

ORDINANCE 26-2019

AN ORDINANCE ANNEXING TO THE CITY OF OWENSBORO CERTAIN UNINCORPORATED TERRITORY IN THE COUNTY OF DAVIESS ADJOINING THE PRESENT BOUNDARY LINE OF THE CITY, BEING PROPERTY CURRENTLY OWNED BY KULWANT SINGH AND LOCATED AT 3310 WEST SECOND STREET, CONTAINING 0.470 ACRES, MORE OR LESS.

WHEREAS, the Board of Commissioners for the City of Owensboro, Kentucky, makes the following findings of fact:

(1) The Board of Commissioners has determined that the property owned by Kulwant Singh and described below is adjacent or contiguous to the City's boundaries.

(2) That it is deemed desirable and it is hereby proposed to annex to the City of Owensboro by extending the boundary line of the City so as to include within the same, that certain territory which is now embraced within the County of Daviess adjoining the present boundary line of the City of Owensboro, as more particularly described herein. The Board further finds that no part of the area to be annexed is presently within the boundary of any other incorporated city.

(3) That the fee simple owner of record of the territory to be annexed, has previously consented in writing to the annexation proposed, and has otherwise waived all rights under KRS 81A.412, 81A.420 and 81A.425, which consent and waiver is on file with the office of the City Engineer.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:

Section 1. The findings of fact recited in the preamble hereinabove are hereby adopted, affirmed and incorporated by reference as if fully set forth herein.

Section 2. There is hereby annexed to the City of Owensboro, Kentucky, and its boundary line is hereby extended so as to include within the limits of the City of Owensboro that certain territory in the County of Daviess, Commonwealth of Kentucky, adjoining and being adjacent to the present boundary line of the City of Owensboro, Kentucky, more particularly described as follows:

Beginning at a point in the north right of way line of West Fourth Street, said point also being in the current city limit line; thence following the north right of way line of West Fourth Street and the current city limit line N 78°43'00" W, 150.00 feet to a point; thence continuing with the current city limit line N 11°15'32" E, 109.15 feet to a point in the south right of way line of West Second Street, said point being in the current city limit line; thence following the south right of way line of West Second Street and the current city limit line N 81°12'15" E, 159.76 feet to a point; thence leaving the current city limit line and following the new city limit line S 11°17'00" W, 164.00 feet to the point of beginning containing 0.47 Acres as shown on an Annexation Plat prepared by HRG, PLLC dated 04/08/2019

This description was prepared for annexation purposes by Kevin M. Simmons, PLS 3635 with the City of Owensboro. Bearings and distances described herein were taken from an annexation plat prepared by HRG, PLLC dated 04/08/2019. Bearings and distances were not verified with a field survey.

Section 3. That the territory annexed herein is currently zoned as General Business B-4 as illustrated by the zoning map attached hereto and incorporated by reference herein.

Section 4. Any dedicated streets, alleys, or easements constituting any portion of the property to be annexed are hereby accepted by the City of Owensboro pursuant to KRS 82.400.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 20th day of August, 2019.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 3rd day of September, 2019.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk

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 26-2019, duly adopted by the Owensboro Board of Commissioners on September 3, 2019, the original of which is on file in the Office of the City Clerk, this the ____ day of September, 2019.

Beth Cecil, City Clerk



Engineering Department
Phone (270) 687-8641
Fax (270) 687-8579

City of Owensboro Kentucky



101 E. 4th Street
P.O. Box 10003
Owensboro, Ky 42302-9003

August 13, 2019

To: Nate Pagan
City Manager

From: Kevin Collignon, P.E.
City Engineer

Re: Annexation Request for Kulwant Singh Property – 3310 West Second Street

Attached is the information necessary to initiate annexation for Kulwant Singh Property – 3310 West Second Street. (See attached). Kulwant Singh, owner of said property has submitted a signed annexation request form for 3310 West Second Street.

A signed Annexation Request Form, property description and related plats are attached. With ordinance preparation, the request is in order for consideration by the City Commission.

Attachment

MH

**c: Mayor Tom Watson
City Commissioners
Steve Mitchell
Steve Lynn**

Consent

**CITY OF OWENSBORO
AGENDA REQUEST AND SUMMARY
COVER SHEET**

Item No.

TITLE
REQUEST ANNEXATION FOR KULWANT SINGH PROPERTY (3310 WEST SECOND STREET)

MEETING OF CITY COMMISSION ON (State the meeting date <i>September 3, 2019</i>)
BUDGET (State any budget consequences): <i>N/A</i>

SUMMARY AND BACKGROUND (Continue on additional sheet, if necessary):
<p><i>THE PROPOSED ANNEXATION FOR KULWANT SINGH PROPERTY – 3310 WEST SECOND STREET TOTALS = 0.470 ACRES</i></p> <p><i>KULWANT SINGH PROPERTY – 3310 WEST SECOND STREET IS ZONED B-4</i></p> <p><i>KULWANT SINGH, OWNER OF SAID PROPERTY HAS SUBMITTED A SIGNED ANNEXATION REQUEST FORM FOR 3310 WEST SECOND STREET.</i></p> <p><i>THERE WILL BE NO SURETY BOND FOR PUBLIC IMPROVEMENTS, BECAUSE THERE ARE NO PUBLIC IMPROVEMENTS RELATED TO THIS SITE</i></p> <p><i>THERE WILL BE NO ANNEXATION INCENTIVE AGREEMENT FOR THIS PROPERTY</i></p> <p style="text-align: right;">Check if continued on next page <input type="checkbox"/> <input type="checkbox"/></p>

RECOMMENDATION OR ACTION REQUESTED:
(State the action requested or recommended)
APPROVE ANNEXATION

ATTACHMENTS (12 copies for agenda packets)	Check if no attachments	<input type="checkbox"/>
THE ANNEXATION REQUEST FORM, LETTER, DESCRIPTION AND PLAT ARE ATTACHED.		

Note: All City Commission Agenda items submitted by staff, including appropriate backup materials, must be approved and submitted to the City Clerk not later than noon Thursdays preceding Tuesday, 6:30 p.m. meetings.

Submitted by	Department Head Approval	City Attorney Approval	City Manager Approval
MICHAEL HAMILTON	KEVIN COLLIGNON	STEVE LYNN	NATE PAGAN

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

1. LOCATION OF PROPERTY TO BE ANNEXED:

3310 W. 2nd Street

2. A. LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED:

See attached description

B. SOURCE OF TITLE:

D.B. 922, Page 248

**3. ZONING CLASSIFICATION OF PROPERTY TO BE ANNEXED:
(ATTACH ZONING MAP)**

B-4 (Zoning Map Attached)

4. ACREAGE FEES: N/A

**5. NAME(S) AND ADDRESSES(S) OF RECORD OWNER(S) OF
PROPERTY TO BE ANNEXED:**

Kulwant Singh

3828 Edenberry Ct., Owensboro, KY 42303-9653

6. PHONE NO: 270-316-3637

CONSENT AND WAIVER OF STATUTORY RIGHTS

I (We) solemnly swear and affirm that I am (we are) the fee simple record owner(s) of property located at 3310 W. 2nd Street in Daviess County, Kentucky. I (We) hereby request, and consent to, annexation of the property more particularly described hereinabove. I (We) further acknowledge and agree, that by executing this instrument, I (We) knowingly and voluntarily waive those rights otherwise afforded me (us) by KRS 81A. 420 and 81A.425, as authorized in KRS 81A.412, on this the

8th day of April, 20 19.

Witness:

JAMES R. RINEY
Sign & Print Name

Signature (s) of Record Owner (s) of Property:

Kulwant Singh
Signature

Kulwant Singh
Print Name

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: N/A

Acreage Fee

Amount: N/A

Received by Finance Department

Date: _____

Initialed By: _____

LINE TABLE

LINE	BEARING	LENGTH
L1	N 78° 43' 00" W	150.00'
L2	N 11° 15' 32" E	109.15'
L3	N 81° 12' 15" E	159.76'
L4	S 11° 17' 00" W	164.00'

TIN WAY

PAR

HUMMINGBIRD LOOP S

FRONTAGE RD

L3

L2

L4

L1 P.O.B.

KULWANT SINGH PROPERTY
3310 WEST 2ND STREET
ZONING B-4

W 2ND ST

W 4TH ST

CARTER RD

PROPOSED ANNEXATION FOR
KULWANT SINGH PROPERTY
3310 WEST 2ND STREET
IS APPROX. 0.470 ACRES

CITY

COUNTY

1 inch = 200 feet



ANNEXATION PLAT
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN
HEREON HAVE BEEN TAKEN FROM ANNEXATION EXHIBIT PROVIDED
BY HRG, PLLC DATED APRIL 8, 2019. THIS PLAT HAS BEEN PREPARED
FOR ANNEXATION PURPOSES ONLY. BEARINGS AND DISTANCES
SHOWN HAVE NOT BEEN VERIFIED IN THE FIELD.

8-13-19
DATE

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

STATE OF KENTUCKY

KEVIN M. SIMMONS
3635

LICENSED
PROFESSIONAL
LAND SURVEYOR

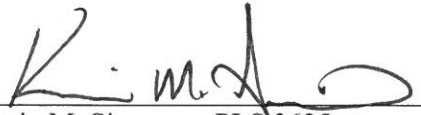
ANNEXATION DESCRIPTION

3310 WEST SECOND STREET: 0.47 ACRES

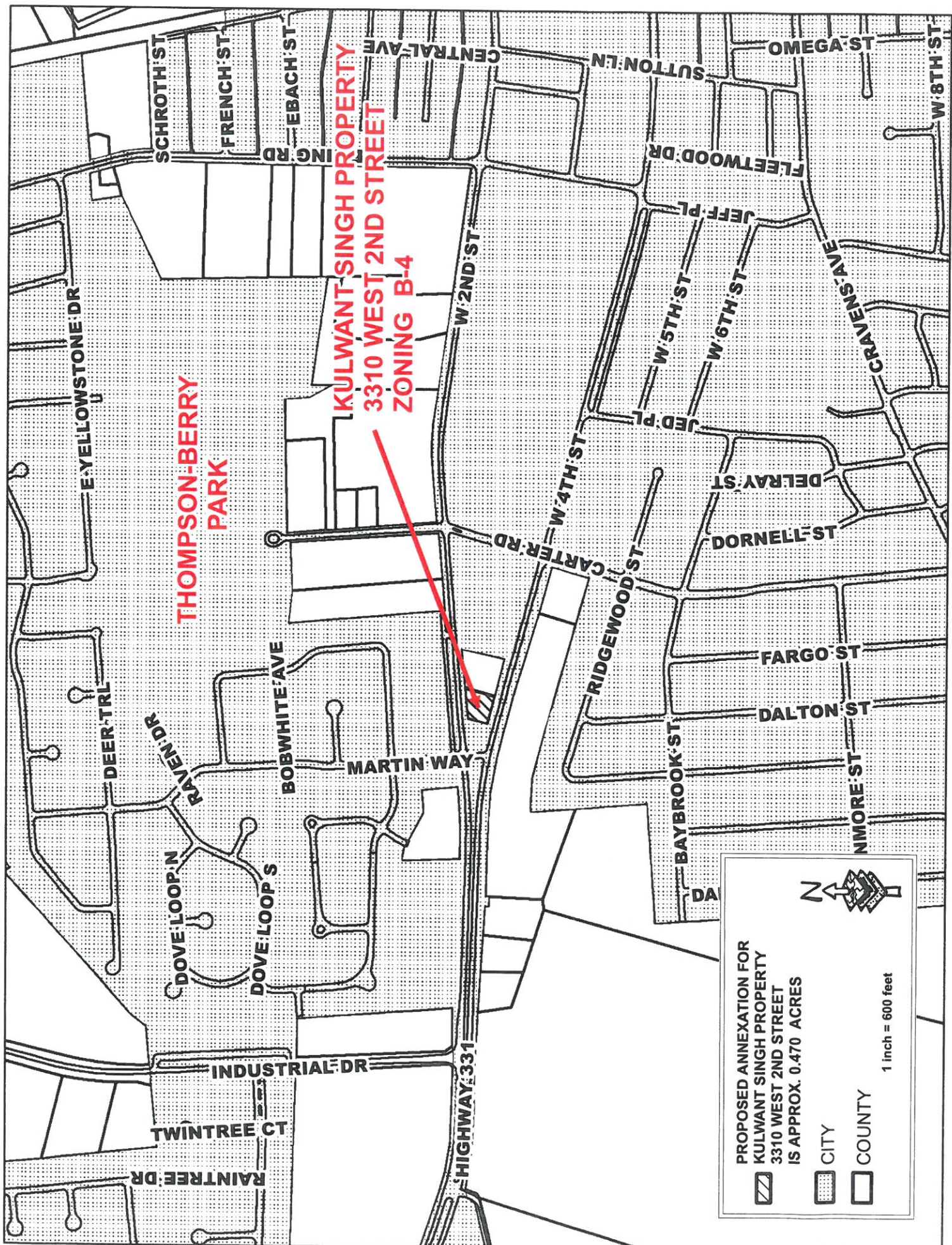
A tract of land located on the northwest side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the north right of way line of West Fourth Street, said point also being in the current city limit line; thence following the north right of way line of West Fourth Street and the current city limit line N 78°43'00" W, 150.00 feet to a point; thence continuing with the current city limit line N 11°15'32" E, 109.15 feet to a point in the south right of way line of West Second Street, said point being in the current city limit line; thence following the south right of way line of West Second Street and the current city limit line N 81°12'15" E, 159.76 feet to a point; thence leaving the current city limit line and following the new city limit line S 11°17'00" W, 164.00 feet to the point of beginning containing 0.47 Acres as shown on an Annexation Plat prepared by HRG, PLLC dated 04/08/2019

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Kevin M. Simmons, PLS 3635 8-13-19
Date





PROPOSED ANNEXATION FOR
KULWANT SINGH PROPERTY
3310 WEST 2ND STREET
IS APPROX. 0.470 ACRES

CITY
COUNTY

1 inch = 600 feet