

ORDINANCE 26-2022

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 2101 AND 2115 EAST PARRISH AVENUE, CONTAINING 1.515 ACRES, MORE OR LESS, AT THE REQUEST OF E & S DEVELOPERS, 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 owner of record of the territory to be annexed, has previously consented in writing to the annexation proposed, and has 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 will be an annexation incentive agreement for this property, as per Municipal Order __-2022.

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 2101 & 2115 East Parrish Avenue containing 1.515 acres located on the east side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the north right-of-way line of East Parrish Avenue, said point being in the Current City Limit Line and having a Kentucky State Plane South Zone Coordinate N:2162691.69, E:1256652.40; thence following the north right-of-way line of East Parrish Avenue and the Current City Limit Line as follows: N 62°57'34" W, 70.51 feet to a point; thence N 62°57'34" W, 103.11 feet to a point being a corner to SYF Properties, LLC (D.B. 998, Pg. 456), said point also being in the Current City Limit Line; thence following the Current City Limit Line and the east line of SYF Properties N 42°41'48" E, 279.96 feet to a point being a corner to Buskill Properties (D.B. 834, Pg. 853); thence leaving the Current City Limit Line

and following the New City Limit Line and the lines of Buskill Properties as follows: N 42°41'48" E, 159.13 feet to a point; thence S 40°54'07" E, 58.23 feet to a point; thence S 40°54'07" E, 112.09 feet to a point being a corner to Y, E, S, S & J Properties, LLC (D.B. 949, Pg. 025); thence following the west line of Y, E, S, S & J Properties and the New City Limit Line as follows: S 46°54'03" W, 184.24 feet to a point; thence S 39°14'43" W, 189.85 feet to the point of beginning containing 1.515 Acres as shown on an annexation plat prepared by the City of Owensboro dated 9/30/2022.

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 the current ODC-GIS corporate boundary layer, parcel layer and a recorded plat found in Plat Book 51, Pg. 16. Bearings and distances 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 18th day of October, 2022.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 1st day of November, 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 26-2022, duly adopted by the Owensboro Board of Commissioners on November 1, 2022, the original of which is on file in the Office of the City Clerk, this the 1st day of November, 2022.

Beth Davis, City Clerk

CITY OF OWENSBORO

COMMISSION MEETING DATE: 10/4/2022

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

- **TITLE: PROPOSED ANNEXATION FOR E & S DEVELOPERS, LLC PROPERTY AT 2101 AND 2115 E. PARRISH AVENUE**

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:

E & S Developers, LLC, owner of said properties has submitted a signed annexation request form for property at 2101 and 2115 E. Parrish Avenue.

The proposed annexation for properties at 2101 and 2115 E. Parrish Avenue are identified as PVA Parcel Map No's. 062-00-00-016-01-000 and 062-00-00-016-02-000, total 1.515 acres, and are zoned B-4.

There will be an Annexation Incentive Agreement for this property between the City of Owensboro and E & S Developers, LLC.

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

1. LOCATION OF PROPERTY TO BE ANNEXED:

**2101 & 2115 EAST PARRISH AVENUE
(PVA MAP #'s 062-00-00-016-01-000 & 062-00-00-016-02-000)**

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

SEE ANNEXATION PLAT

B. SOURCE OF TITLE:

DEED BOOK 1003, PAGE 254

PLAT BOOK 51, PAGE 016

**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:

E & S DEVELOPERS, LLC

1738 Dr. F.E. Wright Dr. Jackson, TN 38301

6. PHONE NO:

731-487-0634

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 2101 & 2115 E. Parrish Ave 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

27 day of September, 20 22.

Witness:



Sign & Print Name

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



Signature

JERRY ESTES

Print Name

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: N/A

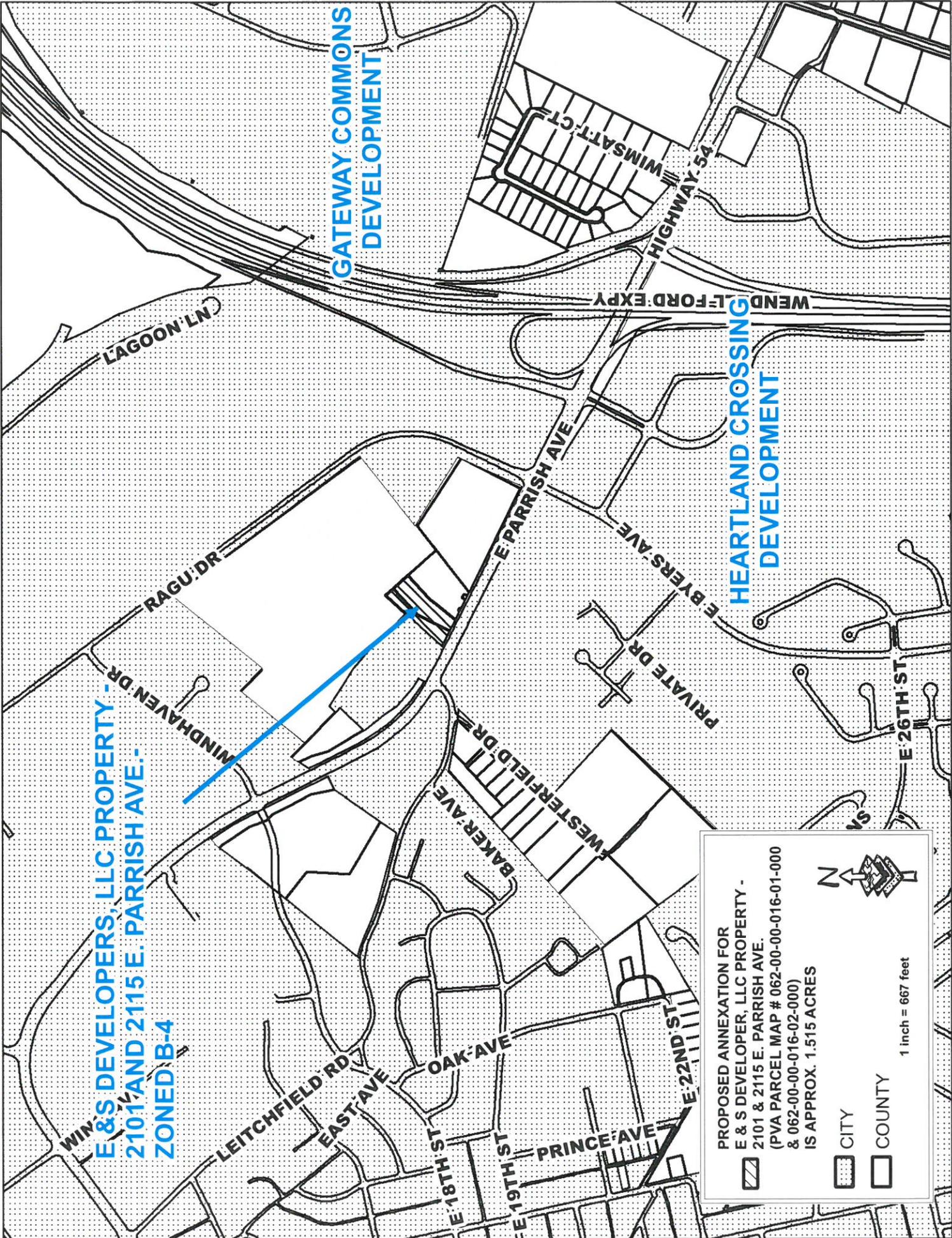
Acreage Fee

Amount: N/A

Received by Finance Department

Date: _____

Initialed By: _____



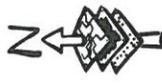
**E&S DEVELOPERS, LLC PROPERTY -
2101 AND 2115 E. PARRISH AVE. -
ZONED B-4**

**GATEWAY COMMONS
DEVELOPMENT**

**HEARTLAND CROSSING
DEVELOPMENT**

PROPOSED ANNEXATION FOR
 E & S DEVELOPER, LLC PROPERTY -
 2101 & 2115 E. PARRISH AVE.
 (PVA PARCEL MAP # 062-00-00-016-01-000
 & 062-00-00-016-02-000)
 IS APPROX. 1.515 ACRES

 CITY
 COUNTY

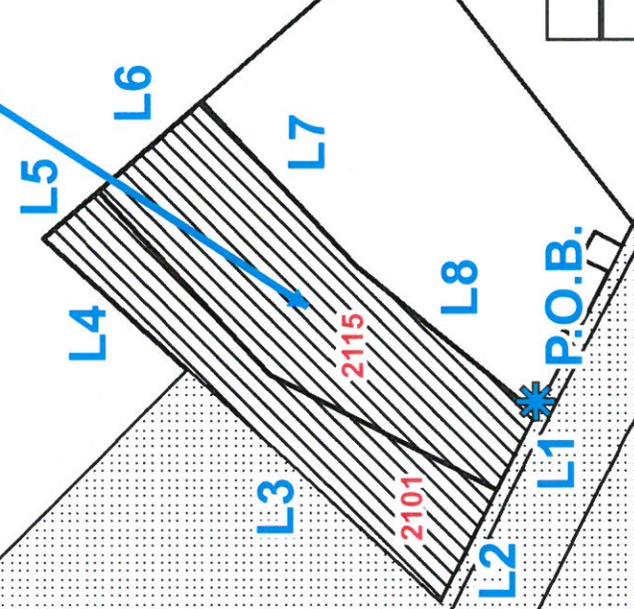


1 inch = 667 feet

**E & S DEVELOPERS, LLC PROPERTY -
2101 AND 2115 E. PARRISH AVE.-
ZONED B-4**

POB COORDINATES
KY SPC SOUTH
N: 2162691.69
E: 1256652.40

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 62° 57' 34" W	70.51'
L2	N 62° 57' 34" W	103.11'
L3	N 42° 41' 48" E	279.96'
L4	N 42° 41' 48" E	159.13'
L5	S 40° 54' 07" E	58.23'
L6	S 40° 54' 07" E	112.09'
L7	S 46° 54' 03" W	184.24'
L8	S 39° 14' 43" W	189.85'



**PROPOSED ANNEXATION FOR
E & S DEVELOPER, LLC PROPERTY -
2101 & 2115 E. PARRISH AVE.
(PVA PARCEL MAP # 062-00-00-016-01-000
& 062-00-00-016-02-000)
IS APPROX. 1.515 ACRES**

CITY **COUNTY**

1 inch = 150 feet

**ANNEXATION PLAT
SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN
HEREON HAVE BEEN TAKEN FROM PLAT OF RECORD IN PLAT BOOK 51
PAGE 16 AND FROM THE CURRENT ODC-GIS CORPORATE BOUNDARY LINE
LAYER AND PARCEL LAYER, AND HAVE BEEN ROTATED AND TRANSLATED
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

DATE 9-30-22

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

ANNEXATION DESCRIPTION

2101/2115 EAST PARRISH AVENUE: 1.515 ACRES

A tract of land known as 2101 & 2115 East Parrish Avenue containing 1.515 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 9-30-22
Date

