

MUNICIPAL ORDER 34-2019

A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PARKING LEASE AGREEMENT WITH THE ENCLAVE AT RIVERFRONT LIVING, LLC. AND TO APPROVE THE EASEMENTS AS CONTAINED IN EXHIBIT "A."

WHEREAS, the Enclave at Riverfront Living, LLC (Enclave) has constructed a multi-story building located on the corner of Frederica Street and Veterans Boulevard which will be utilized for retail, commercial and/or residential purposes; and

WHEREAS, the building constructed by Enclave needs to lease approximately ten (10) parking spaces that will provide vehicular parking; and

WHEREAS, in Municipal Order 30-2016, the City approved certain easements to the property for purposes of ingress and egress; and

WHEREAS, since that time, it has become necessary to amend the easements to the property for ingress and egress.

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

Section 1. The Owensboro Board of Commissioners hereby authorizes and directs the Mayor to execute a Parking Lease Agreement which sets forth the terms and conditions for the City's lease of approximately ten (10) parking spaces to Enclave.

Section 2. The Owensboro Board of Commissioners hereby repeals the former easements in Municipal Order 30-2016 and approves the new easements contained in the attached Exhibit "A."

Section 3. That the Mayor, City Manager, City Attorney, City Engineer, and appropriate staff members are hereby authorized to sign any and all other documents deemed necessary to the furtherance of the authority outlined herein.

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the 17th day of December, 2019.

Thomas H. Watson, Mayor

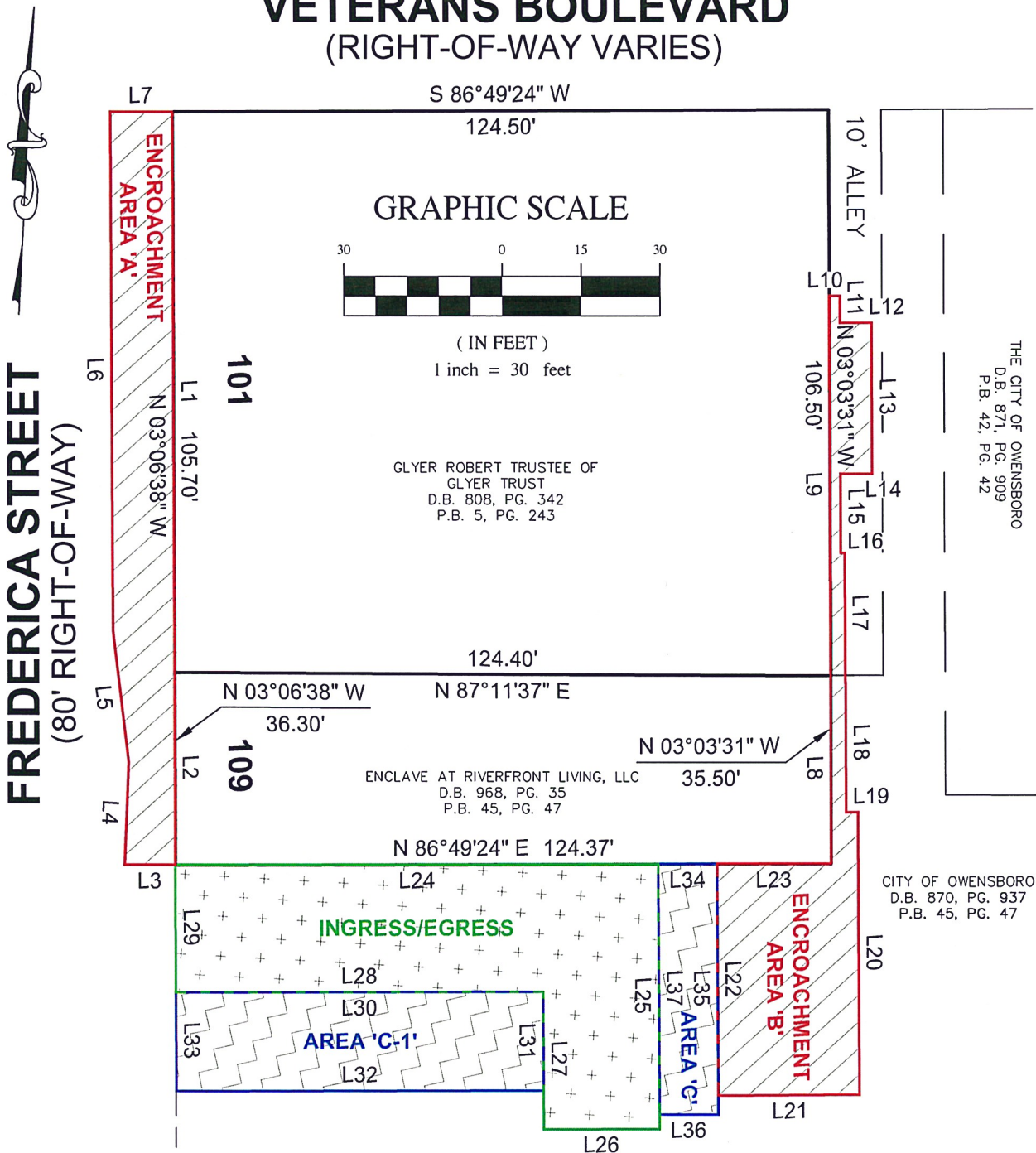
ATTEST:

Beth Cecil, City Clerk

VETERANS BOULEVARD
(RIGHT-OF-WAY VARIES)

LINE TABLE

LINE	BEARING	LENGTH
L1	S 03°06'38" E	105.70'
L2	S 03°06'38" E	36.30'
L3	S 86°49'24" W	9.59'
L4	N 00°38'17" W	19.32'
L5	N 09°38'42" W	25.09'
L6	N 03°10'34" W	97.77'
L7	N 86°49'24" E	11.73'
L8	N 03°03'31" W	35.50'
L9	N 03°03'31" W	71.58'
L10	N 86°56'29" E	2.00'
L11	S 03°03'31" E	5.10'
L12	N 86°51'04" E	5.98'
L13	S 03°08'56" E	28.47'
L14	S 86°51'04" W	6.03'
L15	S 03°03'31" E	14.88'
L16	N 86°49'24" E	0.73'
L17	S 03°10'36" E	23.15'
L18	S 03°10'36" E	25.87'
L19	N 86°49'24" E	2.27'
L20	S 03°10'36" E	53.21'
L21	S 86°31'36" W	26.84'
L22	N 03°10'36" W	43.73'
L23	N 86°49'24" E	21.73'
L24	N 86°49'24" E	91.45'
L25	S 03°10'36" E	50.00'
L26	S 86°49'24" W	22.00'
L27	N 03°10'36" W	26.00'
L28	S 86°49'24" W	69.48'
L29	N 03°06'38" W	24.00'
L30	N 86°49'24" E	69.48'
L31	S 03°10'36" E	18.69'
L32	S 86°49'24" W	69.50'
L33	N 03°06'38" W	18.69'
L34	N 86°49'24" E	11.19'
L35	S 03°10'36" E	47.27'
L36	S 86°49'24" W	11.19'
L37	N 03°10'36" W	47.27'



DESCRIPTION: ENCROACHMENT AREA 'A'

Beginning at a calculated point being at the intersection of the south right-of-way line of Veterans Boulevard with the east right-of-way line of Frederica Street and being the northwest corner of the Glycer Trust property, Robert Glycer Trustee of Glycer Trust, as recorded in Deed Book 808, at Page 342 in the office of the Daviess County Clerk; thence with the west line of said Glycer Trust property South 03 degrees 06 minutes 38 seconds East, passing through the northwest corner of the Enclave at Riverfront Living LLC property, as recorded in Deed Book 968, at Page 35 in said clerk's office, then continuing on the same course with the west line of said Enclave at Riverfront Living LLC property, in all a total distance of 142.00 feet to a calculated point; thence sever the right-of-way of said Frederica Street for the following five (5) calls:

1. South 86 degrees 49 minutes 24 seconds West, a distance of 9.59 feet to a calculated point;
2. North 00 degrees 38 minutes 17 seconds West, a distance of 19.32 feet to a calculated point;
3. North 09 degrees 38 minutes 42 seconds West, a distance of 25.09 feet to a calculated point;
4. North 03 degrees 10 minutes 34 seconds West, a distance of 97.77 feet to a calculated point;
5. North 86 degrees 49 minutes 24 seconds East, a distance of 11.73 feet to a calculated point being the point of beginning and containing 1,572 square feet, this description was prepared to be used to describe an encroachment area only and is not to be used for the transfer of real property.

DESCRIPTION: AREA 'C'

Beginning at a calculated point being in the south line of the Enclave Riverfront Living LLC property, as recorded in Deed Book 968, at Page 35 in the office of the Daviess County Clerk and being North 86 degrees 49 minutes 24 seconds East, a distance of 91.45 feet from the east right-of-way line of Frederica Street; thence with said south line North 86 degrees 49 minutes 24 seconds East, a distance of 11.19 feet to a calculated point being in an east/west line of the City of Owensboro property, as recorded in Deed Book 870, at Page 937 in said clerk's office; thence severing said City of Owensboro property for the following three (3) calls:

1. South 03 degrees 10 minutes 36 seconds East, a distance of 47.27 feet to a calculated point;
2. South 86 degrees 49 minutes 24 seconds West, a distance of 11.19 feet to a calculated point;
3. North 03 degrees 10 minutes 36 seconds West, a distance of 47.27 feet to the point of beginning and containing 529 square feet, this description was prepared to describe an encroachment area only and is not to be used for the transfer of real property.

DESCRIPTION: AREA 'C-1'

Beginning at a calculated point being in the east right-of-way line of Frederica Street and being South 03 degrees 06 minutes 38 seconds East, a distance of 24.00 feet from the southwest corner of the Enclave Riverfront Living LLC property, as recorded in Deed Book 968, at Page 35 in the office of the Daviess County Clerk and also being in the west line of the City of Owensboro property, as recorded in Deed Book 870, at Page 937 in said clerk's office; thence severing said City of Owensboro property for the following three (3) calls:

1. North 86 degrees 49 minutes 24 seconds East, a distance of 69.48 feet to a calculated point;
2. South 03 degrees 10 minutes 36 seconds East, a distance of 18.69 feet to a calculated point;
3. South 86 degrees 49 minutes 24 seconds West, a distance of 69.50 feet to a calculated point being in said east right-of-way line; thence with said east right-of-way line North 03 degrees 06 minutes 38 seconds West, a distance of 18.69 feet to the point of beginning and containing 1,299 square feet, this description was prepared to describe an encroachment area only and is not to be used for the transfer of real property.

DESCRIPTION: ENCROACHMENT AREA 'B'

Beginning at a calculated point being the southeast corner of the Enclave at Riverfront Living LLC property, as recorded in Deed Book 968, at Page 35 in the office of the Daviess County Clerk and being North 86 degrees 49 minutes 24 seconds East, a distance of 124.37 feet from the east right-of-way line of Frederica Street and also being South 03 degrees 03 minutes 31 seconds East, a distance of 142.00 feet from the south right-of-way line of Veterans Boulevard; thence with the east line of said Enclave at Riverfront Living LLC property North 03 degrees 03 minutes 31 seconds West, passing through the southeast corner of the Glycer Trust property, Robert Glycer Trustee, as recorded in Deed Book 808, at Page 342 in said clerk's office, then continuing on the same course with the east line of said Glycer Trust property, in all a total distance of 107.08 feet to a calculated point being in the west right-of-way line of a 10-foot alley; thence severing said 10-foot alley for the following eight (8) calls:

1. North 86 degrees 56 minutes 29 seconds East, a distance of 2.00 feet to a calculated point;
2. South 03 degrees 03 minutes 31 seconds East, a distance of 5.10 feet to a calculated point;
3. North 86 degrees 51 minutes 04 seconds East, a distance of 5.98 feet to a calculated point;
4. South 03 degrees 08 minutes 56 seconds East, a distance of 28.47 feet to a calculated point;
5. South 86 degrees 51 minutes 04 seconds West, a distance of 6.03 feet to a calculated point;
6. South 03 degrees 03 minutes 31 seconds East, a distance of 14.88 feet to a calculated point;
7. North 86 degrees 49 minutes 24 seconds East, a distance of 0.73 feet to a calculated point;
8. South 03 degrees 10 minutes 36 seconds East, passing through an east/west line of the City of Owensboro property, as recorded in Deed Book 870, at Page 937 in said clerk's office, then continuing on the same course severing said City of Owensboro property, in all a total distance of 49.02 feet to a calculated point; thence continuing to sever said City of Owensboro property for the following four (4) calls:

1. North 86 degrees 49 minutes 24 seconds East, a distance of 2.27 feet to a calculated point;
2. South 03 degrees 10 minutes 36 seconds East, a distance of 53.21 feet to a calculated point;
3. South 86 degrees 31 minutes 36 seconds West, a distance of 26.84 feet to a calculated point;
4. North 03 degrees 10 minutes 36 seconds West, a distance of 43.73 feet to a calculated point being in the south line of said Enclave Riverfront Living LLC property; thence with said south line North 86 degrees 49 minutes 24 seconds East, a distance of 21.73 feet to the point of beginning and containing 1,625 square feet, this description was prepared to describe an encroachment area only and is not to be used for the transfer of real property.

DESCRIPTION: INGRESS/EGRESS

Beginning at a calculated point being in the east right-of-way line of Frederica Street and being the southwest corner of the Enclave Riverfront Living LLC property, as recorded in Deed Book 968, at Page 35 in the office of the Daviess County Clerk; thence with the south line of said Enclave Riverfront Living LLC property North 86 degrees 49 minutes 24 seconds East, a distance of 91.45 feet to a calculated point being in an east/west line of the City of Owensboro property, as recorded in Deed Book 870, at Page 937 in said clerk's office; thence severing said City of Owensboro property for the following four (4) calls:

1. South 03 degrees 10 minutes 36 seconds East, a distance of 50.00 feet to a calculated point;
2. South 86 degrees 49 minutes 24 seconds West, a distance of 22.00 feet to a calculated point;
3. North 03 degrees 10 minutes 36 seconds West, a distance of 26.00 feet to a calculated point;
4. South 86 degrees 49 minutes 24 seconds West, a distance of 69.48 feet to a calculated point being in said east right-of-way line; thence with said east right-of-way line North 03 degrees 06 minutes 38 seconds West, a distance of 24.00 feet to the point of beginning and containing 2,770 square feet, this description was prepared to describe an encroachment area only and is not to be used for the transfer of real property.

EXHIBIT 'A'
ENCROACHMENT AND
INGRESS/EGRESS EASEMENTS

PREPARED BY:

COMPLIES WITH
201 KAR18:150
SECTION 13



NOT A BOUNDARY SURVEY
NOT FOR TRANSFER OF
REAL PROPERTY

1535 FREDERICA STREET - P.O. BOX 21382
OWENSBORO, KENTUCKY 42304
(270) 685-2811
DATE: 11-15-2019

PREPARED BY:

J. William Weikel, Jr. Nov. 20, 2019
J. WILLIAM WEIKEL, JR., KY P.L.S. NO. 2813 DATE

