

## **ORDINANCE 17-2019**

**AN ORDINANCE DECLARING THE CITY OF OWENSBORO'S INTENT TO ANNEX INTO THE CITY CERTAIN UNINCORPORATED TERRITORY IN THE COUNTY OF DAVIESS ADJOINING THE PRESENT BOUNDARY LINE OF THE CITY, BEING PROPERTY LOCATED AT 2909 HIGHWAY 54, CONTAINING 14.877 ACRES, MORE OR LESS.**

**WHEREAS**, the territory intended to be annexed, approximately 14.877 acres, located at 2909 Highway 54, is contiguous to the City of Owensboro; and

**WHEREAS**, the territory intended to be annexed is either urban in character or suitable for urban development without unreasonable delay because many of the residential and commercial lots in the area are in receipt of city services; and

**WHEREAS**, the proposed territory to be annexed is all situated within the County of Daviess, Kentucky and not within another incorporated city or in the process of being incorporated, nor within an agricultural district; and

**WHEREAS**, all the real property owners within the territory proposed to be annexed have not given their consent to be annexed; and

**WHEREAS**, The City declares it desirable to annex the approximately 14.877 acres, more or less, further described in this Ordinance and its attachment (Exhibit A).

**NOW, THEREFORE, BE IT ORDAINED** by the City of Owensboro, as follows:

**Section 1.** Pursuant to KRS 81A.420, the City of Owensboro hereby declares it desirable to annex and hereby publishes its intent to annex through the enactment of this Ordinance the territory described below and shown on the map attached to this Ordinance as Exhibit A. Exhibit A is incorporated into this Ordinance by reference as if copied in full.

A tract of land located on the east side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the north right of way line of Kentucky Hwy 54, said point being in the current city limit line; thence following the north right of way line of Kentucky Hwy 54 and the current city limit line N 69°20'39" W, 565.47 feet to a point in the east line of the Owen D. Wimsatt Subdivision; thence following the east line of the Owen D. Wimsatt Subdivision and the current city limit line N 21°35'00" E, leaving the current city limit line at 108.29 feet and following the new city limit line, in all 537.18 feet to a point in the east line of the Owen D. Wimsatt Subdivision; thence following the new city limit line N 21°54'19" E, 578.05 feet to a point being the northwest corner of the parcel described herein, said point being in the current city limit line; thence following the current city limit line S 76°18'00" E, 509.62 feet to a point being the northwest corner to Ohio Valley Management, Inc.; thence leaving the current city limit line and following the new city limit line and the lines of Ohio Valley Management, Inc. with the following two calls: S 22°12'00" W, 115.00 feet to a point; thence S 67°48'00" E, 70.00 feet to a point in the current city limit line, said point being in the east line of the parcel described herein; thence following the east line and the current city limit line S 22°12'00" W, 1060.28 feet to the point of beginning containing 14.877 Acres as shown on an Annexation Plat prepared by the City Engineer's office dated 05/07/2019.

This description was by Kevin M. Simmons, PLS 3635 with the City Engineer's office for annexation purposes only, and shall not be used for the transfer of title. Bearings and distances described herein were taken from a plat of record found in Plat Book 26, at Page 215 in the office of Daviess County Court Clerk. Bearings and distances were not verified with a field survey.

**Section 2.** All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed and the provisions of this Ordinance are hereby declared to be severable and, if any section, phrase or provision shall, for any ready, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

**Section 3.** This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on May 21, 2019, and given final reading on June 4, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in accordance with KRS 81A.060 and KRS Chapter 424.

**INTRODUCED AND PUBLIC READ ON FIRST READING**, this the 21st day of  
May, 2019.

**PUBLICLY READ AND APPROVED ON SECOND READING**, this the 4th day  
of June, 2019.

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Thomas H. Watson, Mayor

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Beth Cecil, City Clerk



**HIGHLAND ELEMENTARY SCHOOL PROPERTY**  
**2909 HWY 54**  
**ZONING P-1**

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 69° 20' 39" W	565.47'
L2	N 21° 35' 00" E	537.18'
L3	N 21° 54' 19" E	578.05'
L4	S 76° 18' 00" E	509.62'
L5	S 22° 12' 00" W	115.00'
L6	S 67° 48' 00" E	70.00'
L7	S 22° 12' 00" W	1,060.28'

 **PROPOSED ANNEXATION FOR**  
**DAVISS COUNTY BOARD OF EDUCATION -**  
**DAVISS COUNTY SCHOOL DISTRICT FINANCE CORP. PROPERTY**  
**HIGHLAND ELEMENTARY PROPERTY - 2909 HWY 54**  
**IS APPROX. 14.877 ACRES**

 **CITY**  
 **COUNTY**

1 inch = 300 feet



**ANNEXATION PLAT**  
**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN HEREON  
 HAVE BEEN TAKEN FROM A PLAT OF RECORD IN PLAT BOOK 26, PAGE 215.  
 THIS PLAT HAS BEEN PREPARED FOR ANNEXATION PURPOSES ONLY.  
 BEARINGS AND DISTANCES SHOWN HAVE NOT BEEN VERIFIED IN THE FIELD.

KEVIN M. SIMMONS, P.L.S. 3635

DATE

STATE OF KENTUCKY  
 KEVIN M.  
 SIMMONS  
 3635  
 LICENSED  
 PROFESSIONAL  
 LAND SURVEYOR

5-7-19



**ANNEXATION DESCRIPTION**

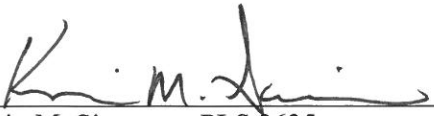
**Daviess County Board of Education - Daviess County School District Finance Corporation:  
Highland Elementary, 2909 HWY 54**

**Area: 14.877 ACRES**

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Kevin M. Simmons, PLS 3635      5-7-19  
Date

