

ORDINANCE 18-2021

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 LOCATED AT 3238 KIDRON VALLEY WAY, CONTAINING 1.167 ACRES, MORE OR LESS, AT THE REQUEST OF KIDRON INVESTMENT, LLC.

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 the property described hereinafter, by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay.

(3) 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.

(4) The Board further finds that no part of the area to be annexed is presently within the boundary of any other incorporated city.

(5) 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 known as 3238 Kidron Valley Way containing 1.167 Acres located on the east side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the south right-of-way line of Kidron Valley Lane, said point having a Kentucky State Plane South Coordinate N:2160939.03, E:1261929.48; thence following the new City Limit Line and the south right-of-way line of Kidron Valley Lane running 25.00 feet from and parallel with the centerline of said road S 71°55'57" E, 189.78' to a point; thence continuing with the south right of way of said road and the new City Limit Line S 73°21'25" E, 11.22 feet to a point being the northwest corner of Lot 1-A (P.B. 42, Pg. 25); thence following the west line of Lot 1-A and the new City Limit Line S 18°03'58" W, 253.03 feet to a point in the current City Limit Line, said point also being the southwest corner of Lot 1-A; thence following the current City Limit Line N 71°57'18" W, 201.00 feet to a point being the southeast corner of Lot 6 (P.B. 39, Pg. 137); thence leaving the current City Limit Line

and following the new City Limit Line and the east line of Lot 6, N 18°04'01" E, 252.83 feet to the point of beginning containing 1.167 Acres as shown on an annexation plat prepared by the City of Owensboro, dated 12/02/2021.

This description was prepared by Kevin M. Simmons, PLS 3635 with the Owensboro 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 found in Plat Book 42, at Page 25 in the office of the Daviess County Clerk and have been rotated and translated to comply with KRS 81A.470.

Section 3. That the territory annexed herein is currently zoned as B-4 General Business, 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 14th day of December, 2021.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 4th day of January, 2022.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk

CERTIFICATION

I, Beth Davis, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance 18-2021, duly adopted by the Owensboro Board of Commissioners on January 4, 2022, the original of which is on file in the Office of the City Clerk, this the 4th day of January, 2022.

Beth Davis, City Clerk

CITY OF OWENSBORO

COMMISSION MEETING DATE: 12/14/2021

AGENDA REQUEST AND SUMMARY SUBMITTED BY: City Engineering Dept. - Michael Hamilton

- **TITLE: PROPOSED ANNEXATION FOR KIDRON INVESTMENTS, LLC PROPERTY AT 3238 KIDRON VALLEY 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:

Kidron Investments, LLC, owner of said property has submitted a signed annexation request forms for property at 3238 Kidron Valley Way.

The proposed annexation for property at 3238 Kidron Valley Way is identified as PVA Parcel Map No. 062-J0-00-004-00-000 totals 1.167 acres and is zoned B-4.

There will be an Annexation Incentive Agreement for this property between the City of Owensboro and Kidron Investments, LLC.

CITY OF OWENSBORO

---ANNEXATION REQUEST FORM---

1. LOCATION OF PROPERTY TO BE ANNEXED:

3238 KIDRON VALLEY WAY (PVA MAP # 062-J0-00-004-00-000)

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

SEE ANNEXATION PLAT

B. SOURCE OF TITLE:

DEED BOOK 948, PAGE 001

PLAT BOOK 42, PAGE 25

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

ZONED: B-4

4. ACREAGE FEES: N/A

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

Kidron Investment, LLC

726 Harvard Dr., Owensboro, KY 42301

6. PHONE NO: 270-926-1101

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 3238 Kidron Valley 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

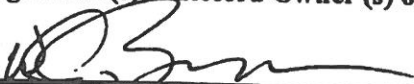
KRS 81A. 420 and 81A.425, as authorized in KRS 81A.412, on this the

1st day of December, 20 21.

Witness:

Sign & Print Name

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



Signature

William C. Barron " Manager of

Print Name

Fastpitch Properties, LLC the sole member

Kidron Investment LLC

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
KIDRON INVESTMENTS, LLC PROPERTY -
PROPERTY AT 3238 KIDRON VALLEY WAY
(PVA PARCEL MAP # 062-J0-00-004-00-000)
IS APPROX. 1.167 ACRES



CITY
COUNTY

1 inch = 100 feet

WALMART

P.O.B.

L1

L2

L3

L4

L5

KIDRON VALLEY WAY

THE DOWNS
SUBDIVISION

KIDRON INVESTMENT, LLC PROPERTY -
3238 KIDRON VALLEY WAY - ZONED B-4

FAIRVIEW DR

POB COORDINATES
KY SPC SOUTH
N:2160939.03
E:1261929.48

STATE OF KENTUCKY
KEVIN M. SIMMONS
3635
LICENSED

PROFESSIONAL
LAND SURVEYOR

ANNEXATION PLAT
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN HEREON
HAVE BEEN TAKEN FROM THE PLAT OF RECORD IN PLAT BOOK 42 PAGE 25
AND HAVE BEEN ROTATED AND TRANSLATED TO COMPLY WITH KRS 81A.470.
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
12-2-21
DATE

LINE TABLE

LINE	BEARING	LENGTH
L1	S 71° 55' 57" E	189.78'
L2	S 73° 21' 25" E	11.22'
L3	S 18° 03' 58" W	253.03'
L4	N 71° 57' 18" W	201.00'
L5	N 18° 04' 01" E	252.83'

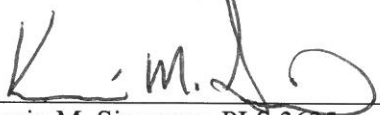
ANNEXATION DESCRIPTION

3238 Kidron Valley Way: 1.167 ACRES

A tract of land known as 3238 Kidron Valley Way containing 1.167 Acres located on the east side of Owensboro, Daviess County, Kentucky more particularly described as follows:

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Kevin M. Simmons, PLS 3635
12-02-21
Date

