

**ORDINANCE 1-2020**

**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 PROFESSIONAL PROPERTIES & CONSTRUCTION, LLC AND THE OFFICES CREEKSIDE PROPERTIES LOCATED AT 1030 BURLEW BOULEVARD (PROPERTY ASSOCIATED WITH BUILDING "A"), CONTAINING 0.408 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 1-2020.

**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 southeast side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the east right of way line of New Hartford Road (U.S. Hwy. 231), said point being in the current city limit line; thence following the current city limit line S 79°25'59" E, 273.61 feet to a point; thence leaving the current city limit line and following the new city limit line S 64°38'40" W, 221.57 feet to a point in the east right of way line of New Hartford Road (U.S. Hwy. 231); thence following the east right of way of New Hartford Road (U.S. Hwy. 231) and the new city limit line N 25°21'20" W, 160.56 feet to the point of beginning containing 0.408 Acres as shown on an Annexation Plat prepared by City of Owensboro's 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 28, Pg. 174, 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 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 1-2020, 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

**CITY OF OWENSBORO**

**COMMISSION MEETING DATE: 1/7/2020**

**AGENDA REQUEST AND SUMMARY SUBMITTED BY: City Engineering Department- Michael Hamilton**

---

**TITLE: PROPOSED ANNEXATION FOR PROFESSIONAL PROPERTIES & CONSTRUCTION, LLC & THE OFFICES CREEKSIDE PROPERTIES AT 1030 BURLEW BLVD. (PVA MAP ID – 063-00-00-076-A0-000 & 063-00-00-076-00-000) ASSOCIATED WITH BUILDING “A” PROPERTY**

**Ordinance Prepared by:  City Staff  Other Preparer  Attachments: Annexation Request Forms, Stamped and Signed Annexation Description, Stamped and Signed Annexation Map, Vicinity Map**

**Summary & Background:**

**Professional Properties & Construction, LLC and The Offices Creekside, owners of said properties at 1030 Burlew Blvd. submitted a signed annexation request forms.**

**The proposed annexation for property at 1030 Burlew Blvd. totals 0.408 acres and is zoned B-4**

**There will be Annexation Incentive Agreement for this property between the City of Owensboro and Professional Properties & Construction, LLC & The Offices Creekside.**

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

**1. LOCATION OF PROPERTY TO BE ANNEXED:**

1030 Burlew Blvd. (Property Associated with Building A) - PVA MAP ID - 063-00-00-076-A0-000

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

See Attached

**B. SOURCE OF TITLE:**

DEED BOOK 965 PAGE 841

**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:**

PROFESSIONAL PROPERTIES & CONSTRUCTION, LLC

2841 NEW HARTFORD RD., OWENSBORO, KY 42303

**6. PHONE NO:** \_\_\_\_\_

**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 1030 Burlew Blvd. 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 6<sup>th</sup> day of December, 20 19.

**Witness:** \_\_\_\_\_  
Sign & Print Name

**Signature (s) of Record Owner (s) of Property:**  
Professional Properties & Construction, LLC by Gary Cecil  
Signature  
Gary Cecil, Member  
Print Name  
\_\_\_\_\_  
\_\_\_\_\_

**FOR FINANCE DEPARTMENT USE ONLY:**

Annexation Fee	Amount:	<u>N/A</u>
Acreage Fee	Amount:	<u>N/A</u>
Received by Finance Department	Date:	_____
	Initialed By:	_____

CITY OF OWENSBORO

---ANNEXATION REQUEST FORM---

**1. LOCATION OF PROPERTY TO BE ANNEXED:**

1030 Burlew Blvd. (Property Associated with Building A) - PVA MAP ID - 063-00-00-076-00-000

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

See Attached

**B. SOURCE OF TITLE:**

DEED BOOK 965 PAGE 841

DEED BOOK 990 PAGE 383

**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:**

THE OFFICES CREEKSIDE

2841 NEW HARTFORD RD., OWENSBORO, KY 42303

**6. PHONE NO:** \_\_\_\_\_

### 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 1030 Burlew Blvd 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 13<sup>th</sup> day of December, 20 19.

**Witness:** Am Wilson Jon Hagan  
Sign & Print Name

**Signature (s) of Record Owner (s) of Property:**  
[Signature] Manager The Offices Creekside  
Signature  
Gary Cecil  
Print Name

### FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee	Amount:	<u>N/A</u>
Acreage Fee	Amount:	<u>N/A</u>
Received by Finance Department	Date:	<u>                    </u>
	Initialed By:	<u>                    </u>

PROPOSED ANNEXATION FOR  
 PROFESSIONAL PROPERTIES & CONSTRUCTION, LLC  
 & THE OFFICES CREEKSIDE - BLDG. "A" PROPERTY  
 1030 BURLEW BLVD.  
 IS APPROX. 0.408 ACRES

 CITY  
 COUNTY

1 inch = 100 feet



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 79° 25' 59" E	273.61'
L2	S 64° 38' 40" W	221.57'
L3	N 25° 21' 20" W	160.56'

L1

L2

L3

P.O.B.

BLDG "A"

BLDG "B"

BLDG "C"

**PROFESSIONAL-PROPERTIES & CONSTRUCTION, LLC**  
**- THE OFFICES CREEKSIDE PROPERTIES**  
**1030 BURLEW BLVD.**  
**ZONING B-4**

**LINE TABLE**

LINE BEARING LENGTH

L1 S 79° 25' 59" E 273.61'

L2 S 64° 38' 40" W 221.57'

L3 N 25° 21' 20" W 160.56'

HARTFORD RD

NEW HARTFORD RD

STATE OF KENTUCKY  
 KEVIN M. SIMMONS  
 3635  
 LICENSED PROFESSIONAL SURVEYOR

**ANNEXATION PLAT  
 SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN  
 HEREON HAVE BEEN TAKEN FROM A PLAT AT PLAT BOOK 28  
 PAGE 174, AND FROM THE CURRENT ODC-GIS CORPORATE  
 BOUNDARY LINELAYER AND PARCEL LAYER. THIS PLAT HAS BEEN  
 PREPARED FOR ANNEXATION PURPOSES ONLY. BEARINGS AND  
 DISTANCES SHOWN HAVE NOT BEEN VERIFIED IN THE FIELD.

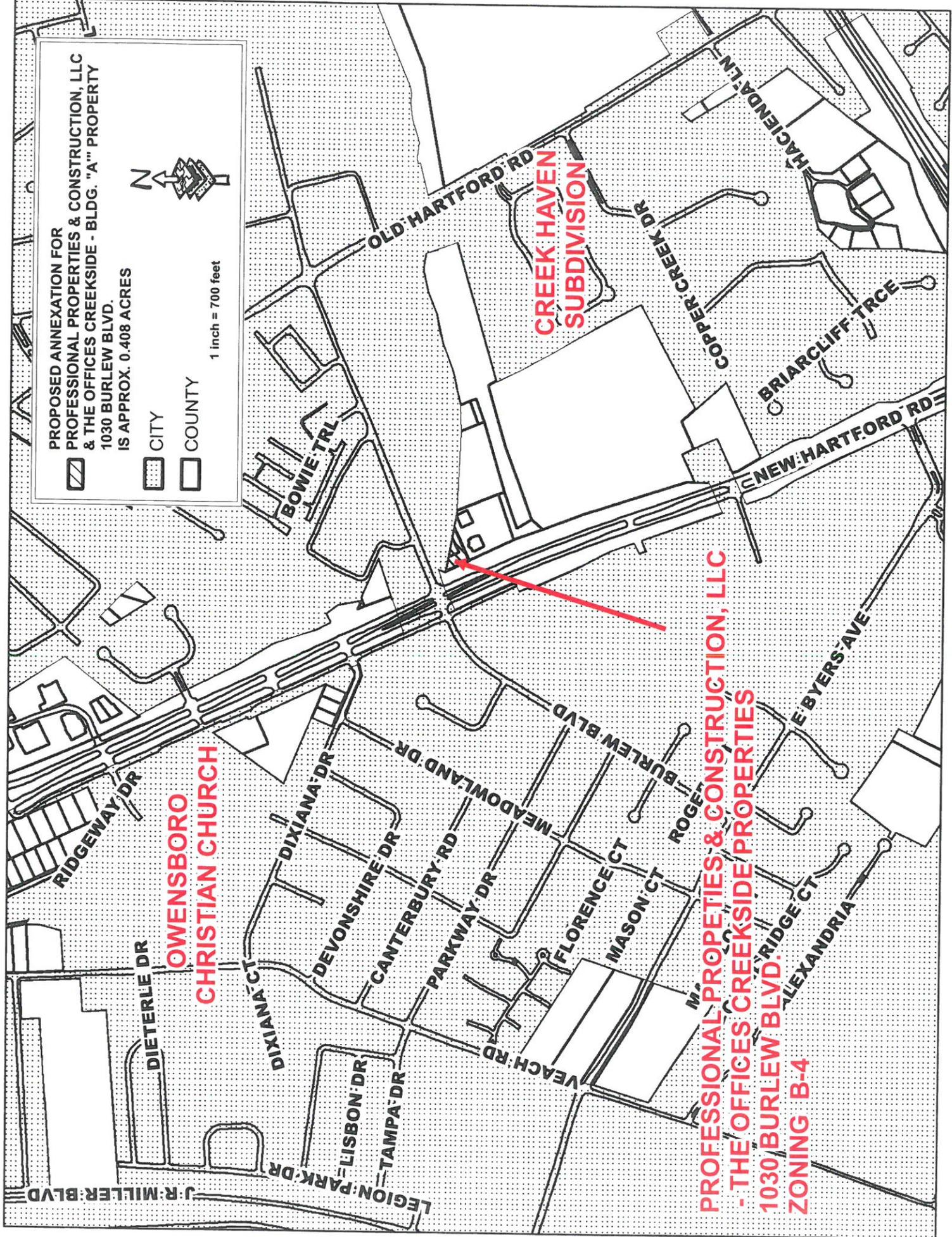
*Kevin M. Simmons*  
 KEVIN M. SIMMONS, P.L.S. 3635  
 DATE 10-24-12

PROPOSED ANNEXATION FOR  
 PROFESSIONAL PROPERTIES & CONSTRUCTION, LLC  
 & THE OFFICES CREEKSIDE - BLDG. "A" PROPERTY  
 1030 BURLEW BLVD.  
 IS APPROX. 0.408 ACRES



 CITY  
 COUNTY

1 inch = 700 feet



**CREEK HAVEN  
 SUBDIVISION**

**OWENSBORO  
 CHRISTIAN CHURCH**

**PROFESSIONAL PROPERTIES & CONSTRUCTION, LLC  
 - THE OFFICES CREEKSIDE PROPERTIES  
 1030 BURLEW BLVD.  
 ZONING B-4**

RIDGEWAY DR

DIETERLE DR

DIXIANA CT

DIXIANA DR

DEVONSHIRE DR

CANTERBURY DR

PARKWAY DR

MEADOWLAND DR

BURLEW BLVD

ROGET

FLORENCE CT

MASON CT

E BYERS AVE

ALEXANDRIA

J.R. MILLER BLVD

LEGION PARK DR

LISBON DR

TAMPA DR

VEACH RD

M

NEW HARTFORD RD

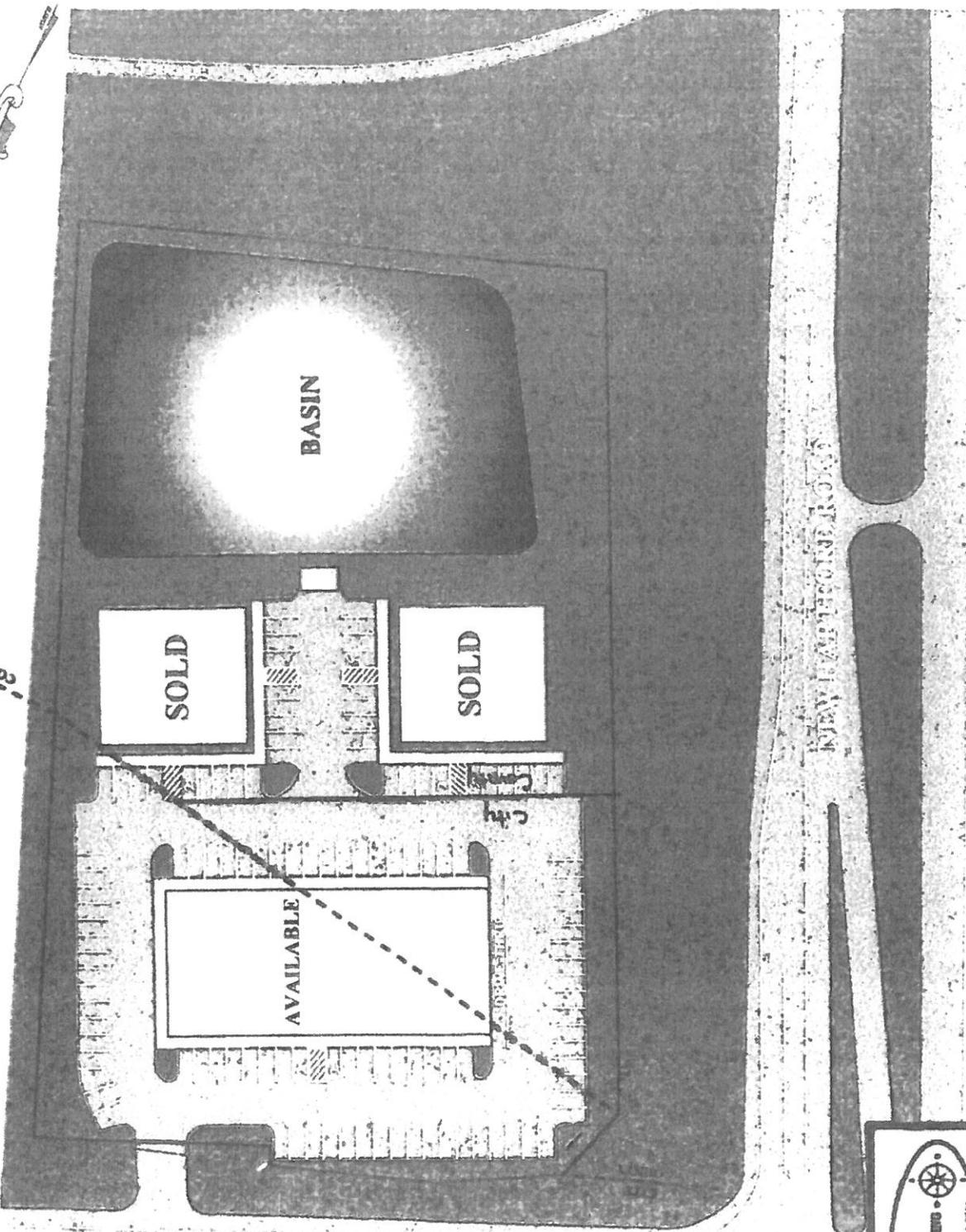
COPPER CREEK DR

BRIARCLIFF TRCE

HACIENDA LN



CITY COUNTY



PREPARED BY:

**BEI** CIVIL ENGINEERING INC.  
Civil & Engineering • Land Surveying

155 FAIRBANKS STREET - P.O. BOX 2120  
 CHATTANOOGA COUNTY, TN 37404  
 270-485-2311

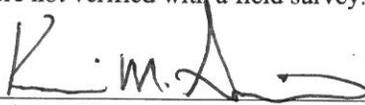
**ANNEXATION DESCRIPTION**

**1030 Burlew Blvd. (Property associated with building "A"): 0.408 ACRES**

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

Beginning at a point in the east right of way line of New Hartford Road (U.S. Hwy. 231), said point being in the current city limit line; thence following the current city limit line S 79°25'59" E, 273.61 feet to a point; thence leaving the current city limit line and following the new city limit line S 64°38'40" W, 221.57 feet to a point in the east right of way line of New Hartford Road (U.S. Hwy. 231); thence following the east right of way of New Hartford Road (U.S. Hwy. 231) and the new city limit line N 25°21'20" W, 160.56 feet to the point of beginning containing 0.408 Acres as shown on an Annexation Plat prepared by City of Owensboro's 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 28, Pg. 174, and the current ODC-GIS corporate boundary layer. Bearings and distances were not verified with a field survey.

 12-16-19  
Kevin M. Simmons, PLS 3635      Date

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