

Jack Rose
Mayor



City of Murray



COUNCIL MEETING AGENDA March 23, 2017 6:30 P.M.

- 1) **Call to Order**, welcome to guests, and moment of silence
- 2) **Pledge of Allegiance to the Flag** Linda Cherry
- 3) **Minutes** Council Meeting of March 9, 2017
- 4) **Mayor's Report**
 - a) Murray High School Ladies Basketball Team
 - b) Citizens Police Academy: March 27 – May 15, 6:30 p.m.
 - c) Bill Wells 110th MADD: March 25, 9:00 a.m. – Noon
- 5) **Public Comment** (Prior arrangement through the Mayor's Office)
- 6) **Economic Development Corporation Report** Mark Manning
- 7) **WWTP Report** Todd Solomon
- 8) **Report** Personnel and Finance Committee Chair, Johnny Bohannon
- 9) **Report** Public Works Committee Chair, Danny Hudspeth
- 10) **Ordinance Number 2017-1729** (first reading) an ordinance amending Ordinance Number 2016-1705, an ordinance which adopted the 2017 City of Murray, Kentucky Annual Budget by restating certain revenues and expenditures for the City of Murray Operations Budget
- 11) **Ordinance Number 2017-1725** (second reading) amending the City of Murray Code of Ordinances Chapter 71: LICENSING, specifically §71.01, §71.02, §71.03, §71.04, §71.05, §71.06, §71.07, §71.08 and §71.99, in order to improve, modify, clarify and streamline the procedure for purchasing a License and to improve the procedures for enforcement of the License requirement
- 12) **Ordinance Number 2017-1726** (second reading) amending the City of Murray Code of Ordinances Chapter 110: GENERAL LICENSE REQUIREMENTS, specifically §110.01, §110.02, §110.03, §110.04, §110.05, §110.06, §110.07, §110.08, §110.09 §110.10 §110.11 §110.12 §110.13 §110.14 §110.15 §110.16 and §110.99, in order to improve, modify, clarify and streamline the procedure for purchasing a General License and to improve the procedures for enforcement of the General License requirements
- 13) **Ordinance Number 2017-1727** (first reading) an ordinance annexing the property located at 255 King Richard Drive, identified as Tax Map Parcel ID #043-C-0010-00002 and owned by Roger Haney into the city limits of Murray

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14) **Ordinance Number 2017-1728** (first reading) an ordinance annexing the 20.01 acre tract of land located on the east side of Brinn Road 950' +/- south of the intersection of Brinn Road and Poor Farm Road and owned by City West, LLC, into the city limits of Murray

15) **Adjournment**

PERSONNEL AND FINANCE COMMITTEE MEETING

5:50 – 6:10 p.m.

**Johnny Bohannon, Chair; Robert Billington, Wesley Bolin,
Linda Cherry, Danny Hudspeth, Jason Pittman**

Ordinance Number 2017-1729—comprehensive FY 2017 budget amendment

PUBLIC WORKS COMMITTEE MEETING AMENDED

6:15 – 6:25 p.m.

**Danny Hudspeth, Chair; Jeremy Bell, Johnny Bohannon, Dan Miller,
Jane Shoemaker, Burton Young**

1. Air and oil filter bids—Central Garage
2. Gas pipe bids—Pottertown gas main extension
3. Gas main extension construction bids—Pottertown
4. Roof replacement bids—Public Works Building

MINUTES OF COUNCIL

March 9, 2017

6:30 P.M.

The Murray City Council met in regular session Thursday, March 9, 2017, at 6:30 p.m. in the Council Chambers of City Hall with Mayor Jack Rose presiding.

Council Members Present: Jeremy Bell, Robert Billington, Johnny Bohannon, Wesley Bolin, Linda Cherry, Danny Hudspeth, Dan Miller, Jason Pittman, John Mark Roberts, Pat Scott, Jane Shoemaker, Burton Young

Council Members Absent: None

Staff Present: Luke Crawford, Tom Kutcher, Chief Liles, Jim Osborne, David Roberts, City Attorney Warren Hopkins

After a moment of silence, Burton Young led the Pledge of Allegiance to the Flag.

Mayor Rose welcomed Council members and guests and called the meeting to order.

The Minutes of the Council Meeting of February 23, 2017, were presented for approval. **Mr. Roberts moved; seconded by Ms. Shoemaker.** All voted aye.

Mayor Rose presented the Mayor's Report as outlined below:

- a) Property/facility update—Mayor Rose said the agreement for the City's purchase of the BB&T Bank facility located at 5th and Main Streets had not been finalized.
- b) Mayor's Committee to Review Needs, Expenditures, and Revenue Sources—Dr. Miller updated the Council on the recent organizational meeting of the Committee and stated the next meeting was scheduled for 5:00 p.m. on March 15th at the Robert O. Miller Conference Center.
- c) Renaissance Park Dedication—Dr. Miller said the dedication ceremony was scheduled for March 17th at 2:00 p.m. at the park.
- d) Draft Budget Calendar—Finance Director, Luke Crawford, presented the proposed Budget Calendar (attached).

Mayor Rose stated there was no request for Public Comment.

Finance Director Luke Crawford presented the City's Quarterly Financial Report—attached. He said the City's general fund receipts were on point and only thirty-five percent of anticipated expenditures had been spent. Council members discussed capital expenditures, prioritization, and Central Garage utility/charges.

Personnel and Finance Committee Chair, Johnny Bohannon, stated the Personnel and Finance Committee met prior to the Council meeting to discuss the Chamber of Commerce facility and two proposed licensing amendments. **Chair Bohannon** said the Committee gave approval to move forward with the requested \$90,000 refurbishment of the Chamber facility and **moved** for Council approval; **seconded by Mr. Billington.** **Mayor Rose called for a voice vote.** The motion passed.

Chair Bohannon recognized Jim Osborne who reviewed proposed amendments to the Murray Code of Ordinances, Chapters 71: LICENSING and 110: GENERAL LICENSE REQUIREMENTS.

Ordinance Number 2017-1725 an ordinance amending the City of Murray Code of Ordinances Chapter 71: LICENSING, specifically §71.01, §71.02, §71.03, §71.04, §71.05, §71.06, §71.07, §71.08 and §71.99, in order to improve, modify, clarify and streamline the procedure for purchasing a license and to improve the procedures for enforcement of the License requirement was presented for approval on first reading. **Mr. Pittman moved; seconded by Ms. Shoemaker.**

Ayes: Jeremy Bell, Robert Billington, Johnny Bohannon, Wesley Bolin, Linda Cherry, Danny Hudspeth, Dan Miller, Jason Pittman, John Mark Roberts, Pat Scott, Jane Shoemaker, Burton Young

Nays: None

Ordinance Number 2017-1726 an ordinance amending the City of Murray Code of Ordinances Chapter 110: GENERAL LICENSE REQUIREMENTS, specifically §110.01, §110.02, §110.03, §110.04, §110.05, §110.06, §110.07, §110.08, §110.09 §110.10 §110.11 §110.12 §110.13 §110.14 §110.15 §110.16 and §110.99, in order to improve, modify, clarify and streamline the procedure for purchasing a General License and to improve the procedures for enforcement of the General License requirements was presented for approval on first reading. **Mr. Pittman moved; seconded by Dr. Young.**

Ayes: Jeremy Bell, Robert Billington, Johnny Bohannon, Wesley Bolin, Linda Cherry, Danny Hudspeth, Dan Miller, Jason Pittman, John Mark Roberts, Pat Scott, Jane Shoemaker, Burton Young

Nays: None

Public Works Committee Chair, Danny Hudspeth, stated the Public Works Committee met prior to the Council Meeting to discuss Water Department chemical tank bids. He said three bids were submitted and according to Public Works Director, Tom Kutcher, only one (Surkamp and Rowe) met specifications. **Chair Hudspeth moved** for Council to approve the bid from Surkamp and Rowe for \$33,060.00; **seconded by Dr. Miller.** All voted aye.

A **Recommendation** from the Planning Commission to annex the property located at 255 King Richard Drive, identified as Tax Map Parcel ID #043-C-0010-00002 and owned by Roger Haney into the city limits of Murray was presented for approval. **Mr. Roberts moved; seconded by Ms. Shoemaker.** After discussion, all voted aye.

A **Recommendation** from the Planning Commission to annex the 20.01 acre tract of land located on the east side of Brinn Road 950' +/- south of the intersection of Brinn Road and Poor Farm Road and owned by City West, LLC, into the city limits of Murray was presented for approval. **Mr. Pittman moved; seconded by Mr. Billington.** After discussion, all voted aye.

With no other business before the Council, **Mr. Billington moved** to adjourn; **seconded by Mr. Bohannon.** All voted aye. The meeting adjourned at 7:12 p.m.

Jack Rose, Mayor

ATTEST:

June Batts, City Clerk

ORDINANCE NUMBER 2017-1729

AN ORDINANCE AMENDING ORDINANCE NUMBER 2016-1705, AN ORDINANCE WHICH ADOPTED THE FY 2017 CITY OF MURRAY, KENTUCKY ANNUAL BUDGET BY RESTATING CERTAIN REVENUES AND EXPENDITURES FOR THE CITY OF MURRAY OPERATIONS BUDGET.

WHEREAS, the Personnel and Finance Committee met March 23, 2017, to discuss the need to designate operating expenditures in the Planning, Street, Natural Gas, Water and Wastewater, Central Garage, and Stormwater funds for lease payments related to the fleet management program; and

WHEREAS, the Personnel and Finance Committee discussed the proceeds from the sale of the City-owned property on North 12th Street north of the Murray Calloway County Chamber of Commerce known as Tract C; and

WHEREAS, the Personnel and Finance Committee discussed the cost of sale of Tract C and allocated expenditures for those associated costs; and

WHEREAS, the Personnel and Finance Committee discussed the allocation of a portion of proceeds toward facility improvements for the City-owned building on Tract D and occupied by the Murray Calloway County Chamber of Commerce building; and

WHEREAS, the Personnel and Finance Committee discussed the allocation of a portion of proceeds toward the operations of the Murray Calloway County Economic Development Corporation; and

WHEREAS, the Personnel and Finance Committee discussed the allocation of the remaining proceeds toward the repurposing of City-owned property at 104 North Fifth Street as the Murray Police Department; and

WHEREAS, the Personnel and Finance Committee discussed the acquisition of 500 Main Street as the new location for Murray City Hall and the appropriation of capital outlay from the Natural Gas fund for the acquisition and facility improvements related to that acquisition; and

WHEREAS, the Personnel and Finance Committee discussed amending the gasoline expenditures for the Fire Department and reallocate that amendment toward the procurement of a lawn mower for Fire Station #2; and

WHEREAS, the Personnel and Finance Committee discussed necessary facility improvements to the Benton Pump Station #1 to be funded from the capital budget of the Water and Wastewater fund; and

WHEREAS, the Personnel and Finance Committee discussed deferment of the planned security improvements to Benton Pump Stations #1 and #2 to accommodate for the Benton Pump Station #1 facility improvements; and

WHEREAS, the Personnel and Finance Committee discussed the audited fund balances based on the FY2016 audit and necessary beginning fund balance adjustments in the General Fund, Municipal Aid Tax, Local Government Economic Assistance, Cemetery, E911, Alcoholic Beverage Control, and Court Awards Funds; and

WHEREAS, the Personnel and Finance Committee intends to effectively budget and plan for anticipated needs of the City,

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MURRAY, KENTUCKY AS FOLLOWS:

Section 1. GENERAL FUND RECEIPTS

OTHER FUND SOURCES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
PROCEEDS FROM SALE OF ASSETS	\$0	\$400,000	\$400,000
FUNDS AVAILABLE BEGINNING OF YEAR	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUNDS AVAILABLE BEGINNING OF YEAR	\$3,042,382	\$3,770,806	\$728,424

Section 2. SPECIAL APPROPRIATIONS

SPECIAL FUND EXPENDITURES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
ECONOMIC DEVELOPMENT PROJECT CONSIDERATION	\$25,000	\$125,000	\$100,000
IMPROVEMENTS TO CITY FACILITIES OCCUPIED BY CHAMBER OF COMMERCE	\$0	\$90,000	\$90,000
COST OF SALE OF TRACT C	\$0	\$7,500	\$7,500
CONTRIBUTION TO REPURPOSE 104 N. 5th STREET	\$0	\$177,500	\$177,500

Section 3. PLANNING DEPARTMENT

OPERATING EXPENSES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
VEHICLE LEASE EXPENSE	\$0	\$4,200	\$4,200

Section 4. FIRE DEPARTMENT

OPERATING EXPENSES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
GASOLINE	\$38,200	\$32,800	(\$6,000)
CAPITAL EXPENDITURES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
OTHER EQUIPMENT	\$32,900	\$38,900	\$6,000

Section 5. STREET DEPARTMENT

OPERATING EXPENSES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
VEHICLE LEASE EXPENSE	\$0	\$4,800	\$4,800

Section 6. MUNICIPAL AID TAX PROGRAM

REVENUES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUND BALANCE CARRYOVER	\$18,255	\$46,353	\$28,098

Section 7. LOCAL GOVERNMENT ECONOMIC ASSISTANCE

REVENUES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUND BALANCE CARRYOVER	\$8,400	\$8,364	(\$36)

Section 8. CEMETERY PERPETUAL CARE

REVENUES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUND BALANCE CARRYOVER	\$113,836	\$160,979	\$47,143

Section 9. E911 EMERGENCY PROGRAM

REVENUES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUND BALANCE CARRYOVER	\$28,567	\$53,474	\$53,474

Section 10. ALCOHOLIC BEVERAGE CONTROL PROGRAM

REVENUES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUND BALANCE CARRYOVER	\$14,458	\$46,890	\$32,432

Section 11. COURT AWARDS

REVENUES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
FUND BALANCE CARRYOVER	\$35,500	\$34,828	(\$672)

Section 12. NATURAL GAS DEPARTMENT

OPERATING EXPENSES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
VEHICLE LEASE EXPENSE	\$0	\$29,900	\$29,900

Section 13. PUBLIC WORKS CAPITAL EXPENDITURES BUDGET – MNGS (NATURAL GAS)

CAPITAL EXPENDITURES REQUEST	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
PURCHASE NEW CITY HALL	\$0	\$1,200,000	\$1,200,000

Section 14. WATER & WASTEWATER DEPARTMENT

OPERATIONAL COSTS	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
WASTEWATER PLANT	\$950,000	\$956,600	\$6,600
WATER & WASTEWATER FIELD	\$375,000	\$376,050	\$1,050
ENGINEERING	\$75,000	\$77,100	\$2,100
GENERAL OFFICE	\$165,000	\$166,050	\$1,050
ADMINISTRATIVE	\$80,000	\$84,650	\$4,650

Section 15. PUBLIC WORKS CAPITAL EXPENDITURES BUDGET – MWSS (WATER & SEWER)

CAPITAL EXPENDITURES REQUEST	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
BENTON PS #1 UPGRADE	\$0	\$40,000	\$40,000
BENTON PS #1 SITE/SECURITY	\$25,000	\$0	(\$25,000)
BENTON PS #2 SITE/SECURITY	\$25,000	\$0	(\$25,000)

Section 16. CENTRAL GARAGE

OPERATING EXPENSES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
VEHICLE LEASE EXPENSE	\$0	\$6,000	\$6,000

Section 17. STORM WATER UTILITY

OPERATING EXPENSES	<u>Budgeted</u>	<u>Amended</u>	<u>Difference</u>
VEHICLE LEASE EXPENSE	\$0	\$2,100	\$2,100

Section 18. In all other respects, Ordinance Number 2016-1705, as amended, is hereby reaffirmed.

Jack Rose, Mayor

ATTEST:

June Batts, City Clerk

Introduced by the City Council on March 23, 2017.

Adopted by the City Council on _____, 2017.

Published in the Murray Ledger and Times on March ____, 2017.

ORDINANCE 2017-1725

AN ORDINANCE AMENDING CITY OF MURRAY CODE OF ORDINANCES, §71 LICENSING, SPECIFICALLY §71.01 DEFINITIONS; §71.02 LICENSE REQUIRED; §71.03 APPLICATION; §71.04 ISSUANCE AND DISPLAY OF LICENSE; ANNUAL FEE; §71.05 DISPOSITION OF FEES; §71.06 LOSS OR TRANSFER OF LICENSE; §71.07 EXEMPTIONS; §71.08 LATE FEE; AND §71.99 PENALTIES AND VIOLATIONS IN ORDER TO IMPROVE, MODIFY, CLARIFY AND STREAMLINE THE PROCEDURE FOR PURCHASING A LICENSE AND TO IMPROVE PROCEDURES FOR ENFORCEMENT OF THE LICENSE REQUIREMENT.

WHEREAS, the City of Murray desires to amend Chapter §71 in all respects, specifically §71.01, §71.02, §71.03, §71.04, §71.05, §71.06, §71.07, §71.08 and §71.99, in order to improve, modify, clarify and streamline the procedure for purchasing a license and to improve the procedures for enforcement of the license requirement.

WHEREAS, the Murray City Council has reviewed and discussed the following proposed changes to Chapter §71 of the City Of Murray Code Of Ordinances and believe the changes are reasonable and necessary.

BE IT ORDAINED by the City Council of the City of Murray, as follows:

AMENDMENT I. ADDITIONS, ASSERTIONS & CHANGES:

CHAPTER 71: LICENSING

§71.01 is hereby amended to read in its entirety as follows:

§ 71.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ACQUIRE." To come into possession or ownership of an item of personal property subject to this Ordinance, including, but not limited to the following: a motor vehicle or motorcycle. Further, "ACQUIRE" shall mean to engage in a work related activity, a temporary work related activity or intermittent work related activity, as found in the context of this ordinance.

"BUSINESS RELATED ACTIVITY." The act of operating motor vehicle a or motorcycle to or from any business which is located within the corporate city limits for the purpose of contractual requirements, economic benefit or other forms of business which are legally recognized under the laws of the Commonwealth of Kentucky.

"CITY." The City of Murray, Kentucky.

"CORPORATE CITY LIMITS." The corporate city limits of the City of Murray.

"DAY." Unless otherwise specified in an ordinance, the word "day" shall mean a calendar day.

"INDIVIDUAL." All individuals, trusts, partnerships, limited liability companies, corporations, sub-chapter s corporations and joint ownerships.

"LEASED." A vehicle which is leased by an individual for a period extending beyond ~~28~~ 30 days.

"LICENSE." An adhesive license sticker issued by the city.

"MOPED." A motorized bicycle whose frame design may include one (1) or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a motorized bicycle with a step-through type frame which may or may not have pedals rated no more than two (2) brake horsepower, a cylinder capacity not exceeding fifty (50) cubic centimeters, an automatic transmission not requiring clutching or shifting by the operator after the drive system is engaged, and capable of a maximum speed of not more than thirty (30) miles per hour.

"MOTORCYCLE." Any motor driven vehicle having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, ~~including vehicles on which the operator and passengers ride in an enclosed cab-~~ but excluding tractors and vehicles on which the operator and passengers ride in an enclosed cab and excluding a moped as defined in this ordinance

"MOTOR VEHICLE." All automobiles, trucks, motorcycles and all other motorized vehicle devices which qualify to be operated on the city streets or state highway for the Commonwealth of Kentucky

"NON-RESIDENT." An individual who lives or resides outside the corporate city limits of the City of Murray.

"OPERATE/USE." The act of exercising domain and or control of a motor vehicle or motorcycle whether or not said vehicle is registered in the individual's name.

"PASSENGER VEHICLE." A motor vehicle that is required to be licensed within its state of residency that is capable of transporting operator and/or passengers regardless of shape, make, model, size or classification (i.e. truck, car, recreational vehicle, etc.), which functions on four or more wheels.

"RESIDING."

(1) Ownership or occupancy of real property within the corporate city limits;

(2) Renting or leasing real property with intent to occupy and maintain as a physical presence for a period in excess of ~~28~~ 30 days within the corporate city limits; and

(3) Temporarily staying at a residential location with the intent to occupy and maintain as a physical presence for a period in excess of ~~28~~ 30 days within the corporate city limits

"TEMPORARY OR INTERMITTENT WORK RELATED ACTIVITY." Any work related activity performed on a temporary, random or inconsistent basis.

"WORK RELATED ACTIVITY." The act of operating a motor vehicle or motorcycle to or from a job, job site, employment, whether full-time, part-time, intermittent, or by the job (temporary or full-time).

AMENDMENT II. ADDITIONS, ASSERTIONS & CHANGES:

§71.02 is hereby amended to read in its entirety as follows:

§ 71.02 LICENSE REQUIRED.

(A) It shall be unlawful for any individual residing within the corporate city limits to own, use, possess, lease or operate any motor vehicle or motorcycle within the corporate city limits, without first obtaining a license from the city.

(B) An individual, ~~(who is required to purchase a license under this chapter), may shall~~ purchase a license from the city by ~~completion of an application-~~ furnishing their name; make, model, and year of the motor vehicle or motorcycle; license plate number as affixed to said motor vehicle or motorcycle; and by paying the requisite license fee as established herein.

(C) It shall be unlawful for any individual residing outside (non-resident) of the corporate city limits to own, use, possess, lease or operate a motor vehicle or motorcycle within the corporate city limits without first obtaining a license from the city for the following purposes:

(1) Traveling to and/or from a work related activity, which is located within the corporate city limits.

(2) Traveling to and/or from a business related activity which is located within the corporate city limits.

AMENDMENT III. ADDITIONS, ASSERTIONS & CHANGES:

§71.03 is hereby amended to read in its entirety as follows:

§ 71.03 APPLICATION. LICENSING PROCEDURE

(A) Each individual who is required to purchase a license shall make ~~application~~ a request to the ~~city~~ for the City of Murray. ~~The application information shall include~~ This request shall include, but is not limited to, the following:

(1) ~~Name and address of vehicle owner;~~

~~(2) Name and address of lessee of the vehicle, if different from the owner;~~

~~(3) Name and address of the individual who will be the principal operator of the motor vehicle;~~

~~(4)~~ (2) Make, model and year of the motor vehicle or motorcycle; and

~~(5)~~ (3) License plate number as affixed to said motor vehicle or motorcycle.

(4) The requisite license fee as established herein.

(B) Any individual who relocates into ~~the corporate city limits~~ or who acquires a work related activity or temporary or intermittent work related activity within the corporate city limits or begins a business related activity must apply for and purchase a license within 30 days of said activity beginning. Failure to meet this requirement shall subject the individual to the penalty section of this chapter.

AMENDMENT IV. ADDITIONS, ASSERTIONS & CHANGES:

§71.04 is hereby amended to read in its entirety as follows:

§ 71.04 ISSUANCE AND DISPLAY OF LICENSE; ANNUAL FEE.

(A) Before any individual (who is required to purchase a license under this chapter) for the use of a motor vehicle or motorcycle uses or operates said motor vehicle or motorcycle within the corporate city limits, the individual shall apply for a license as stated within this chapter. The license required of motor vehicles or motorcycles under the terms of this chapter shall be effective as of May 1 31 and the fees hereinafter set forth shall be due and payable on May 1 31, and a like license shall be required as defined in this chapter on May 1 31 of each year thereafter.

(B) Any individual who has acquired or leased a vehicle (who is required to purchase a license under this chapter) shall be required to purchase a license within 30 days of acquiring/purchasing/ leasing said vehicle. The license fee shall be pro-rated on a monthly basis as of the date that the license should have been purchased. Individuals who fail to comply with the 30 day purchase requirement shall not be eligible to receive a prorated fee. Possession of a state license or license tag shall be constructive evidence of ownership and operation of vehicle coming under the provisions of this chapter. Documentation of state registration receipt and/or bill of sale shall be required as proof of acquisition of ownership date.

(C) Any individual who becomes engaged in a business related activity or a work related activity or temporary or intermittent work related activity within the corporate city limits shall be required to purchase a license within 30 days of becoming engaged in said business related activity or work related activity or temporary or intermittent work related activity within the corporate city limits. Documentation from the employer on company letterhead including individual's name, name of employer, and hire date shall be required as proof of business related activity or work related activity acquisition date. In instances where an individual becomes engaged in a temporary or intermittent work related activity the same documentation of proof shall be required in addition to the specific temporary or intermittent dates the employee will be engaged in such activity.

(D) All current year licenses shall be displayed permanently by affixing same to the motor vehicles or motorcycles rear license plate in such a manner as not to deface or obscure any identification markers on said plate. Any renewal license must be placed on the license plate by removing the expired license and replacing with a current license or by affixing the current license on top of the expired license.

(E) In the event this location for placement is determined to be a violation of any state law, including, but not limited to, the Commonwealth of Kentucky, then, the current years license may be displayed on the front windshield (passenger side). In circumstances where an individual has applied the original license sticker to the rear license plate of a motor vehicle or motorcycle in violation of any state law, the individual may remove the insignia adhesive license sticker from the motor vehicle or motorcycle and return at least three fourths of the original sticker or the portion with the identification number to the issuing authority and be issued a window style sticker for the unexpired portion of the license period upon payment of \$1.

(F) Fees. The fees assessed for the license are as follows:

Residents/Non-Residents

	<u>April 1-May 31</u>	<u>June 1-March 31</u>
Passenger Vehicle	\$50.00	<u>\$150.00</u>
Motorcycles	\$25.00	<u>\$125.00</u>

The April 1-May 31 fee shall not apply to the purchase of a license from the previous license period. In those instances the June 1-March 31 fee shall apply. Individuals who purchase a license in compliance with the 30 day requirements as stated in this ordinance shall be subject to the April 1-May 31 license fee.

AMENDMENT V. ADDITIONS, ASSERTIONS & CHANGES:

§71.05 is hereby amended to read in its entirety as follows:

§ 71.05 DISPOSITION OF FEES.

All license fees imposed, levied, and collected under the provisions of this chapter shall be paid into and become a part of the City's general fund, the same to be used to compensate the City for issuing the license, enforcement and for regulation and upkeep of the city streets.

AMENDMENT VI. ADDITIONS, ASSERTIONS & CHANGES:

§71.06 is hereby amended to read in its entirety as follows:

§ 71.06 LOSS OR TRANSFER OF LICENSE.

- (A) If any individual shall sell or otherwise dispose of a motor vehicle or motorcycle for which a license has been issued hereunder prior to the expiration date of the license, and shall remove the insignia adhesive license sticker from the motor vehicle or motorcycle and return ~~it or portions thereof~~ at least three fourths of the original sticker or the portion with the identification number (as proof of the destruction of the license) within 30 days to the issuing authority, the individual may be issued another license for another motor vehicle or motorcycle for the unexpired portion of the license period upon payment of a transfer fee of \$1. Transfer licenses requested after 30 days of transfer of the motor vehicle or motorcycle will be subject to the June 1st license fee. Documentation of state registration receipt and/or bill of sale shall be required as proof of acquisition of ownership date. ~~In the event of the theft of the adhesive license sticker, a replacement shall be issued upon proper proof of prior issuance of a license, and upon the payment of a \$1 fee.~~

- (B) In the event that an original license sticker is lost or misplaced and cannot be located, the original purchaser of said license, upon proper proof of prior issuance of a license and an affidavit of loss, shall be eligible one (1) time per license period to replace the license sticker at the June 1st license fee less \$50 credit for the original license purchase.

- (C) In the event of the theft of the adhesive license sticker, a replacement shall be issued upon proper proof of prior issuance of a license as well as proof of a valid police report, affidavit of theft, and upon payment of the \$1 fee.

- (D) In the event of the unintentional destruction or forfeiture of the adhesive license sticker (as determined in sole discretion of the City), a replacement shall be issued upon proper proof of prior issuance of a license as well as proof of a valid police report or insurance claims documentation including an affidavit of destruction or forfeiture, and upon payment of the \$1 fee.

AMENDMENT VII. ADDITIONS, ASSERTIONS & CHANGES:

§71.07 is hereby amended to read in its entirety as follows:

§ 71.07 EXEMPTIONS.

(A) Motor vehicles or motorcycles which due to their status as governmental or are used and operated exclusively in the service of the governmental shall be exempt from the license fee. Motor vehicles or motorcycles which are registered to a governmental entity that bear non-governmental license plates, upon proof of proper documentation, shall also be exempt from the license fee.

(B) Residents or non-residents which due to their status as active, retired, or disabled veterans and have been issued a special military-related license plate under KRS 186.041 shall be exempt from the license fee for the motor vehicle or motorcycle which displays said plates and shall receive one license, at no cost, to be affixed to the special military-related license plate. Residents or non-residents who qualify for, but have not obtained, a special military-related license plate under KRS 186.041 shall be exempt from the license fee and shall receive one license, at no cost, to be affixed to the license plate. These exemptions shall only allow for 1 no-cost license per active, retired, or disabled veteran and shall exempt only the vehicle primarily driven by the active, retired, or disabled veteran.

(C) Motor vehicles or motorcycles which due to their status have been issued a common carrier permit as specified in KRS 281.830 or have a common carrier certificate from another state with which the State of Kentucky has a reciprocal agreement as specified in KRS 186.041 shall be exempt from the license fee.

(D) Motor vehicles or motorcycles which due to their status operate in interstate commerce pursuant to Federal Interstate Commerce Commission permit shall be exempt from the license fee, unless such trucks are locally-owned and stored within the corporate city limits.

(E) Exemption. Motor vehicles or motorcycles that are inventory items on dealer lots held for resale purposes and not used in any business or work related activity or temporary or intermittent work related activity shall be exempt from the license fee. This exemption shall not apply to dealer plates.

AMENDMENT VIII. ADDITIONS, ASSERTIONS & CHANGES:

§71.08 is hereby amended to read in its entirety as follows:

§ 71.08 ~~LATE FEE~~ PURCHASE

Any person who is required to purchase a license and fails to do so by May 31st of each year ~~within 30 days of the date they are required to purchase a license~~ shall be required to purchase a license ~~as well as be assessed a \$100 late fee~~ a license at the June 1st license fee. This shall not apply to individuals who comply with the 30 day deadline requirements as outlined in this ordinance.

AMENDMENT IX. ADDITIONS, ASSERTIONS & CHANGES:

§71.99 is hereby amended to read in its entirety as follows:

§ 71.99 PENALTIES AND VIOLATIONS.

(A) A ~~city~~ Police, Citation or Code Enforcement Officer or other individual authorized by the city, shall issue a violation notice containing the necessary information of said violation as prescribed by the city.

(B) The enforcement of any violation of this chapter shall be the responsibility of the Code Enforcement Board, its Police Citation Officer or Code Enforcement Official.

(C) A Police Officer, or Citation or Codes Enforcement Officer or other individual authorized by the city may ~~(but shall not be required to)~~ issue a warning notice of violation in lieu of a citation allowing the offender ten days within which to obtain a city license at the June 1st license fee, without penalty.

(D) Each person operating any motor vehicle or motorcycle, as defined herein, for which a license is required, without having first obtained a license on or before May 31 of each year to operate a motor vehicle or motorcycle, shall be issued a notice of violation or citation for violation of this chapter.

(E) If a person, prior to receiving a notice of violation, purchases a license after the deadline of May 31, the cost of the ~~fine license~~ shall be ~~\$50~~ \$150, and ~~in addition to paying the fine, the offending party shall purchase the required license for \$50.~~ If a notice of violation is issued and the offending party wishes not to contest the citation, the ~~minimum fine to be assessed shall be \$100 and in addition to paying the fine, the offending party shall purchase the required license for \$50.~~ offending party shall be required to purchase the required license at the June 1st license fee of \$150.

(F) If the citation is contested and a hearing before the Code Enforcement Board is required, the penalties that may be imposed at the discretion of the Board shall be \$100 to \$500 for each offense. If after the citation is issued, the offending party wishes to contest the citation, notification must be delivered pursuant to the requirements of the Code Enforcement Ordinance, Chapter 40 of this Code of Ordinances. If the offending party fails to respond to the citation within the requisite period of time, the offending party shall be deemed to have waived the right to a hearing to contest the citation and a determination by the Code Enforcement Board that a violation was committed shall be considered final. In this event the Code Enforcement Board shall enter a final order determining that the violation was committed and imposing the civil fine set forth in the citation. This shall be in addition to requiring the offending party to purchase a license.

(G) If the offending party notifies the city, within the designated time period, of his or her intention to have a hearing before the Code Enforcement Board, then, a hearing shall be established for the offending party pursuant to ~~Code Enforcement Board Ordinance~~, Chapter 40 of this Code of Ordinances.

(H) All final orders by the Code Enforcement Board as a result of violation of this chapter shall accrue interest at the twelve percent judgment rate of interest ~~as established by the Commonwealth of Kentucky.~~ in accordance with Kentucky Revised Statute 360.040.

(I) A lien may be filed enforcing any final order of the Code Enforcement Board as a result of a violation of this chapter.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

JACK D. ROSE, MAYOR

ATTEST:

JUNE BATTS, CITY CLERK

Introduced by the City Council on _____, 2017.

Adopted by the City Council on _____, 2017.

Published in the Murray Ledger and Times on _____, 2017.

ORDINANCE 2017-1726

AN ORDINANCE AMENDING CITY OF MURRAY CODE OF ORDINANCES, §110 GENERAL LICENSE REQUIREMENTS, SPECIFICALLY §110.01 LICENSE REQUIRED; §110.02 DEFINITIONS; §110.03 NON-RESIDENTS; §110.04 LICENSE NONTRANSFERABLE; §110.05 EXPIRATION; §110.06 ADVERTISEMENT AS CONCLUSIVE EVIDENCE; §110.07 APPLICATION; §100.08 RENEWAL; AND §110.09 ISSUANCE FOR INTERVENING PERIOD; §110.10 LICENSE TAX; §110.11 ENFORCEMENT; §110.12 TAXES TO BE PAID TO CITY; §110.13 EXEMPT BUSINESSES; §110.14 SALE, TRANSFER OR CHANGE OF NAME OF BUSINESS- LICENSE REQUIREMENTS; §110.15 CHANGE OF LOCATION; §110.16 LATE FEE; AND §110.99 PENALTY IN ORDER TO IMPROVE, MODIFY, CLARIFY AND STREAMLINE THE PROCEDURE FOR PURCHASING A GENERAL LICENSE AND TO IMPROVE PROCEDURES FOR ENFORCEMENT OF THE GENERAL LICENSE REQUIREMENTS.

WHEREAS, the City of Murray desires to amend Chapter §110 in all respects, specifically §110.01, §110.02, §110.03, §110.04, §110.05, §110.06, §110.07, §110.08, §110.09 §110.10 §110.11 §110.12 §110.13 §110.14 §110.15 §110.16 and §110.99, in order to improve, modify, clarify and streamline the procedure for purchasing a General License and to improve the procedures for enforcement of the General License requirements.

WHEREAS, the Murray City Council has reviewed and discussed the following proposed changes to Chapter §110 of the City Of Murray Code Of Ordinances and believe the changes are reasonable and necessary.

BE IT ORDAINED by the City Council of the City of Murray, as follows:

AMENDMENT I. ADDITIONS, ASSERTIONS & CHANGES:

CHAPTER 110: GENERAL LICENSE REQUIREMENTS

§110.01 is hereby amended to read in its entirety as follows:

§ 110.01 LICENSE REQUIRED.

(A) It shall be unlawful for any person to engage in any business, as defined herein, in the e-City until such person has first paid the amount of license tax to the e-City and has obtained from the e-City, a license as hereinafter specified and required.

(B) All such licenses shall have printed or stamped on the face of same, in large figures, the year for which same are issued, and it shall be the duty of the person procuring or having such license to keep same posted or otherwise exposed on some conspicuous place at the place of business, where the same shall at all times be within the public view.

AMENDMENT II. ADDITIONS, ASSERTIONS & CHANGES:

§110.02 is hereby amended to read in its entirety as follows:

§ 110.02 DEFINITIONS.

Except as otherwise expressly declared or clearly apparent from the context in which used, the following definitions shall be applied in construing the provisions of this chapter:

"ACCOMMODATION AND FOOD SERVICES." A classification meaning the accommodations and food services sector which comprises establishments providing customers with lodging and/or preparing meals, snacks and beverages for immediate consumption, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES." A classification meaning the activities performed including office administration, hiring and placing or personnel, document preparation and similar clerical services, solicitation, collection, security and surveillance services, cleaning and waste disposal services, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"ARTS, ENTERTAINMENT AND RECREATION." A classification meaning the arts, entertainment and recreation sector which includes a wide range of establishments that operate facilities or provide services to meet varied cultural entertainment and recreational interest of their patrons. This sector comprises: establishments that are involved in producing, promoting, or participating in live performances, events or exhibits intended for public viewing; establishments that preserve and exhibit objects and sites of historical, cultural, or educational interest; and establishments that operate facilities or provide services that enable patrons to participate in recreational activities or pursue amusement, hobby and leisure-time interests, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"BOOTH SPACE." A designated area, which may or may not be enclosed or semi-enclosed, located within a structure and rented or leased to an individual(s) to provide said individual(s) with a space to conduct business, including, but not limited to, the sale of merchandise, goods or services. This classification includes, but is not limited to, hair dressers, nail technicians, cosmetologist, massage therapists and hair colorists.

"BUSINESS." A classification meaning all services, activities, occupations, vocations, pursuits, trades, callings or professions located and/or performed within the e-City with the object of pecuniary gain, benefit, or advantage to the person, or to another person or class, directly or indirectly, whether part-time or full-time. This definition includes, without limitation, home occupations, peddlers, including, but not limited to, owners and renters of booth space, rooms or areas (occupied or unoccupied) located within a structure, whether occupied or unoccupied and the rental of commercial and residential real property. It also includes the activities of businesses that are located outside the e-City where sales or services are performed by the physical presence of business representatives inside the e-City, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"CITY." The City of Murray, Kentucky, its government, representatives, authorized agents, successors and assigns.

CONSTRUCTION. A classification meaning the construction sector, which comprises establishments primarily engaged in the construction of buildings or engineering projects. Establishments primarily engaged in the preparation of sites for new construction and establishments primarily engaged in subdividing land for sale as building sites also are included in this sector. Construction work done may include new work, additions, alterations, or maintenance and repairs, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

DAY. Unless otherwise specified in an ordinance, the word "day" shall mean calendar Day.

EDUCATIONAL SERVICES. A classification meaning the educational services sector comprising establishments that provide instruction and training in a wide variety of subjects. This instruction and training is provided by specialized establishments, such as schools and training centers. These establishments are privately owned and operated for profit, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

FINANCE AND INSURANCE. A classification meaning the finance and insurance sector, which comprises establishments primarily engaged in financial transactions (transactions involving the creation, liquidation, or change in ownership of financial assets) and/or facilitating financial transactions, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

FULL TIME SELF-EMPLOYED. Any full time employee or employees who own the business in which he and/or she is employed and the business has no other employees.

HEALTH CARE AND SOCIAL ASSISTANCE. A classification meaning the health care and social assistance sector comprising establishments providing health care and social assistance for individuals. The industries in this sector are arranged on a continuum starting with those establishments providing medical care exclusively, continuing with those providing health care and social assistance, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

INFORMATION. A classification meaning the information sector which comprises establishments engaged in the following processes: producing and distributing information and cultural products; providing the means to transmit or distribute these products as well as data or communications; and processing data. The main components of this sector are the publishing industries, including software publishing, and both traditional publishing and publishing exclusively on the Internet; the motion picture and sound recording industries; the broadcasting industries, including traditional broadcasting and those broadcasting exclusively over the internet; the telecommunications industries; Web search portals, data processing industries, and the information services industries, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

JURISDICTION. The territory within the City of Murray, Kentucky's corporate limits.

MANAGEMENT OF COMPANIES AND ENTERPRISES. A classification meaning the management of companies and enterprises sector comprises establishments that hold the securities of (or other equity interests in) companies and enterprises for the purpose of owning a controlling interest or influencing

management decisions of establishments (except government establishments) that administer, oversee, and manage establishments of the company or enterprise and that normally undertake the strategic or organizational planning and decision making role of the company or enterprise, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

MANUFACTURING. A classification meaning the manufacturing section, which comprises establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The assembling of component parts of manufactured products is considered manufacturing. Establishments in the manufacturing sector are often described as plants, factories, or mills and characteristically use power-driven machines and materials-handling equipment, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

NAICS. The North American Industry Classification System, 2012 edition, along with all subsequently adopted amendments and modifications thereto.

NET INCOME. The total sales revenue, less the cost of the goods sold and all additional expenses.

NON-RESIDENT. A person who does not live, reside or maintain a principal place of business within the jurisdiction of the e-City.

OFFENDING PARTY. A person who has received a citation for a violation of this chapter.

OTHER SERVICES. A classification meaning the other services sector which comprises establishments engaged in providing services not specifically provided for elsewhere in the classification system. Establishments in this sector are primarily engaged in activities, such as equipment and machinery repairing, advocacy and providing drycleaning and laundry services, personal care services, death care services, pet care services, photofinishing services, temporary parking services and dating services, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

PART TIME SELF-EMPLOYED. Any part time employee or employees who own the business in which he and/or she is employed and the business has no other employees.

PERSON. One or more human beings, of either sex, or an entity that is recognized by law as having the rights and duties of a human being such as a corporation, company, partnership, association, trust, joint venture or other entity capable of maintaining a legal action and/or having a legal action brought against it, as authorized under the laws of the Commonwealth of Kentucky, however, shall not include employees of persons licensed pursuant to this chapter.

PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES. A classification meaning the professional, scientific and technical services sector, which comprises establishments that specialize in performing professional, scientific and technical activities for others. Activities performed include: legal advice and representation; accounting, bookkeeping and payroll services; architectural, engineering and specialized design services; computer services; consulting services; research services; advertising services; photographic services; translation and interpretation services; veterinary services; and other professional, scientific and technical services, including, but not limited to those itemized classifications set forth and

established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"REAL ESTATE AND RENTAL AND LEASING." A classification meaning the real estate and rental and leasing sector which comprises establishments primarily engaged in renting, leasing, or otherwise allowing the use of tangible or intangible assets and establishments providing related services. The major portion of this sector comprises establishments that rent, lease or otherwise allow the use of their own assets by others. The assets may be tangible, as is the case of real estate and equipment, or intangible, as is the case with patents and trademarks. This sector also includes establishments primarily engaged in managing real estate for others, selling, renting and/or buying real estate for others, and appraising real estate, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"RETAIL TRADE." A classification meaning the retail trade sector which comprises establishments engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. The retailing process is the final step in the distribution of merchandise; retailers are, therefore, organized to sell merchandise in small quantities to the general public, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"TRANSPORTATION AND WAREHOUSING." A classification meaning the transportation and warehousing sector includes industries providing transportation of passengers and cargo, warehousing and storage for goods, scenic and sightseeing transportation, and support activities related to modes of transportation. Establishments in these industries use transportation equipment or transportation related facilities as a productive asset. The type of equipment depends on the mode of transportation. The modes of transportation are air, rail, water, road and pipeline. The transportation and warehousing sector distinguishes three basic types of activities: subsectors for each mode of transportation, a subsector for warehousing and storage, and a subsector for establishments providing support activities for transportation, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

"VENDOR OF OCCUPIED OR UNOCCUPIED LOCATION." A classification meaning an individual who rents (directly or indirectly) a specific location within a designated business, which includes, but is not limited to, booth shelf space, rooms, areas and the like, that is occupied or unoccupied by the individual, for the purpose of retail sale of the individual's items, goods or merchandise.

"WHOLESALE." A classification meaning the wholesale trade sector, which comprises establishments engaged in wholesaling merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. The merchandise described in this sector includes the outputs of agriculture, mining, manufacturing, and certain information industries, such as publishing, including, but not limited to those itemized classifications set forth and established in the 2012 NAICS Codes, along with all subsequently adopted amendments and modifications thereto.

AMENDMENT III. ADDITIONS, ASSERTIONS & CHANGES:

§110.03 is hereby amended to read in its entirety as follows:

§ 110.03 NONRESIDENTS.

(A) It shall be unlawful for any person who is a non-resident of the e-City, or has a principal place of business outside the e-City limits to engage in any business as defined herein, in the e-City until such person has first paid the amount of license tax to the e-City and has obtained from the e-City, a license as hereinafter specified and required.

(B) Such license shall be required of any person residing outside the e-City or having a principal place of business outside the e-City limits if such person shall engage in any business, hereinafter mentioned in the e-City, and who actually solicits and accepts business by holding himself or herself out as engaging in such business the same as any person residing in the e-City and engaged in a similar business.

AMENDMENT IV. ADDITIONS, ASSERTIONS & CHANGES:

§110.04 is hereby amended to read in its entirety as follows:

§ 110.04 LICENSE NONTRANSFERABLE.

(A) Each license shall state the name of the person to whom it is issued, and no such license shall be assignable or transferable, nor shall any such license authorize any person other than the one mentioned in the license to conduct any business or to follow any occupation, profession, trade, or calling other than that provided in such license. ~~There shall be~~ The City shall require a separate license for each place of business, and each branch store or separate establishment shall be construed as a separate unit for the purpose of license taxes as provided herein, so long as each separate place of business, each branch store, or separate establishment maintains a separate tax ID (EIN, SSN, TIN, etc.) and/or separate state business license number.

(B) Any person who maintains multiple separate businesses while operating under the same tax ID number (EIN, SSN, TIN, etc.) for those businesses, shall be required to purchase a business license for the business which requires the largest license fee. A license shall be purchased for each additional business for the cost of \$5 each.

(C) No additional business license shall be required for any single business which operates satellite offices.

AMENDMENT V. ADDITIONS, ASSERTIONS & CHANGES:

§110.05 is hereby amended to read in its entirety as follows:

§ 110.05 EXPIRATION.

All licenses granted under this chapter, except as otherwise herein provided, shall expire on May 1- 31 of each and every year. No portion of any license tax shall be refunded to any person, firm, company, or corporation, or to anyone else for their use or benefit, except that a person who purchases the license

prior to June 1 may request a refund up until June 1 and the e-City is authorized to grant such refund. Thereafter, the e-City is authorized to deny all requests for license refunds.

AMENDMENT VI. ADDITIONS, ASSERTIONS & CHANGES:

§110.06 is hereby amended to read in its entirety as follows:

§ 110.06 ADVERTISEMENT AS CONCLUSIVE EVIDENCE.

An advertisement of any person, that he or she is engaged in any business, for ~~the carrying on of~~ which a license is required under this chapter, shall be conclusive evidence for such license tax as provided by this chapter.

AMENDMENT VII. ADDITIONS, ASSERTIONS & CHANGES:

§110.07 is hereby amended to read in its entirety as follows:

§ 110.07 APPLICATION.

Every person desiring to procure a license, as herein provided, shall when required, make application in writing to the e-City, giving and disclosing all information necessary to enable the e-City to determine the amount of license tax to be paid, the character of business to be conducted, and such other facts as may be necessary or proper to determine whether the applicant for such license shall be granted. The e-City may require each applicant, so applying, to furnish such additional information as the e-City deems necessary to properly process each application, including, but not limited to, a complete list of vendors/renters of booth space or a designated area, including name, address, telephone number and nature of business for each vendor/renter. The information may be required to be stated under oath by virtue of a sworn affidavit. The applicant must sign a statement agreeing to update the renter list within 30 days of a change in the vendor/renter list and further agrees to allow a representative of the e-City and/or the Code Enforcement Officer to enter the premises for the purpose of inspection to confirm compliance with this chapter. Refusal to produce any requested information to the e-City may result in the applicant's application being denied or revoked. Refusal to allow a representative of the e-City and/or the Code Enforcement Officer to enter the premises for the purpose of inspection to confirm compliance with this chapter may result in a denial or revocation of the business license for the premises.

AMENDMENT VIII. ADDITIONS, ASSERTIONS & CHANGES:

§110.08 is hereby amended to read in its entirety as follows:

§ 110.08 RENEWAL.

All business licenses issued pursuant to the provisions of this chapter shall be renewed by following the same procedure as required for the original applications. All renewals are due to be paid on or before May 31 of each subsequent year. In the event May 31 occurs on a weekend or recognized holiday, then, ~~the City due date shall be extended~~ shall extend the due date to include the next full business day.

AMENDMENT XI. ADDITIONS, ASSERTIONS & CHANGES:

§110.09 is hereby amended to read in its entirety as follows:

§ 110.09 ISSUANCE FOR INTERVENING PERIOD.

If any person who is engaged in any business as defined herein, desires to engage in such businesses at any intervening period, his or her license shall be issued by the e-City for the fractional part (based on 12-month prorated basis) of said year and made to expire as herein provided and he or she shall be charged for such period the proportionate part of the license tax for the period so engaged by him or her in his or her business, except that this shall not apply to any miscellaneous business classification in § 110.10(C) license as is provided for in this chapter regardless of the date of issuance, and made to expire on May 31 following.

AMENDMENT X. ADDITIONS, ASSERTIONS & CHANGES:

§110.10 is hereby amended to read in its entirety as follows:

§ 110.10 LICENSE TAX.

Every person, before engaging in any business, hereinafter mentioned and described shall pay the license tax hereinafter provided to the City of Murray and set opposite the name of the business, for which license taxes are required, together with the amount of such license tax, the same applying to each business location, except as otherwise specifically set out which are as follows:

(A) Business Classification Flat Rate.

Educational services as set forth in the 2012 NAICS Code 61	\$150
Other services as set forth in the 2012 NAICS Code 81	\$150
Arts, entertainment & recreation as set forth in the 2012 NAICS Code 71	\$150
Administrative, support, waste management & remediation services as set forth in the 2012 NAICS Code 56	\$150
Information as set forth in the 2012 NAICS Code 5	\$200
Wholesale trade as set forth in the 2012 NAICS Code 42	\$350
Management of companies & enterprises as set forth in the 2012 NAICS Code 55	\$400
Finance & insurance as set forth in the 2012 NAICS Code 52	\$400
Transportation & warehousing as set forth in the 2012 NAICS Code 48-49	\$400
Manufacturing as set forth in the 2012 NAICS Code 31-33	\$600
Vendor of occupied or unoccupied location	\$75

All of the above classifications are defined in the NAICS Structure, 2012 edition, or any subsequently adopted amendments or modification thereto.

(B) Business Classification Small, Medium & Large Business Rate.

Small Business	Medium Business	Large Business		
Net Income Scale	Net Income Scale	Net Income Scale		
\$0- \$300,000	\$300,001- \$600,000	\$600,001- Greater		
Retail trade as set forth in the 2012 NAICS Code 44-45		\$150	\$400	\$600
Accommodation & food services as set forth in the 2012 NAICS Code 72		\$150	\$400	\$600
Construction as set forth in the 2012 NAICS Code 23		\$150	\$400	\$600
Professional, scientific & technical services as set forth in the 2012 NAICS Code 54		\$150	\$400	\$600
Real estate, rental & leasing as set forth in the 2012 NAICS Code 53*		\$150	\$400	\$600
Health care & social assistance as set forth in the 2012 NAICS Code 62		\$150	\$400	\$600
* See real estate, rental & leasing under division (C) for businesses with gross receipts less than \$25,000				

All of the above classifications are defined in the NAICS Structure, 2012 edition, or any subsequently adopted amendments or modification thereto.

(C) Business Classification for Miscellaneous Business.

	Rate	
Taxicab or limousines business as set forth in KRS 186.281	\$30 per vehicle	
Transient business as set forth in the Murray City Code of Ordinances Chapter 156	\$75 per application	
Limited restaurant alcoholic beverage by the drink license as set forth in the Murray City Code of Ordinances Chapter 118	\$1,000 (yearly fee) \$500 (6-month fee)	
Limited golf course alcoholic beverage by the drink license as set forth in the Murray City Code of Ordinances Chapter 118	\$1,000 (yearly fee) \$500 (6-month fee)	
Limited caterer alcoholic beverage by the drink license as set forth in the Murray City Code of Ordinances Chapter 118	\$800 (yearly fee) \$400 (6-month fee)	
Real estate, rental & leasing as set forth in the 2012 NAICS Code 53. License under this section shall be determined by signed affidavit of gross income submitted to the City of Murray by the applicant.	<10K Gross Rental <u>Income</u> \$50	>10K to 25K Gross Rental <u>Income</u> \$100

AMENDMENT XI. ADDITIONS, ASSERTIONS & CHANGES:

§110.11 is hereby amended to read in its entirety as follows:

§ 110.11 ENFORCEMENT.

It shall be the duty of the Chief of Police and the Police Department and/or the Code Enforcement Officer, to see that any person doing business in the eCity have the license required by law. ~~who shall cause citations to be issued for violations hereunder.~~ Any person doing business within the City without the required license shall be issued a notice of violation or a citation for violations hereunder.

§ 110.12 TAXES TO BE PAID TO CITY.

All money derived from license taxes under the provisions of this chapter shall be paid to the eCity and placed to the credit of the general revenue fund of the eCity and shall be used and expended in defraying the current and incidental expenses of the eCity.

§ 110.13 EXEMPT BUSINESSES.

The following businesses shall be exempt from the licensing provisions of this chapter:

- (A) Non-profit activities carried on by religious, charitable, benevolent, fraternal or social organizations.
- (B) Public utility companies.
- (C) Any governmental functions or agencies
- (D) Garage sales conducted on residential premises or governmental property in compliance with the eCity zoning code.
- (E) Vendors and peddlers conducted during eCity sponsored street fairs and special events.
- (F) Communications services or multichannel video programming services as defined in KRS 136.602(2), (8).
- (G) Banks, trust companies, savings and loans companies, as defined in KRS 92.300.
- (H) Insurance companies taxed by the insurance premium tax, as defined in KRS 91A.080.

AMENDMENT XIV. ADDITIONS, ASSERTIONS & CHANGES:

§110.14 is hereby amended to read in its entirety as follows:

§ 110.14 SALE, TRANSFER OR CHANGE OF NAME OF BUSINESS - LICENSE REQUIREMENTS.

(A) Upon the sale or transfer of any business which is licensed pursuant to this chapter, the license issued to the prior owner shall automatically expire on the date of such sale or transfer and the new owner shall apply for and obtain a new business license prior to engaging in, conducting, or operating the business.

(B) Upon the request to issue a new license of any business requesting a change of name only, the City shall issue the new license ~~the new license shall be issued~~ with a \$35 administrative fee to cover the cost associated with issuing the license.

AMENDMENT XV. ADDITIONS, ASSERTIONS & CHANGES:

§110.15 is hereby amended to read in its entirety as follows:

§ 110.15 CHANGE OF LOCATION.

(A) No business tax license issued pursuant to the provisions of this chapter shall be transferable; provided, however, where a business tax license is issued for a person to transact and carry on a business at a particular place, such person, upon an application therefor may have the business tax license at some other location to which it is to be moved.

(B) Upon the request to issue a new license of any business requesting a physical change in business location, the City shall issue the new license with a \$35 administrative fee to cover the cost associated with issuing the license.

AMENDMENT XVI. ADDITIONS, ASSERTIONS & CHANGES:

§110.16 is hereby amended to read in its entirety as follows:

§ 110.16 LATE ~~FEES~~ FINE.

A late ~~fee~~ fine of an amount equal to the required business license cost shall be assessed upon all person's required to purchase a business license who have not purchased same within 30 days after the date the license is required to be purchased. This ~~fee~~ fine is in addition to the cost of the business license.

AMENDMENT XVII. ADDITIONS, ASSERTIONS & CHANGES:

§110.99 is hereby amended to read in its entirety as follows:

§ 110.99 PENALTY.

(A) A eCity Police, Citation or Code Enforcement Officer shall issue a violation notice containing the necessary information of said violation as prescribed by the eCity.

(B) A Police Officer, ~~or~~ Citation or Codes Enforcement Officer, may ~~(but shall not be required to) issue a warning~~ issue a notice of violation in lieu of a citation, allowing the offender ten days within which to obtain a eCity business license. , without penalty. The cost of said license and late fine, if applicable, shall be determined pursuant to the requirements of this ordinance.

(C) Each person carrying on or conducting any business, as defined herein for which a license is required, without having first obtained a license on or before May 31 of each year to carry on and conduct such business shall be issued a citation for violation of this chapter.

(D) If after the citation is issued the offending party wishes not to contest the citation, the minimum fine to be assessed shall be \$100 and in addition to paying the fine, the offending party shall purchase the required business license.

(E) If the citation is contested and a hearing before the Code Enforcement Board is required, the penalties that may be imposed at the discretion of the Board shall be \$100 to \$500 for each offense. If after the citation is issued, the offending party wishes to contest the citation, notification must be delivered pursuant to the requirements of the City of Murray Code Enforcement Ordinance, Chapter 40. If the offending party fails to respond to the citation within the requisite period of time, the offending party shall be deemed to have waived the right to a hearing to contest the citation and a determination by the Code Enforcement Board that a violation was committed shall be considered final. In this event the Code Enforcement Board shall enter a final order determining that the violation was committed and imposing the civil fine set forth in the citation. This shall be in addition to requiring the offending party to purchase a business license.

(F) If the offending party notifies the eCity of his or her intention to have a hearing before the Code Enforcement Board, then, a hearing shall be established for the offending party pursuant to City of Murray Code Enforcement Board Ordinance, Chapter 40.

(G) All final orders by the Code Enforcement Board as a result of violation of this chapter shall accrue interest at the judgment rate of interest as established by the Commonwealth of Kentucky.

(H) A lien may be filed enforcing any final order of the Code Enforcement Board as a result of a violation of this chapter.

(I) Any person refusing to allow a representative of the eCity or the Code Enforcement Officer to enter upon any premises for the purpose of inspection to confirm compliance with this chapter shall have their business license revoked for the premises.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

JACK D. ROSE, MAYOR

ATTEST:

JUNE BATTS, CITY CLERK

Introduced by the City Council on _____, 2017.

Adopted by the City Council on _____, 2017.

Published in the Murray Ledger and Times on _____, 2017.

ORDINANCE 2017-1727

AN ORDINANCE OF THE CITY OF MURRAY, KENTUCKY ANNEXING 0.387 ACRES, SPECIFICALLY BEING LOT 2 OF SHERWOOD FOREST SUBDIVISION, UNIT 3, BLOCK "C" LOCATED AT 255 KING RICHARD DRIVE, OWNED BY ROGER HANEY AND 0.098 ACRES BEING ADJACENT PORTION OF KING RICHARD DRIVE RIGHT OF WAY FOR A TOTAL OF 0.485 ACRES.

WHEREAS, the Murray Planning Commission met in regular session on February 21, 2017. The Commission voted 6-0 to recommend the proposed annexation of a 0.485 acre tract of land that consists of 0.387 acres being the property located at 255 King Richard Drive and owned by Roger Haney and the 0.098 acres being the adjacent portion of King Richard Drive right of way. The property is more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat).

WHEREAS, the Commission recommended to the City Council that the real property be annexed based on the following findings of fact:

1. The current owner has submitted written request for annexation;
2. The Property is contiguous to the current city boundaries to the north and east; and
3. City utilities are available to the property;

WHEREAS, the Planning Commission recommended to the City Council that the above-described property be annexed into the city limits.

WHEREAS, this ordinance is authorized by KAR 81A.412.

NOW THEREFORE PURSUANT TO THE AUTHORITY IN CHAPTER 81A OF THE KENTUCKY REVISED STATUTES AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

Section 1: The foregoing findings are hereby adopted by the City Council.

Section 2: The property more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat) respectively attached hereto and incorporated by reference as if fully stated herein is hereby annexed into the city limits of the City of Murray.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

JACK D. ROSE, MAYOR

ATTEST:

JUNE BATTS, CITY CLERK

Introduced by the City Council on _____, 2017.

Adopted by the City Council on _____, 2017.

Published in the Murray Ledger and Times on _____, 2017.



BACON | FARMER | WORKMAN
ENGINEERING & TESTING, INC.

ANNEXATION DESCRIPTION

ROGER D. HANEY

A 0.485 acre (21,124.7 sq. ft.) tract of land as surveyed by the firm of Bacon Farmer Workman Engineering and Testing Inc. of Murray, Kentucky in December of 2016, and being known as Lot 2 of Sherwood Forest Subdivision, Unit 3, Block "J" as recorded in Plat Book 3, Page 33, Slide 133, and also the adjacent portion of King Richard Drive, lying in Murray, Calloway County, Kentucky and being more particularly described as follows:

Beginning at a stove leg (found) at the southwest corner of Lot 3 of the above described Sherwood Forest Subdivision and in the east line of the Ing Kai Young property (Bk. 927, Pg. 487), said stove leg being the northwest corner of the herein described tract of land;

THENCE N 89°26'13" E for a distance of 159.88 feet with the south line of Lot 3 and the existing city limit boundary of Murray, Ky. to a point in the west right-of-way of King Richard Drive, said point being the northeast corner of Lot 2.

THENCE S 51°10'46" E for a distance of 65.06 feet crossing King Richard Drive and with the existing city boundary to a point in the east right-of-way of King Richard Drive, said point bears N 51°10'46" W 0.141 feet from a stove leg (found)

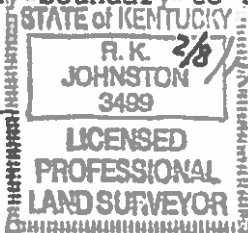
THENCE S 00°16'59" E for a distance of 64.86 feet with the east right-of-way of King Richard Drive and along the existing city boundary to a point,

THENCE S 89°48'12" W for a total distance of 209.97 feet crossing the west right-of-way of King Richard Drive at approximately 50 feet and then following the south line of Lot 2 and the proposed new city boundary, to a stove leg (found) at the southwest corner of Lot 2;

THENCE N 00°30'01" W for a distance of 104.80 feet with the west line of Lot 2 and the proposed city boundary to the point of beginning.

PREPARED BY:

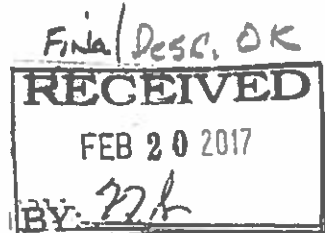

Richard K. Johnston PLS 3499

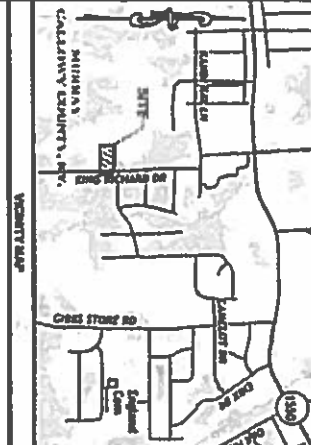
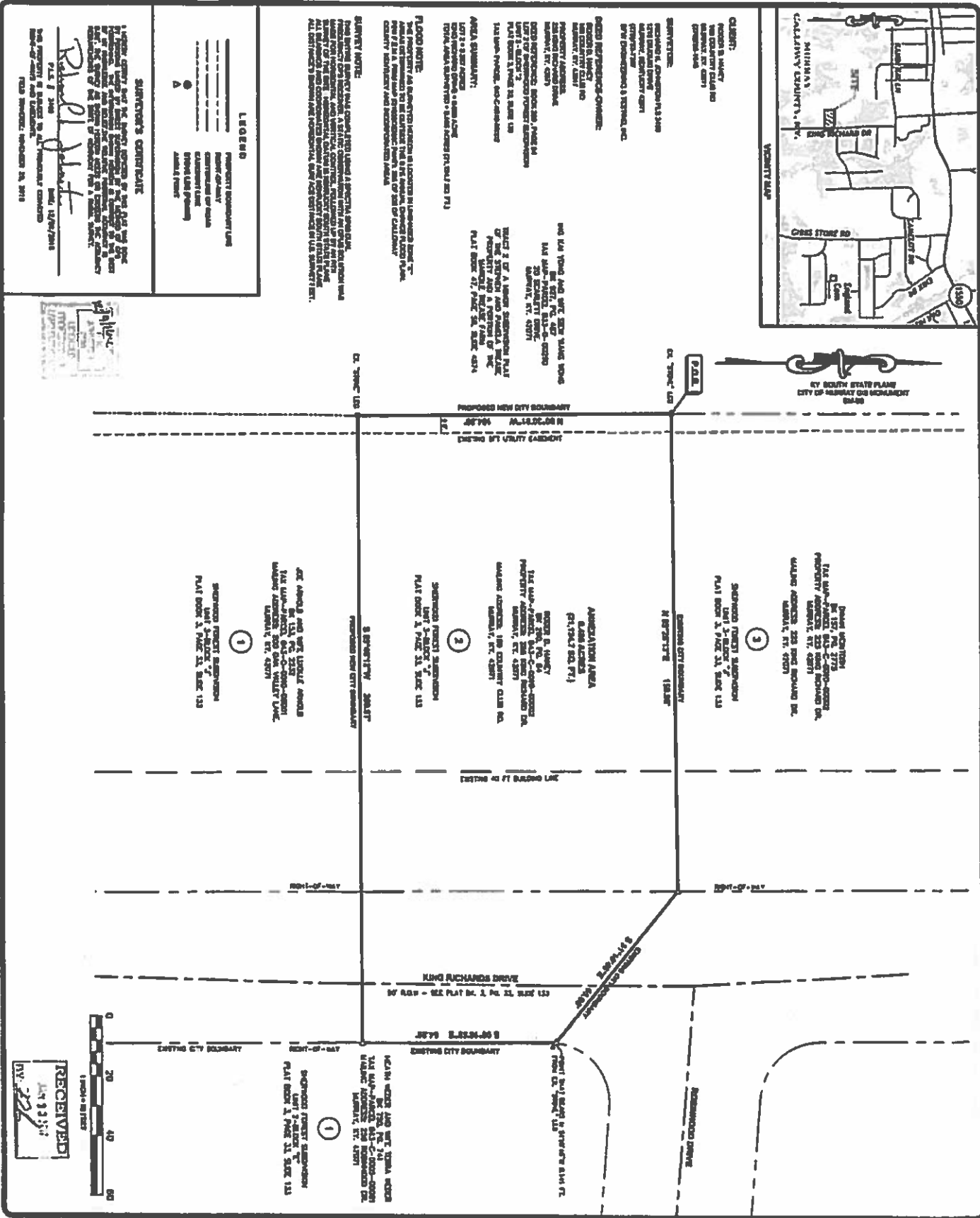


DATE: December 9, 2016

DEED REFERENCE: Book 260, Page 84
Plat Book 3, Page 33, Slide 133
Lot 2 Sherwood Forest Subdivision

BACON FARMER WORKMAN ENGINEERING AND TESTING INC.
1215 DIUGUID DRIVE
MURRAY, KY. 42071
(207) 753-7307





CLIENT:
 ROGER D. HANEY
 255 KING RICHARD DR
 MURRAY, KY 40371

SURVEYOR:
 BACON | FARMER | WORKMAN
 ENGINEERING & TESTING, INC.
 1000 W. BROADWAY
 MURRAY, KY 40371

OPTIONAL RECORDS-OWNER:
 RECORD IN BOOK
 1500 BROADWAY
 MURRAY, KY 40371

OPTIONAL RECORDS-OWNER:
 RECORD IN BOOK
 1500 BROADWAY
 MURRAY, KY 40371

AREA SURVEY:
 1000 BROADWAY
 MURRAY, KY 40371

FLOOD NOTE:
 THE PROPERTY IS SUBJECT TO FLOODING IN LOCATIONS IN IMMEDIATE VICINITY TO THE PROPERTY AS SHOWN ON THE FLOOD HAZARD MAP OF THE CITY OF MURRAY, KY. THE PROPERTY IS NOT IN A FLOOD HAZARD AREA AS SHOWN ON THE FLOOD HAZARD MAP OF THE CITY OF MURRAY, KY.

SURVEY NOTES:
 THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1978 AND THE SURVEYING REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, KY. THE SURVEY WAS CONDUCTED ON THE DATE INDICATED ON THIS PLAN. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE SURVEY AND HAS FOUND THEM TO BE CORRECT AND COMPLETE. THE SURVEYOR HAS ALSO REVIEWED THE RECORDS OF THE SURVEY AND HAS FOUND THEM TO BE CORRECT AND COMPLETE.

LEGEND

---	PROPERTY BOUNDARY LINE
---	ADJACENT PROPERTY
---	EXISTING CITY BOUNDARY
---	PROPOSED NEW CITY BOUNDARY
---	ADJACENT PROPERTY

SURVEYOR'S CERTIFICATE

I, ROGER D. HANEY, SURVEYOR, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF KENTUCKY AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY SHOWN ON THIS PLAN. I HAVE REVIEWED THE RECORDS OF THE SURVEY AND HAVE FOUND THEM TO BE CORRECT AND COMPLETE. I HAVE ALSO REVIEWED THE RECORDS OF THE SURVEY AND HAVE FOUND THEM TO BE CORRECT AND COMPLETE.

ROGER D. HANEY
 SURVEYOR
 MURRAY, KY 40371



RECEIVED
 JUN 23 2011
 BY: [Signature]

ANNEXATION SURVEY

ROGER D. HANEY PROPERTY
 255 KING RICHARD DRIVE
 MURRAY, CALLAWAY CO KENTUCKY
 FOR: RICHARD D. HANEY

BFW BACON | FARMER | WORKMAN
 ENGINEERING & TESTING, INC.

PROJECT NO. 10408	DATE 12/29/2010
DRAWN BY: CC	CHECKED BY: RJ
REVISION DATES:	
NOTES:	

ORDINANCE 2017-1728

AN ORDINANCE OF THE CITY OF MURRAY, KENTUCKY ANNEXING A 20.01 ACRE TRACT LOCATED ON THE EAST SIDE OF BRINN ROAD 950'±SOUTH OF THE INTERSECTION OF BRINN ROAD AND POOR FARM ROAD AND OWNED BY CITY WEST, LLC.

WHEREAS, the Murray Planning Commission met in regular session on January 17, 2017. The Commission voted 7-0 to recommend the proposed annexation of a 20.01 acre tract of land located on the east side of Brinn Road 950' ± south of the intersection of Brinn Road and Poor Farm Road and owned by City West, LLC. The property is more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat).

WHEREAS, the Commission recommended to the City Council that the real property be annexed based on the following findings of fact:

1. The current owner has submitted written request for annexation;
2. The Property is contiguous to the current city limits on the south and east and is suitable for development;
3. City utilities are available to the property;
4. The property falls within the Urban Service Area and is suitable for development purposes.

WHEREAS, the Planning Commission recommended to the City Council that the above-described property be annexed into the city limits.

WHEREAS, this ordinance is authorized by KAR 81A.412.

NOW THEREFORE PURSUANT TO THE AUTHORITY IN CHAPTER 81A OF THE KENTUCKY REVISED STATUTES AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

Section 1: The foregoing findings are hereby adopted by the City Council.

Section 2: The property more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat) respectively attached hereto and incorporated by reference as if fully stated herein is hereby annexed into the city limits of the City of Murray.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

JACK D. ROSE, MAYOR

ATTEST:

JUNE BATTS, CITY CLERK

Introduced by the City Council on _____, 2017.

Adopted by the City Council on _____, 2017.

Published in the Murray Ledger and Times on _____, 2017.

EXHIBIT "A"

Legal Description
Of the City West, LLC. Property
To be Zoned R-4
Tract 1 (20.01 Acres)
Page 1 of 2

Being a tract of land in the County of Calloway, State of Kentucky, located approximately 2.1 miles north of the intersection of 12th Street and Main Street in the City of Murray, being adjacent to the city limits of City of Murray, being all of P.V.A. parcel # 041-0-0050, and being approximately 950 feet south of the intersection of Brinn Road Poor Farm Road and further described as follows:

Beginning at a ½ inch diameter rebar with cap (P.L.S. #3175) found approximately 30 feet east of the centerline of Brinn Road (60' Right of Way per adjoining surveys, no recorded Right of Way found), being the northwest corner of the Donald Demrow and Linda Demrow Property (Deed Book 217 Page 365) and the southwest corner of the herein described tract;

thence with the right of way of Brinn Road approximately 30 feet east of the centerline thereof North 01 degrees 47 minutes 09 seconds East a distance of 756.67 feet to a ½ inch diameter rebar with cap (P.L.S. #3837) found at the southwest corner of the N P Cavitt Property (Deed Book 104 Page 281);

thence with the south line of the Cavitt Property North 89 degrees 43 minutes 45 seconds East a distance of 1122.71 feet to a ½ inch diameter rebar with cap (P.L.S. #3837) found in the west line of the West Wind Rentals & City West, LLC Property (Deed Book 972 Page 514), being in the present city limits of Murray;

thence with the West Wind Rentals & City West, LLC Property and the present city limits of Murray South 01 degrees 57 minutes 33 seconds West a distance of 793.69 feet to a ½ inch diameter rebar with cap (P.L.S. #3837) found at a fence corner post, being the northeast corner of the New Life Christian Center Property (Deed Book 245 Page 421);

thence with the New Life Christian Center Property and the present city limits of Murray North 88 degrees 24 minutes 54 seconds West a distance of 672.78 feet to a ½ inch diameter rebar with cap (P.L.S. #3175) found at the northeast corner of the Donald Demrow and Linda Demrow Property (Deed Book 233 Page 288);

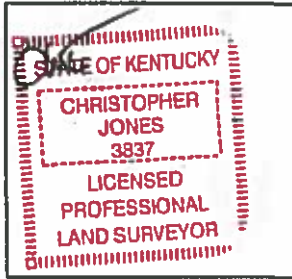
thence with the Demrow Property North 88 degrees 19 minutes 20 seconds West a distance of 250.19 feet to a ½ inch diameter rebar with cap (P.L.S. #3175) found at the northeast corner of the Donald Demrow and Linda Demrow Property (Deed Book 217 Page 365);

thence with the north line of the Demrow Property North 88 degrees 22 minutes 34 seconds West a distance of 200.03 feet to the point of beginning.

Tract 1 (20.01 Acres)
Page 2 of 2

The above-described tract of land contains 20.01 Acres more or less as surveyed by Christopher B. Jones, PLS #3837 on December 2nd 2016.

Being all of the property recorded to City West, LLC., 1105 State Route 121 North, Murray, KY 42071, in Deed Book 1093 Page 594 as recorded in the Calloway County Clerk's office, The above-described property may be subject to any previously conveyed easements, right of ways, or further encumbrances either recorded or unrecorded.



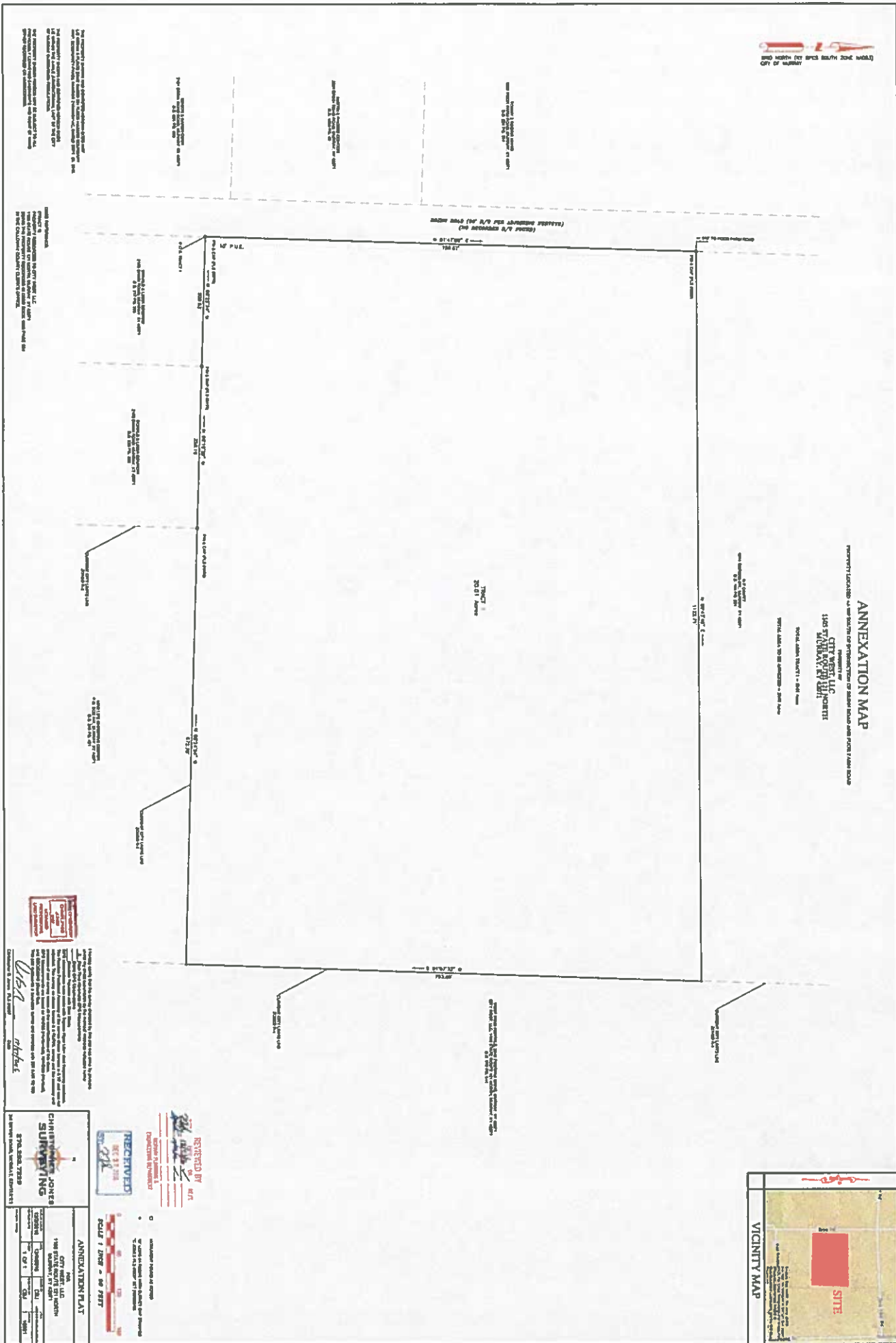
A handwritten signature in black ink, appearing to read "C. Jones".

12/8/2016

Christopher B. Jones, PLS #3837

Date

FROM THE SOUTH SIDE (AS SHOWN ON THE CITY OF WASHINGTON)



ANNEXATION MAP

PROPERTY LOCATION: 4-10-2017 FOR THE CITY OF WASHINGTON TO BE ANNEXED TO THE DISTRICT OF COLUMBIA
 PROJECT: CITY WEST LLC
 1405 W. WASHINGTON BLVD
 WASHINGTON, DC 20004
 OFFICIAL: JOHN S. KELLEY - 2017
 OFFICIAL: JOHN S. KELLEY - 2017

DATE OF SURVEY: 02/28/17
 DATE OF RECORDING: 03/01/17



The purpose of this map is to show the location of the property to be annexed to the District of Columbia. The map is based on the most recent available aerial photography and ground survey data. The map is not intended to be used for any other purpose.

THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS LOCATED AS SHOWN ON THIS MAP. THE SURVEYOR HAS ALSO CONDUCTED A VISUAL INSPECTION OF THE SURROUNDING AREA AND HAS FOUND THAT THE PROPERTY IS LOCATED AS SHOWN ON THIS MAP.

RECEIVED BY
 DATE: 03/01/17
 SIGNATURE: [Signature]

CHRISTOPHER JONES SURVEYING
 5700 30th Street, NW, Washington, DC 20015
 (202) 462-1111
 www.christopherjonesurveying.com

ANNEXATION PLAN
 CITY OF WASHINGTON
 1405 W. WASHINGTON BLVD
 WASHINGTON, DC 20004

RECEIVED BY
 DATE: 03/01/17
 SIGNATURE: [Signature]

RECEIVED BY
 DATE: 03/01/17
 SIGNATURE: [Signature]

RECEIVED BY
 DATE: 03/01/17
 SIGNATURE: [Signature]