

ORDINANCE 10-2020

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 DAVIESS COUNTY SCHOOL DISTRICT FINANCE CORPORATION, LOCATED AT HAYDEN ROAD (NEAR HWY 603) MOST RECENTLY ASSIGNED THE ADDRESS OF 3901 FAIRVIEW DRIVE, CONTAINING 22.799 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.

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 near the intersection of Hayden Road and Highway 603 more particularly described as follows:

Beginning at a point being a corner to Lot No. 155 of Preakness Place at the Downs, Unit 3, said point being in the current city limit line; thence following the current city limit line S 86°15'49" W, 988.52 feet to a point; thence continuing with the current city limit line N 03°05'14" W, 151.57 feet to a point; thence N 27°29'58" E, 1286.11 feet to a point; thence continuing with the current city limit line N 08°40'12" W, 115.03 feet to a point; thence leaving the current city limit line and following the new city limit line S 41°29'23" E, 589.38 feet to a point; thence continuing with the new city limit line following a circular curve to the right having a radius of 2460.00 feet and chord S 36°15'42" E, 448.32 feet to a point; thence with the new city limit line N 85°42'45" W, 41.53 feet to a point; thence with the new city limit line S 05°12'16" W, 546.15 feet to a point in the north line of Preakness Place at the Downs, Unit 3; thence following the north line of Preakness Place at the Downs with the following two calls: N 71°13'39" W, 107.91 feet to a point; thence S 53°53'52" W, 54.99 feet

to the point of beginning containing 22.799 Acres as shown on an Annexation Plat prepared by the City Engineer's office dated 05/07/2019.

This description was prepared for annexation purposes by Kevin M. Simmons, PLS 3635 with the City Engineer's office. Bearings and distances described herein were taken from a plat of record found in Plat Book 48, at Page 50 in the office of Daviess County Court Clerk. Bearings and distances were not verified with a field survey.

Section 3. That the territory annexed herein is currently zoned as A-U Urban Agriculture, 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 21st day of July, 2020.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 4th day of August, 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 10-2020, duly adopted by the Owensboro Board of Commissioners on August 4, 2020, the original of which is on file in the Office of the City Clerk, this the _____ day of _____, 2020.

Beth Cecil, City Clerk