Kentucky, which is more particularly described as follows, to-wit:

A CERTAIN PARCEL OF LAND LYING ON THE WATERS OF THE NORTH FORK OF TRIPLETT CREEK, ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF MOREHEAD, COUNTY OF ROWAN, COMMONWEALTH OF KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 80.864 ACRES.

THE ABOVE DESCRIBED BEING A PORTION OF THE PROPERTY CONVEYED TO HALLWOOD DEVELOPMENT, LLC IN DEED BOOK 198, PAGE 774, THE SAME PROPERTY CONVEYED TO COMMERCIAL WAREHOUSING, INC. IN DEED BOOK 238, PAGE 263 AND THE SAME PROPERTY CONVEYED TO BETTER LIFE CHURCH, INC. IN DEED BOOK 260, PAGE 402 OF THE ROWAN COUNTY CLERK'S RECORDS.

FURTHER, Hallwood Development, LLC waives any rights to notices it may have under KRS 81A.040 and any other notice and/or consent requirements for annexation and acknowledges that the City will assign a zone to said area based upon the recommendation of the Morehead – Rowan County – Lakeview Heights Joint Planning Commission prior to the second reading of the Annexation Ordinance.

IN TESTIMONY WHEREOF, the Hallwood Development, LLC by and through its Members, Dwayne Allen, Shirley Lewis and Larry Breeze, have hereunto subscribed their names the day and date aforesaid.

Hallwood Development LLC

By: Dwayne Allen
Dwayne Allen, Member

By: Shirley Lewis
Shirley Lewis, Member

By: Larry Breeze
Larry Breeze, Member

Commonwealth of Kentucky

SS

County of Rowan

Signed and acknowledged before me by Dwayne Allen, Member on behalf of Hallwood Development, LLC this 26 day of Sept 2019.
My Commission expires: 1-27-23

D. B. Breeze
Notary Public
Notary Number: 614882

Commonwealth of Kentucky

SS

County of Rowan

Signed and acknowledged before me by Shirley Lewis, Member on behalf of Hallwood Development, LLC this 26 day of Sept 2019.
My Commission expires: 1-27-23

D. B. Breeze
Notary Public
Notary Number: 614882

Commonwealth of Kentucky

SS

County of Rowan

Signed and acknowledged before me by Larry Breeze, Member on behalf of Hallwood Development, LLC this 26 day of Sept 2019.
My Commission expires: 1-27-23

L. B. Breeze
Notary Public
Notary Number: 614882

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION made and given this 30th day of September 2019 to the City of Morehead, Kentucky by Commercial Warehousing, Inc., by and through Guy B. Harris, II, President:

WHEREAS, Hallwood Development, LLC expressed its desire that said property consisting of approximately 80.864 acres and adjoining the City boundaries (hereinafter referred to as "Annexation Area") be annexed into said city limits by the City of Morehead, Kentucky;

WHEREAS, the Board of City Council of the City of Morehead, Kentucky desires to enact an Ordinance pursuant to KRS 81A.412 annexing said property (Annexation Area) which is more particularly described herein;

WHEREAS, Commercial Warehousing, Inc. owns property located in the Annexation Area as depicted on the plat attached hereto and made a part of this Consent;

WHEREAS, Commercial Warehousing, Inc., by and through Guy B. Harris, II, President, desires to unilaterally and unconditionally consent to the annexation by the Board of City Council of the City of Morehead, Kentucky of the real property more fully described herein;

NOW, THEREFORE, Commercial Warehousing, Inc. as an owner of a portion of the property in the Annexation Area, hereby agrees and consents, pursuant to KRS 81A.412, to the annexation by the Board of City Council of the City of Morehead, Kentucky of the unincorporated real property located in Rowan County, Kentucky, which is more particularly described as follows, to-wit:

A CERTAIN PARCEL OF LAND LYING ON THE WATERS OF THE NORTH FORK OF TRIPLETT CREEK, ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF MOREHEAD, COUNTY OF ROWAN, COMMONWEALTH OF KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LINE OF THE PARCEL CONVEYED TO ROWAN COUNTY BOARD OF EDUCATION IN DEED BOOK 113, PAGE 393 OF THE ROWAN COUNTY CLERK'S RECORDS, ON THE LINE OF THE CITY OF MOREHEAD ANNEXATION ORDINANCE 40:2007, A CORNER TO THE CITY OF MOREHEAD ANNEXATION ORDINANCE 19:2006 AND ON THE NORTHERN RIGHT-OF-WAY LINE OF HALLWOOD DRIVE. SAID POINT

HAVING KENTUCKY STATE PLANE SINGLE ZONE COORDINATES OF N: 3969823.43, E: 5572792.67; THENCE WITH SAID CITY OF MOREHEAD ANNEXATION ORDINANCE LINE, CROSSING SAID HALLWOOD DRIVE FOR ONE (1) CALL:

1. SOUTH 20°14'58" WEST A DISTANCE OF 45.73 FEET TO A CORNER OF THE PARCEL CONVEYED TO JOSEPH PARSON et ux IN DEED BOOK 269, PAGE 633; THENCE WITH THE LINE OF PARSON AND CONTINUING WITH SAID ANNEXATION ORDINANCE 19:2006 LINE FOR FOUR (4) CALLS:
2. SOUTH 23°06'17" WEST A DISTANCE OF 78.86 FEET;
3. SOUTH 01°01'37" EAST A DISTANCE OF 130.91 FEET;
4. SOUTH 01°00'53" WEST A DISTANCE OF 54.94 FEET;
5. NORTH 86°40'24" EAST A DISTANCE OF 145.89 FEET TO A CORNER OF THE PARCEL CONVEYED TO WAL-MART REAL ESTATE BUSINESS TRUST IN DEED BOOK 231, PAGE 608; THENCE WITH THE LINE OF SAID WAL-MART REAL ESTATE BUSINESS TRUST AND CONTINUING WITH SAID ANNEXATION ORDINANCE 19:2006 LINE FOR ELEVEN (11) CALLS:
6. SOUTH 48°48'28" WEST A DISTANCE OF 28.86 FEET;
7. SOUTH 46°42'14" WEST A DISTANCE OF 492.95 FEET;
8. NORTH 43°17'59" WEST A DISTANCE OF 89.71 FEET;
9. SOUTH 46°40'11" WEST A DISTANCE OF 119.82 FEET;
10. ALONG A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 388.63', A RADIUS OF 241.09', A CHORD BEARING OF SOUTH 00°55'11" EAST, AND A CHORD LENGTH OF 347.90';
11. NORTH 46°42'03" EAST A DISTANCE OF 32.12 FEET;
12. SOUTH 43°17'52" EAST A DISTANCE OF 202.12 FEET;
13. SOUTH 22°19'42" WEST A DISTANCE OF 25.42 FEET;
14. ALONG A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 145.47', A RADIUS OF 92.98', A CHORD BEARING OF SOUTH 66°53'13" EAST, r AND A CHORD LENGTH OF 131.08';
15. SOUTH 21°26'26" EAST A DISTANCE OF 159.02 FEET;
16. ALONG A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 96.11', A RADIUS OF 139.76', A CHORD BEARING OF SOUTH 41°13'34" EAST, AND A CHORD LENGTH OF 94.23'; THENCE WITH A NEW ANNEXATION LINE FOR TWENTY (20) CALLS:
17. SOUTH 07°32'33" WEST A DISTANCE OF 36.98 FEET;
18. NORTH 82°27'27" WEST A DISTANCE OF 145.43 FEET;
19. SOUTH 81°16'50" WEST A DISTANCE OF 143.33 FEET;
20. SOUTH 58°56'52" WEST A DISTANCE OF 38.35 FEET;
21. SOUTH 59°22'54" WEST A DISTANCE OF 43.32 FEET;
22. SOUTH 54°58'26" WEST A DISTANCE OF 159.66 FEET;

23. SOUTH 70°29'44" WEST A DISTANCE OF 53.77 FEET;
24. SOUTH 79°07'44 "WEST A DISTANCE OF 52.85 FEET;
25. NORTH 80°33'53" WEST A DISTANCE OF 122.95 FEET;
26. ALONG A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 65.85', A RADIUS OF 741.73', A CHORD BEARING OF SOUTH 66°38'51" WEST, AND A CHORD LENGTH OF 65.83',;
27. ALONG A REVERSE CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 196.65', A RADIUS OF 230.21', A CHORD BEARING OF SOUTH 50°38'08" WEST, AND A CHORD LENGTH OF 190.73',;
28. SOUTH 33°12'15" WEST A DISTANCE OF 248.84 FEET;
29. SOUTH 36°30'09" WEST A DISTANCE OF 326.06 FEET;
30. SOUTH 33°47'53" WEST A DISTANCE OF 19.26 FEET;
31. NORTH 70°05'55" WEST A DISTANCE OF 770.80 FEET;
32. NORTH 55°12'09" WEST A DISTANCE OF 795.32 FEET;
33. NORTH 48°56'26" EAST A DISTANCE OF 297.66 FEET;
34. NORTH 44°21'16" EAST A DISTANCE OF 806.36 FEET;
35. NORTH 44°28'51" EAST A DISTANCE OF 1037.08 FEET;
36. NORTH 46°36'21" EAST A DISTANCE OF 403.96 FEET;
37. NORTH 40°00'11" EAST A DISTANCE OF 116.66 FEET;
38. SOUTH 49°34'46" EAST A DISTANCE OF 274.63 FEET TO A CORNER OF SAID CITY OF MOREHEAD ANNEXATION ORDINANCE 40:2007; THENCE WITH SAID ANNEXATION ORDINANCE LINE FOR ONE (1) CALL:
39. SOUTH 73°42'01" EAST A DISTANCE OF 604.27 FEET TO THE POINT OF BEGINNING,
CONTAINING 80.864 ACRES.

THE ABOVE DESCRIBED BEING A PORTION OF THE PROPERTY CONVEYED TO HALLWOOD DEVELOPMENT, LLC IN DEED BOOK 198, PAGE 774, THE SAME PROPERTY CONVEYED TO COMMERCIAL WAREHOUSING, INC. IN DEED BOOK 238, PAGE 263 AND THE SAME PROPERTY CONVEYED TO BETTER LIFE CHURCH, INC. IN DEED BOOK 260, PAGE 402 OF THE ROWAN COUNTY CLERK'S RECORDS.

FURTHER, Commercial Warehousing, Inc. waives any rights to notices it may have under KRS 81A.040 and any other notice and/or consent requirements for annexation and acknowledges that the City will assign a zone to said area based upon the recommendation of the Morehead – Rowan County – Lakeview Heights Joint Planning Commission prior to the second reading of the Annexation Ordinance.

IN TESTIMONY WHEREOF, the Commercial Warehousing, Inc. by and through Guy B. Harris, II, President has hereunto subscribed his name the day and date aforesaid.

Commercial Warehousing, Inc.

By:

Guy B. Harris II
Guy B. Harris II, President

Commonwealth of Kentucky

SS

County of Daviess

Signed and acknowledged before me by Guy B. Harris II, President on behalf of Commercial Warehousing, Inc. this 7th day of October 2019.

My Commission expires: July 5, 2023

Samantha Shultz
Notary Public

Notary Number: _____

SAMANTHA SHULTZ
Notary Public
State at Large
Kentucky
My Commission Expires July 05, 2023

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION made and given this 24 day of October 2019 to the City of Morehead, Kentucky by Better Life Church, Inc., by and through Daniel Lucas, President:

WHEREAS, Hallwood Development, LLC expressed its desire that said property consisting of approximately 80.864 acres and adjoining the City boundaries (hereinafter referred to as "Annexation Area") be annexed into said city limits by the City of Morehead, Kentucky

WHEREAS, the Board of City Council of the City of Morehead, Kentucky desires to enact an Ordinance pursuant to KRS 81A.412 annexing said property (Annexation Area) which is more particularly described herein;

WHEREAS, Better Life Church, Inc. owns property located in the Annexation Area as depicted on the plat attached hereto and made a part of this Consent;

WHEREAS, Better Life Church, Inc., by and through Daniel Lucas, President, desires to unilaterally and unconditionally consent to the annexation by the Board of City Council of the City of Morehead, Kentucky of the real property more fully described herein;

NOW, THEREFORE, Better Life Church, Inc. as an owner of a portion of the property in the Annexation Area, hereby agrees and consents, pursuant to KRS 81A.412, to the annexation by the Board of City Council of the City of Morehead, Kentucky of the unincorporated real property located in Rowan County, Kentucky, which is more particularly described as follows, to-wit:

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FURTHER, Better Life Church, Inc. waives any rights to notices it may have under KRS 81A.040 and any other notice and/or consent requirements for annexation and acknowledges that the City will assign a zone to said area based upon the recommendation of the Morehead – Rowan County – Lakeview Heights Joint Planning Commission prior to the second reading of the Annexation Ordinance.

IN TESTIMONY WHEREOF, Better Life Church, Inc. by and through Daniel Lucas, President has hereunto subscribed his name the day and date aforesaid.

Better Life Church, Inc.

By:

Daniel Lucas
Daniel Lucas, President

Commonwealth of Kentucky

SS

County of Rowan

Signed and acknowledged before me by Daniel Lucas, President on behalf of Better Life Church, Inc., this 24 day of October 2019.

My Commission expires: 06-21-2023

Kellie McAfee
Notary Public
Notary Number: 625532



