

ORDINANCE 16-2020

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 THE CITY OF OWENSBORO LOCATED AT 3800 BLOCK OF FAIRVIEW DRIVE (3805 & 3810 FAIRVIEW DRIVE AND FAIRVIEW DRIVE RIGHT-OF-WAY), CONTAINING 24.280 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 to be annexed into the City more particularly described as follows:

Beginning at a point in the north line of Preakness Place at The Downs, Unit 3 (P.B. 30, Pg. 22), said point being the southeast corner to the Daviess County School District Finance Corporation (D.B. 1012, Pg. 181) and also being in the current city limit line; thence following the current city limit line and the east line of the Daviess County School District Finance Corporation N 05°10'54" E, 546.25 feet to a point; thence continuing with the current city limit line S 85°45'05" E, 192.60 feet to a point being the southeast corner to Senior Green, LLC (D.B. 1011, Pg. 319); thence following the east lines of Green and the current city limit line as follows: N 06°12'31" E, 325.10 feet to a point; thence N 04°27'53" W, 590.03 feet to a point; thence N 86°01'55" W, 102.32 feet to a point; thence N 04°58'15" E, 753.65 feet to a point being the north corner of 3810 Fairview Drive; thence following the new city limit line and the east line of 3810 Fairview Drive being the centerline of a ditch as follows: S 32°35'38" E, 298.12 feet to a point; thence S 33°22'00" E, 377.88 feet to a point; thence S 22°22'51" E, 268.16 feet to a point; thence S 26°07'50"

E, 182.01 feet to a point; thence S 03°25'23" E, 99.80 feet to a point; thence S 04°40'45" W, 334.09 feet to a point; thence S 03°21'58" W, 517.06 feet to a point; thence S 05°40'56" W, 322.47 feet to a point; thence S 04°11'03" W, 172.04 feet to a point in the north line of Preakness Place at The Downs, Unit 2 (P.B.28, Pg. 77); thence following the new city limit line and the north line of Preakness Place at The Downs, Unit 2, N 71°14'09" W, 186.32 feet to a point in the east right of way line of Fairview Drive; thence crossing the right of way of Fairview Drive and following the new city limit line N 71°14'09" W, 125.61 feet to a point in the west right of way line of Fairview Drive; thence following the new city limit line and the north line of Preakness Place at The Downs, Unit 3, N 71°14'09" W, 372.88 feet to the point of beginning containing 24.280 Acres as shown on a plat of record found in Plat Book 49, at Page 139 in the office of the Daviess County Clerk.

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 plat of record found in Plat Book 49, at Page 139 in the office of the Daviess County Clerk and the current ODC-GIS corporate boundary layer.

Section 3. That the territory annexed herein is currently zoned as A-U Urban Agriculture and R-1A 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 1st day of September, 2020.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 15th day of September, 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 16-2020, duly adopted by the Owensboro Board of Commissioners on September 15, 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: 9/1/2020

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

**TITLE: PROPOSED ANNEXATION FOR CITY OF OWENSBORO PROPERTIES IN 3800 BLOCK
OF FAIRVIEW DRIVE (3805 & 3810 FAIRVIEW DRIVE AND FAIRVIEW DRIVE RIGHT OF WAY)**

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

Summary & Background:

**City of Owensboro, owner of said properties has submitted a signed annexation request forms for 3805 &
3810 Fairview Drive and the Fairview Drive right of way.**

**The proposed annexation for properties in the 3800 block of Fairview Drive total 24.280 acres and are
currently zoned both A-U and R-1A**

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

1. LOCATION OF PROPERTY TO BE ANNEXED:

**3800 BLOCK OF FAIRVIEW DRIVE (3805 & 3810 FAIRVIEW DRIVE AND
FAIRVIEW DRIVE RIGHT OF WAY)**

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

See Attached

B. SOURCE OF TITLE:

DEED BOOK 1029 PAGE 590

PLAT BOOK 49 PAGE 139

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

R-1A & A-U

4. ACREAGE FEES:

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

CITY OF OWENSBORO

101 EAST 4TH STREET OWENSBORO, KY 42301

6. PHONE NO:

270-687-8561

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 3800 BLOCK OF FAIRVIEW DRIVE (3805 & 3810 FAIRVIEW DRIVE AND FAIRVIEW DRIVE RIGHT OF WAY) 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

26th day of August, 20 20.

Witness: Beth Cecil Beth Cecil
Sign & Print Name

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

Nathaniel W. Pagan
Signature
Nathaniel W. Pagan
Print Name

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: N/A

Acreage Fee

Amount: N/A

Received by Finance Department

Date: _____

Initialed By: _____

PROPOSED ANNEXATION FOR
CITY OF OWENSBORO PROPERTIES
3800 BLOCK OF FAIRVIEW DRIVE
3805 & 3810 FAIRVIEW DRIVE AND
FAIRVIEW DRIVE RIGHT OF WAY
IS APPROX. 24.280 ACRES

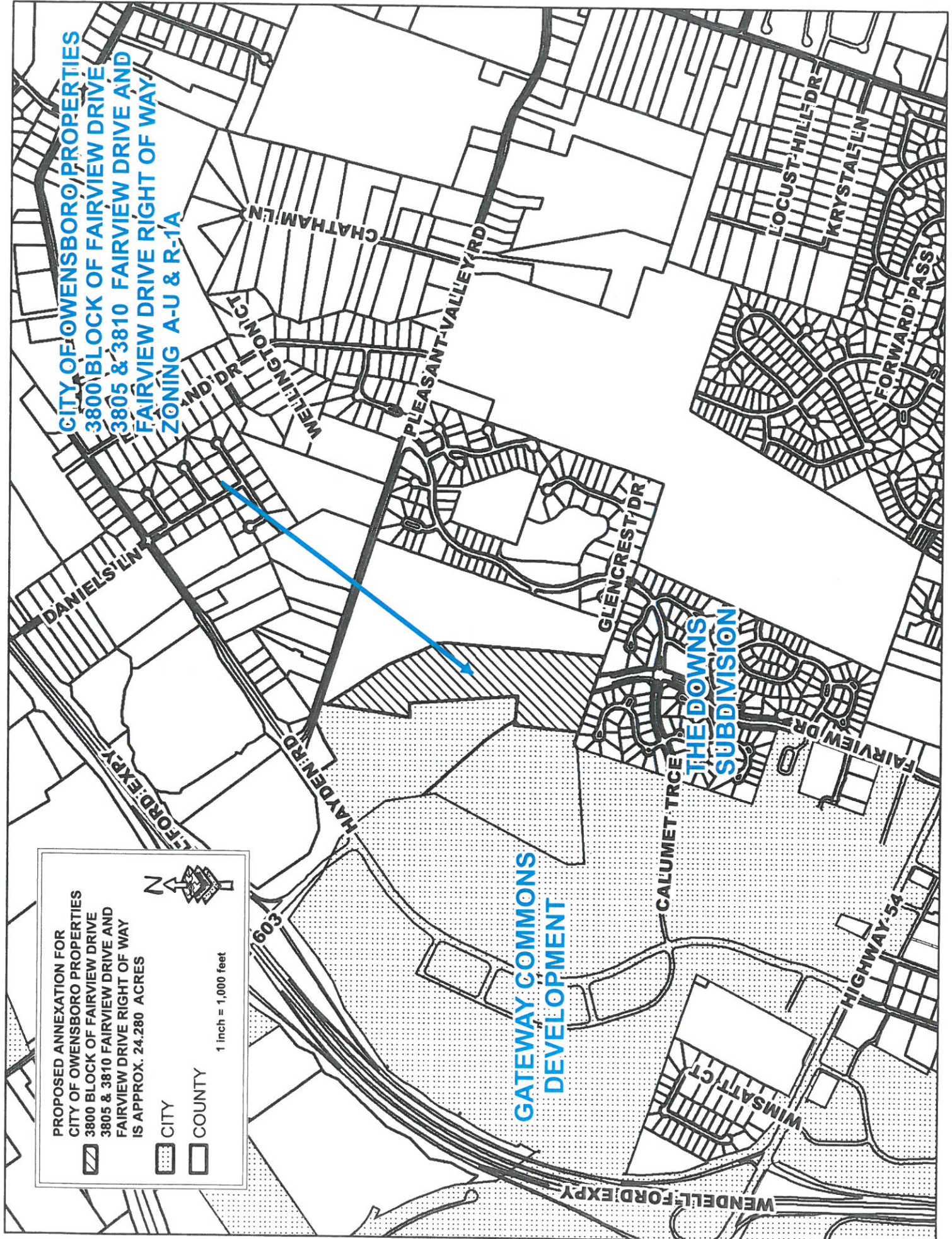


1 inch = 1,000 feet

CITY OF OWENSBORO PROPERTIES
3800 BLOCK OF FAIRVIEW DRIVE
3805 & 3810 FAIRVIEW DRIVE AND
FAIRVIEW DRIVE RIGHT OF WAY
ZONING A-U & R-1A

GATEWAY COMMONS
DEVELOPMENT

THE DOWNS
SUBDIVISION



PROPOSED ANNEXATION FOR
CITY OF OWENSBORO PROPERTIES
3800 BLOCK OF FAIRVIEW DRIVE
3805 & 3810 FAIRVIEW DRIVE AND
FAIRVIEW DRIVE RIGHT OF WAY
IS APPROX. 24.280 ACRES



CITY

COUNTY



1 inch = 400 feet

GATEWAY COMMONS
SUBDIVISION

FUTURE DAVIESS
COUNTY MIDDLE
SCHOOL

P.O.B.*

| LINE TABLE | | |
|------------|-----------------|---------|
| LINE | BEARING | LENGTH |
| L1 | N 05° 10' 54" E | 546.25' |
| L2 | S 85° 45' 05" E | 192.60' |
| L3 | N 06° 12' 31" E | 325.10' |
| L4 | N 04° 27' 53" W | 590.03' |
| L5 | N 86° 01' 55" W | 102.32' |
| L6 | N 04° 58' 15" E | 753.65' |
| L7 | S 32° 35' 38" E | 298.12' |
| L8 | S 33° 22' 00" E | 377.88' |
| L9 | S 22° 22' 51" E | 268.16' |
| L10 | S 26° 07' 50" E | 182.01' |
| L11 | S 03° 25' 23" E | 99.80' |
| L12 | S 04° 40' 45" W | 334.09' |
| L13 | S 03° 21' 58" W | 517.06' |
| L14 | S 05° 40' 56" W | 322.47' |
| L15 | S 04° 11' 03" W | 172.04' |
| L16 | N 71° 14' 09" W | 186.32' |
| L17 | N 71° 14' 09" W | 125.61' |
| L18 | N 71° 14' 09" W | 372.88' |

CITY OF OWENSBORO PROPERTIES
3800 BLOCK OF FAIRVIEW DRIVE
3805 & 3810 FAIRVIEW DRIVE AND
FAIRVIEW DRIVE RIGHT OF WAY
ZONING A-U & R-1A

PLEASANT-VALLEY RD

THE DOWNS
SUBDIVISION

CLAIBORNE RUN

CALUMET-TRACE

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 PLAT BOOK 49 AT PAGES 139,
AND FROM SURVEY PERFORMED BY CITY SURVEYOR ON
AUGUST 9, 2020. THIS PLAT HAS BEEN PREPARED FOR
ANNEXATION PURPOSES ONLY. BEARINGS AND DISTANCES SHOWN
HAVE BEEN VERIFIED IN THE FIELD.

KEVIN M. SIMMONS, P.L.S. 3635

8-19-20
DATE

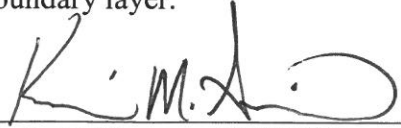
ANNEXATION DESCRIPTION

3805 & 3810 Fairview Drive and Fairview Drive R/W: 24.280 Acres

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 8-26-20
Kevin M. Simmons, PLS 3635 Date

