

ORDINANCE 15-2019

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 4255 NEW HARTFORD ROAD, CONTAINING 31.683 ACRES, MORE OR LESS.

WHEREAS, the territory intended to be annexed, approximately 31.683 acres, located at 4255 New Hartford Road, 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 31.683 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 southeast side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point at the intersection of New Hartford Road (U.S. 231) and Southeastern Parkway, said point being in the current city limit line; thence following the current city limit line and the east right of way line of New Hartford Road with the following two calls: N 24°01'57" W, 581.95 feet to a point; thence N 24°01'57" W, 226.42 feet to a point; thence leaving the current city limit line and following the new city limit line and the east right of way line of New Hartford Road N 23°48'26" W, 283.78 feet to a point; thence leaving the east right of way line of New Hartford Road and following the new city limit line and the deed line with the following two calls: S 64°23'10" E, 92.56 feet to a point; thence N 07°10'43" E, 490.93 feet to a point in the east right of way line of the Wendell Ford Expressway; thence following the east right of way line of the Wendell Ford Expressway and the new city limit line with the following two calls: N 33°42'42" E, 205.60 feet to a point; thence N 36°53'24" E, 172.99 feet to a point being a corner to the Commonwealth of Kentucky (D.B. 374, Pg. 104); thence following the new city limit line and the lines of the Commonwealth of Kentucky as follows: S 45°24'10" E, 313.10 feet to a point; thence following a circular curve to the right having a radius of 171.52 feet and subtended by the chord N 67°19'07" E, 305.41 feet to a point; thence S 49°46'10" E, 151.20 feet to a point; thence S 23°44'10" E, 121.40 feet to a point; thence S 01°40'50" W, 80.20 feet to a point; thence S 15°15'50" W, 135.00 feet to a point; thence S 31°05'50" W, 47.50 feet to a point; thence S 20°51'10" E, 793.22 feet to a point in the north right of way line of Southeastern Parkway; thence following the new city limit line and the north right of way line of Southeastern Parkway being 30.00 feet from and parallel with the center line of said road as follows: S 35°09'31" W, 59.27 feet to a point; thence S 44°12'41" W, 63.74 feet to a point; thence S 52°07'04" W, 66.45 feet to a point; thence S 60°20'02" W, 81.33 feet to a point; thence S 63°15'53" W, 143.04 feet to a point; thence S 65°40'49" W, 335.59 feet to a point; thence S 66°58'28" W, 187.68 feet to the point of beginning containing 31.683 Acres as shown on an Annexation Plat prepared by the City Engineer's office dated 05/13/2019.

This description was prepared 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 derived from the current ODC-GIS corporate boundary layer, parcel layer and from deed's for the Daviess County Board of Education found in D.B. 353/Pg. 286, D.B. 374/Pg. 104 and D.B. 583/Pg. 225 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.

Thomas H. Watson, Mayor

Beth Cecil, City Clerk

**ANNEXATION PLAT
SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN
HEREON HAVE BEEN TAKEN FROM DEED BOOKS AT DEED BOOK 353 AT PAGE 286,
DEED BOOK 374 AT PAGE 104, DEED BOOK 583 AT 225, AND FROM THE CURRENT
ODC-GIS CORPORATE BOUNDARY LINE LAYER AND PARCEL LAYER.
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

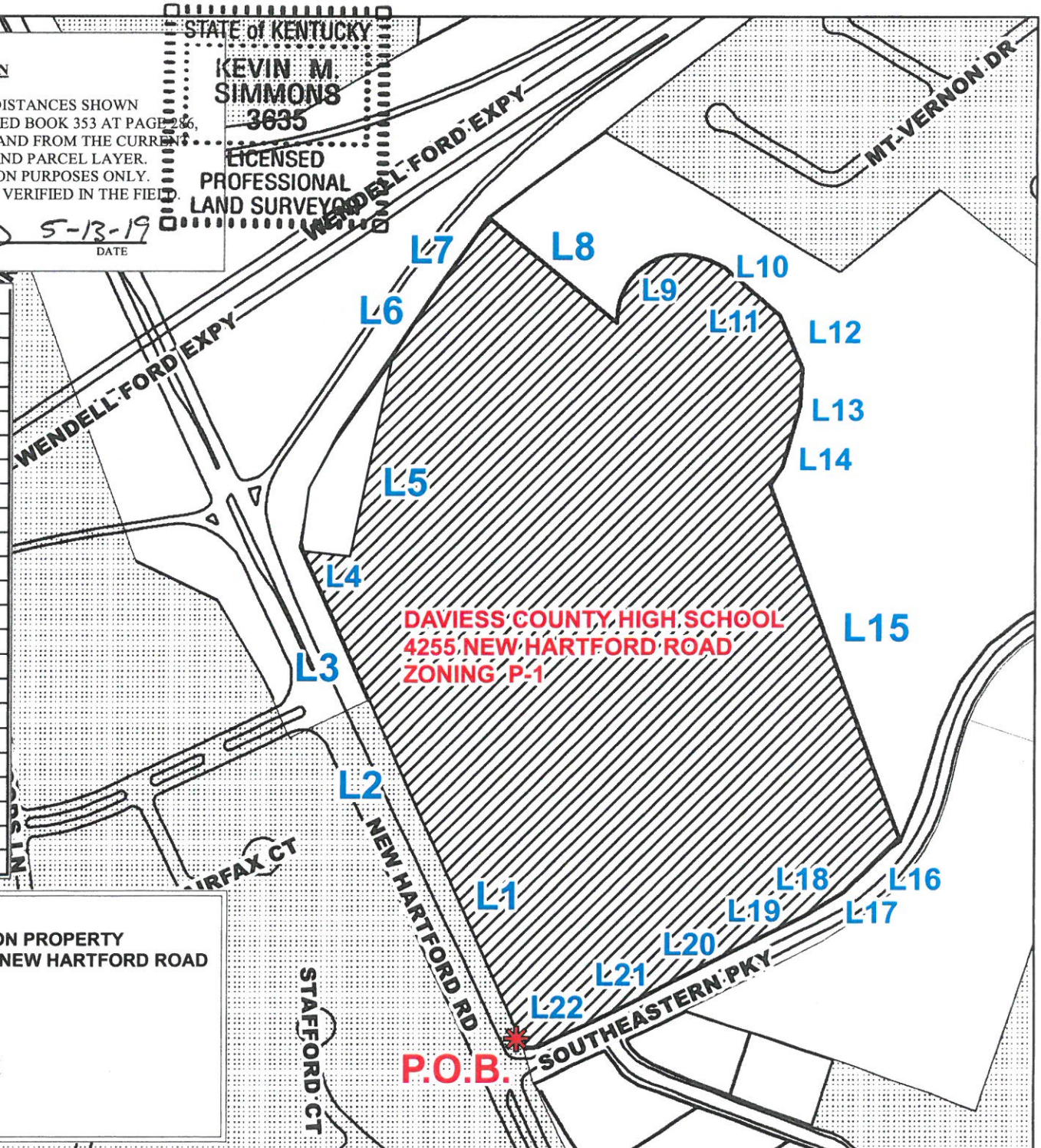
LINE TABLE

LINE	BEARING	LENGTH	RADIUS
L1	N 24° 01' 57" W	581.95'	
L2	N 24° 01' 57" W	226.42'	
L3	N 23° 48' 26" W	283.78'	
L4	S 64° 23' 10" E	92.56'	
L5	N 07° 10' 43" E	490.93'	
L6	N 33° 42' 42" E	205.60'	
L7	N 36° 53' 24" E	172.99'	
L8	S 45° 24' 10" E	313.10'	
L9	N 67° 19' 07" E	305.41'	171.52'
L10	S 49° 46' 10" E	151.20'	
L11	S 23° 44' 10" E	121.40'	
L12	S 01° 40' 50" W	80.20'	
L13	S 15° 15' 50" W	135.00'	
L14	S 31° 05' 50" W	47.50'	
L15	S 20° 51' 10" E	793.22'	
L16	S 35° 09' 31" W	59.27'	
L17	S 44° 12' 41" W	63.74'	
L18	S 52° 07' 04" W	66.45'	
L19	S 60° 20' 02" W	81.33'	
L20	S 63° 15' 53" W	143.04'	
L21	S 65° 40' 49" W	335.59'	
L22	S 66° 58' 28" W	187.68'	

 **PROPOSED ANNEXATION FOR
DAVIESS COUNTY BOARD OF EDUCATION PROPERTY
DAVIESS COUNTY HIGH SCHOOL - 4255 NEW HARTFORD ROAD
IS APPROX. 31.683 ACRES**

 CITY
 COUNTY

1 inch = 300 feet



ANNEXATION DESCRIPTION

Daviess County Board of Education:

Daviess County High School, 4255 New Hartford Road.

Area: 31.683 ACRES


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EXHIBIT A

boundary layer, parcel layer and from deed's for the Daviess County Board of Education found in D.B. 353/Pg. 286, D.B. 374/Pg. 104 and D.B. 583/Pg. 225 in the office of Daviess County Court Clerk. Bearings and distances were not verified with a field survey.


Kevin M. Simmons, PLS 3635
5-13-19
Date



CERTIFICATION

I, Beth Cecil, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance 15-2019, duly adopted by the Owensboro Board of Commissioners on June 4, 2019, the original of which is on file in the Office of the City Clerk, this the ____ day of June, 2019.

Beth Cecil, City Clerk