

ORDINANCE 2-2020

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 JED RENTALS, LLC, LOCATED AT 3509 FAIRVIEW DRIVE, CONTAINING 3.461 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 2-2020.

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 east line of Walmart Real Estate Business Trust, Inc. (D.B. 785, Pg. 260), said point being in the current city limit line; thence following the east line of Walmart and the current city limit line N 18°27'12" E, 331.78 feet to a point in the south line of Unit 2 of Preakness Place at the Downs Subdivision; thence leaving the current city limit line and following the new city limit line and the south line of Preakness Place S 71°53'06" E, 454.35 feet to a point in the west right of way line of Fairview Drive; thence following the west right of way line of Fairview Drive and the new city limit line as follows: S 14°48'24" W, 192.08 feet to a point; thence S 19°21'58" W, 128.30 feet to a point in the west right of way line of Fairview Drive, said point also being the northeast corner to Evansville Goodwill Industries, Inc. (D.B. 907, Pg. 324); thence following the north line of Evansville Goodwill Industries and the new city limit line N 73°20'02" W, 464.74 feet to the point of beginning containing 3.461 Acres as shown on an Annexation Plat prepared by the City of Owensboro dated 12-10-2019.

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 taken from a recorded plat at Plat Book 45, Pg. 201, 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 R-1C Single Family Residential, 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 7th day of January, 2020.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 14th day of January, 2020.

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 2-2020, duly adopted by the Owensboro Board of Commissioners on January 14, 2020, the original of which is on file in the Office of the City Clerk, this the ____ day of _____, 2020.

Beth Cecil, City Clerk