

ORDINANCE 35-2019

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 OWNED BY SYF PROPERTIES, LLC AND LOCATED AT 2065 EAST PARRISH AVENUE, CONTAINING 4.527 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 described hereinafter 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 owners of record of the territory to be annexed, have previously consented in writing to the annexation proposed, and have 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. There is an annexation incentive agreement for this property, as per Municipal Order 29-2019.

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:

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 East Parrish Avenue, said point being in the current city limit line; thence following the current city limit line and the north right of way line of East Parrish Avenue N 62°54'13" W, 44.92 feet to a point; thence N 61°41'46" W, 171.73 feet to a point; thence leaving the current city limit line and continuing with the new city limit line and the north right of way line of East Parrish Avenue with the following calls: N 30°44'52" E, 38.00 feet to a point; thence N 57°35'52" W, 65.08 feet to a point; thence N 49°09'08" W, 137.00 feet to a point; thence N 34°18'57" W, 91.51 feet to a point; thence N 38°21'40" W, 134.92 feet to a point; thence N 32°43'21" W, 7.64 feet to a point being a corner to Larry E. Brown (D.B. 831, Pg. 956); thence leaving the north right of way line of East Parrish Avenue and following the east line of Brown and the new city limit line N 43°52'05" E, 187.62 feet to a point; thence with the line of Brown and the new city limit line N 45°47'11" W, 37.80 feet to a point, said point being a corner to Buskill Properties (D.B. 834, Pg. 853); thence following the lines of Buskill and the new city limit line N 45°14'47" E, 43.02 feet to a point; thence S 57°47'42" E, 251.42 feet to a point; thence S 49°54'02" E, 107.24 feet to a point; thence S 45°11'23" E, 326.19 feet to a point in the west line of YESS & J Properties, LLC (D.B. 979, Pg. 451); thence following the west line of YESS & J and the new city limit line S 42°41'48" W, 279.98 feet to the point of beginning containing 4.527 Acres as shown on an Annexation Plat prepared by the City of Owensboro Engineering Department.

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 taken from a recorded plat at Plat Book 47, Pg. 137, and the current ODC-GIS

corporate boundary layer. Bearings and distances were not verified with a field survey.

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

Section 4. Any approved dedicated streets, alleys, or easements on the plat signed by the City Engineer, 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 5th day of November, 2019.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 19th day of November, 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 35-2019, duly adopted by the Owensboro Board of Commissioners on November 19, 2019, the original of which is on file in the Office of the City Clerk, this the _____ day of _____, 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

September 26, 2019

To: Nate Pagan
City Manager

From: Kevin Collignon, P.E.
City Engineer

Re: Annexation Request for SYF Properties, LLC property – 2065 East Parrish Avenue

Attached is the information necessary to initiate annexation for 2065 East Parrish Avenue. (See attached). SYF Properties, LLC, owner of said property has submitted a signed annexation request forms for 2065 East Parrish Avenue.

There will be Annexation Incentive Agreement for this property between the City of Owensboro & SYF Properties, LLC.

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 SYF PROPERTIES, LLC PROPERTY AT
2065 EAST PARRISH AVENUE

MEETING OF CITY COMMISSION ON (State the meeting date **October 15, 2019**)

BUDGET (State any budget consequences): **N/A**

SUMMARY AND BACKGROUND (Continue on additional sheet, if necessary):

THE PROPOSED ANNEXATION FOR PROPERTY AT 2065 EAST PARRISH AVENUE
TOTALS = **4.527 ACRES**

SYF PROPERTIES, LLC PROPERTY – 2065 EAST PARRISH AVENUE IS ZONED B-4

SYF PROPERTIES, LLC, OWNER OF PROPERTY AT 2065 EAST PARRISH AVENUE HAS SUBMITTED A
SIGNED ANNEXATION REQUEST FORM.

THERE WILL BE ANNEXATION INCENTIVE AGREEMENT FOR THIS PROPERTY BETWEEN THE CITY OF
OWENSBORO AND SYF PROPERTIES, LLC

Check if continued on next page ☐

RECOMMENDATION OR ACTION REQUESTED:

(State the action requested or recommended)

APPROVE ANNEXATION

ATTACHMENTS (12 copies for agenda packets)

Check if no attachments ☐

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:

2065 EAST PARRISH AVENUE

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

See Attached

B. SOURCE OF TITLE:

DEED BOOK 998 PAGE 456

DEED BOOK 998 PAGE 451

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

B-4

4. ACREAGE FEES: _____

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

SYF PROPERTIES, LLC

PO BOX 88 , INGLEFIELD, IN 47618-0088

6. PHONE NO:

812-319-1714

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 2065 E. Porcuk Av. 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 7th day of October, 20 19.

Witness:

Leigh Ann Johnson Leigh Ann Johnson
Sign & Print Name

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

Kent Johnson
Signature

Kent Johnson
Print Name

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: N/A

Acreage Fee

Amount: N/A

Received by Finance Department

Date: _____

Initialed By: _____

ANNEXATION PLAT SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN TAKEN FROM A PLAT OF RECORD AT PLAT BOOK 47 AT PAGES 137, 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.

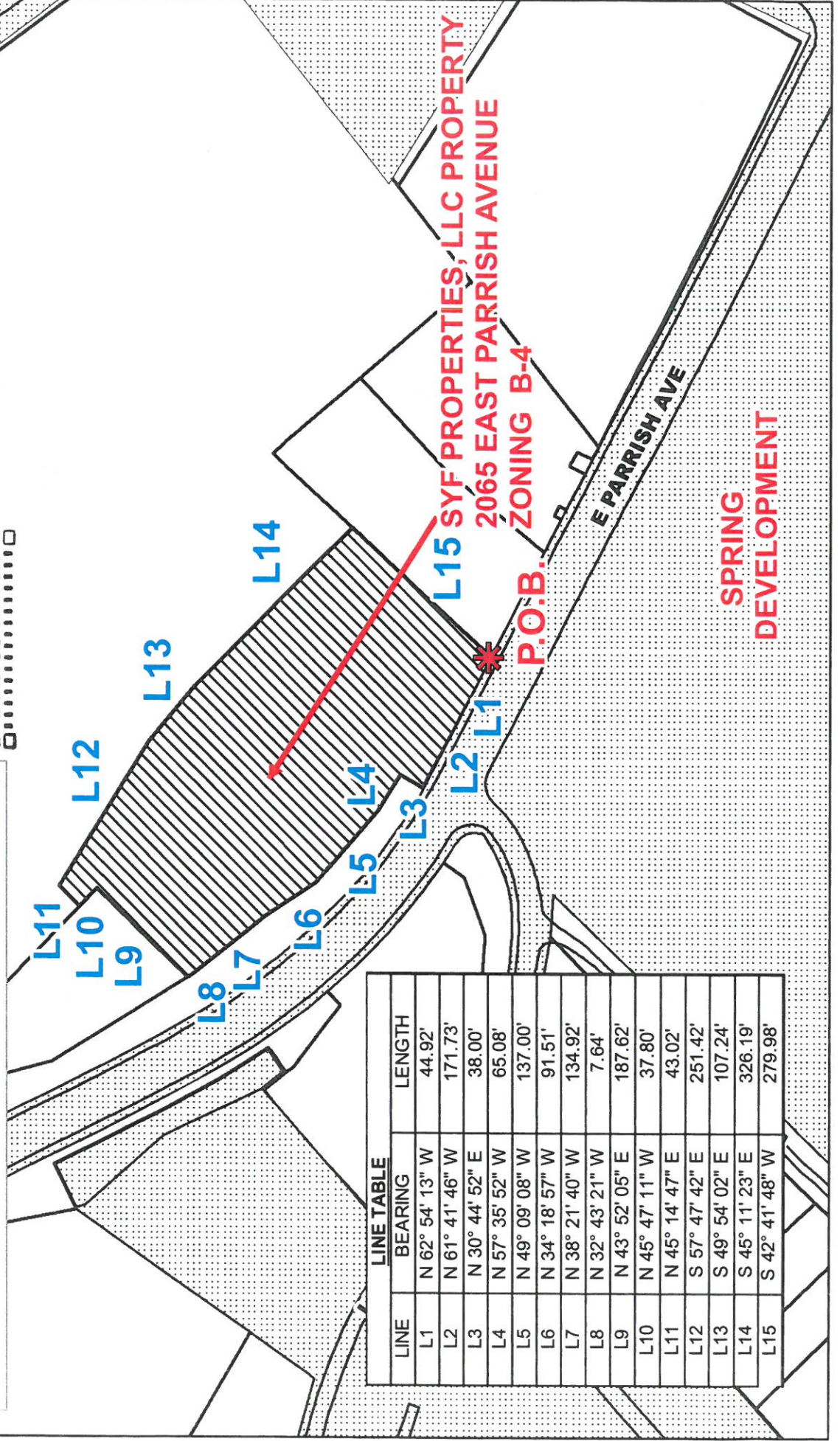
KEVIN M. SIMMONS, P.L.S. 3635
Kevin M. Simmons
 9-26-19
 DATE

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

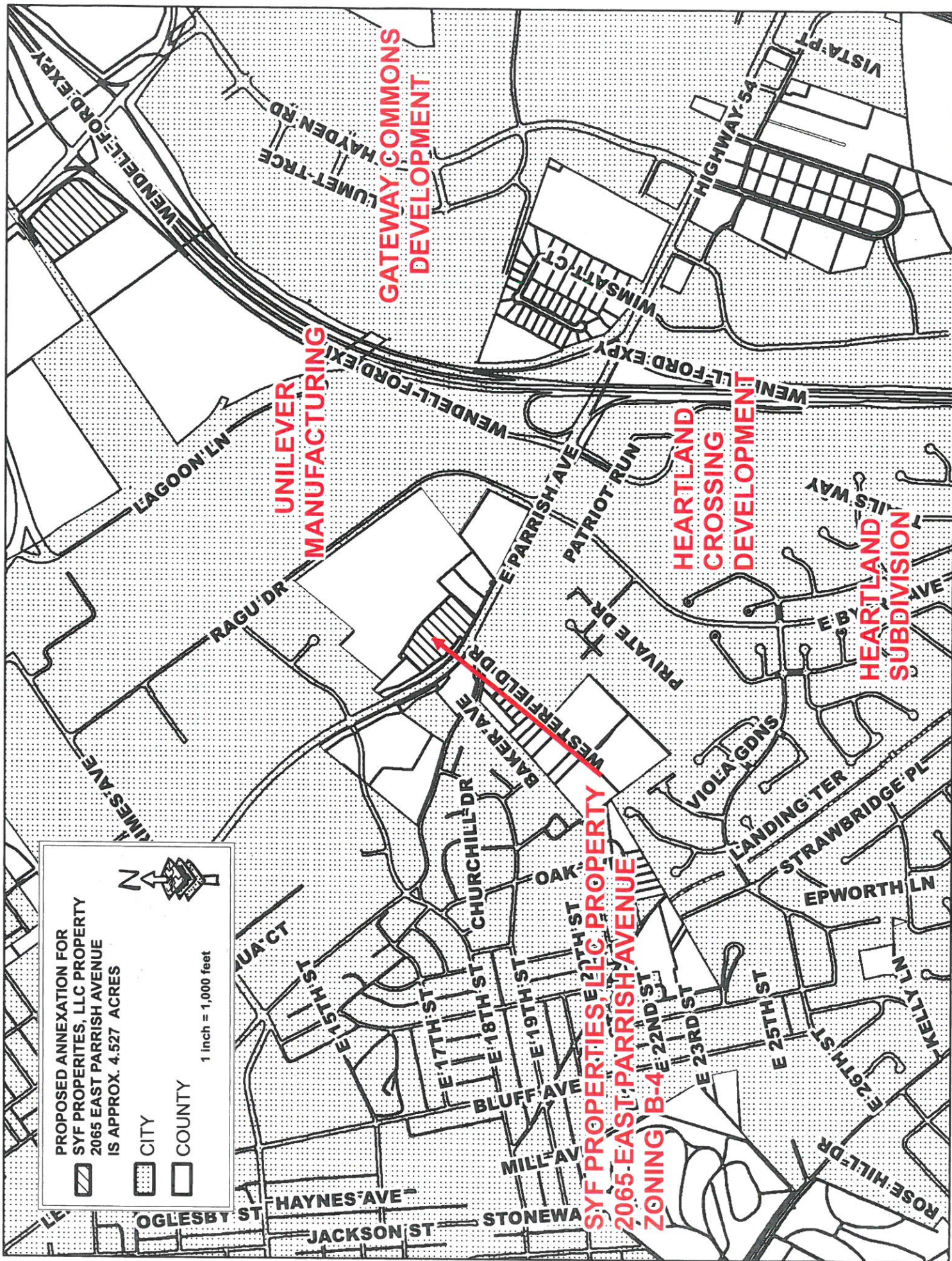
PROPOSED ANNEXATION FOR
 SYF PROPERTIES, LLC PROPERTY
 2065 EAST PARRISH AVENUE
 IS APPROX. 4.527 ACRES



1 inch = 200 feet



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 62° 54' 13" W	44.92'
L2	N 61° 41' 46" W	171.73'
L3	N 30° 44' 52" E	38.00'
L4	N 57° 35' 52" W	65.08'
L5	N 49° 09' 08" W	137.00'
L6	N 34° 18' 57" W	91.51'
L7	N 38° 21' 40" W	134.92'
L8	N 32° 43' 21" W	7.64'
L9	N 43° 52' 05" E	187.62'
L10	N 45° 47' 11" W	37.80'
L11	N 45° 14' 47" E	43.02'
L12	S 57° 47' 42" E	251.42'
L13	S 49° 54' 02" E	107.24'
L14	S 45° 11' 23" E	326.19'
L15	S 42° 41' 48" W	279.98'



PROPOSED ANNEXATION FOR
SYF PROPERTIES, LLC PROPERTY
2065 EAST PARRISH AVENUE
IS APPROX. 4.527 ACRES



CITY

COUNTY



1 inch = 1,000 feet

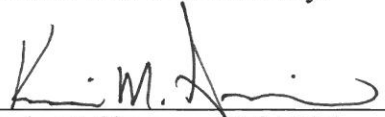
ANNEXATION DESCRIPTION

2065 East Parrish Avenue: 4.527 ACRES

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 East Parrish Avenue, said point being in the current city limit line; thence following the current city limit line and the north right of way line of East Parrish Avenue N 62°54'13" W, 44.92 feet to a point; thence N 61°41'46" W, 171.73 feet to a point; thence leaving the current city limit line and continuing with the new city limit line and the north right of way line of East Parrish Avenue with the following calls: N 30°44'52" E, 38.00 feet to a point; thence N 57°35'52" W, 65.08 feet to a point; thence N 49°09'08" W, 137.00 feet to a point; thence N 34°18'57" W, 91.51 feet to a point; thence N 38°21'40" W, 134.92 feet to a point; thence N 32°43'21" W, 7.64 feet to a point being a corner to Larry E. Brown (D.B. 831, Pg. 956); thence leaving the north right of way line of East Parrish Avenue and following the east line of Brown and the new city limit line N 43°52'05" E, 187.62 feet to a point; thence with the line of Brown and the new city limit line N 45°47'11" W, 37.80 feet to a point, said point being a corner to Buskill Properties (D.B. 834, Pg. 853); thence following the lines of Buskill and the new city limit line N 45°14'47" E, 43.02 feet to a point; thence S 57°47'42" E, 251.42 feet to a point; thence S 49°54'02" E, 107.24 feet to a point; thence S 45°11'23" E, 326.19 feet to a point in the west line of YESS & J Properties, LLC (D.B. 979, Pg. 451); thence following the west line of YESS & J and the new city limit line S 42°41'48" W, 279.98 feet to the point of beginning containing 4.527 Acres as shown on an Annexation Plat prepared by the City of Owensboro Engineering Department.

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 taken from a recorded plat at Plat Book 47, Pg. 137, and the current ODC-GIS corporate boundary layer. Bearings and distances were not verified with a field survey.


Kevin M. Simmons, PLS 3635 9-26-19
Date

