

ORDINANCE 06-2023

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 155 SALEM DRIVE CONTAINING A TOTAL OF 2.502 ACRES, MORE OR LESS, AT THE REQUEST OF CRANDALL'S BYPASS, 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 is an annexation incentive agreement for this property (Municipal Order_____).

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:

155 Salem Drive: 2.502 Acres

A tract of land known as 155 Salem Drive containing 2.502 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 the Wendell Ford Expressway/Hwy 60 Bypass, said point having a Kentucky State Plane South Zone Coordinate N:2150606.19, E:1245611.41; thence following the south right-of-way line of the Wendell Ford Expressway/Hwy 60 Bypass and the New City Limit Line as follows: S 72°14'10" E, 184.35 feet to a point; thence S 75°13'09" E, 434.00 feet to a point in the Current City Limit Line, said point also being the northwest corner Crandalls Bypass, LLC; thence following the lines of Crandalls Bypass, LLC and the Current City limit line as follows: S 14°48'53" W, 175.00 feet to a point; thence N 75°12'06" W, 580.15 feet to a point in the north right-of-way line of Salem Drive; thence following the north right-of-way of Salem

Drive and the Current City Limit Line as follows: N 75°12'06" W, 37.90 feet to a point; thence N 14°47'49" E, 43.22 feet to a point being the southeast corner of Landmark Investments, LLC, said point also being in the Current City Limit Line; thence following the east line of Landmark Investments, LLC and the Current City Limit Line N 14°47'49" E, 141.18 feet to the point of beginning containing 2.502 Acres as shown on an annexation plat prepared by the City of Owensboro dated 1/25/2023.

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 an annexation plat prepared by BEI, Inc. 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-5 Business/Industrial, 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 February, 2023.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 21st day of February, 2023.

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 06-2023, duly adopted by the Owensboro Board of Commissioners on February 21, 2023, the original of which is on file in the Office of the City Clerk, this the 21st day of February, 2023.

Beth Davis, City Clerk

CITY OF OWENSBORO

COMMISSION MEETING DATE: 2/7/2023

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

- **TITLE: PROPOSED ANNEXATION FOR CRANDALLS BYPASS, LLC PROPERTY AT 155 SALEM DRIVE**

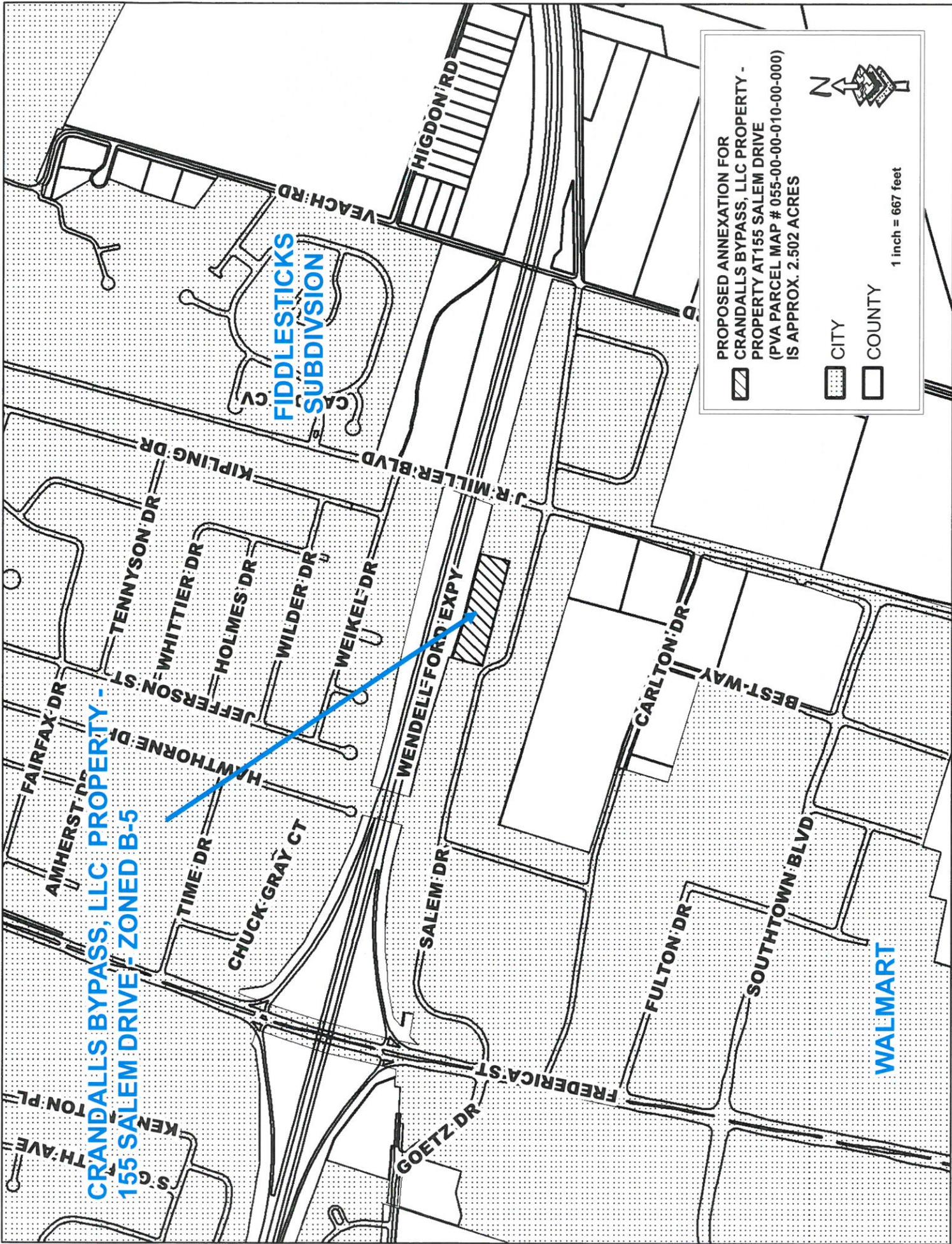
Ordinance Prepared by: City Staff Other Preparer Attachments: Annexation Request Form, Stamped and Signed Annexation Description, Stamped and Signed Annexation Map, Vicinity Map

Summary & Background:

Crandalls Bypass, LLC, owner of said property has submitted a signed annexation request forms for property at 155 Salem Drive.

The proposed annexation for property at 155 Salem Drive is identified as PVA Parcel Map No. 055-00-00-010-00-000 totals 2.502 acres and is zoned B-5.

There will not be an Annexation Incentive Agreement for this property between the City of Owensboro and Crandalls Bypass, LLC.



**CRANDALLS BYPASS, LLC PROPERTY -
155 SALEM DRIVE - ZONED B-5**

**FIDDLESTICKS
SUBDIVISION**

WALMART

PROPOSED ANNEXATION FOR
 CRANDALLS BYPASS, LLC PROPERTY -
 PROPERTY AT 155 SALEM DRIVE
 (PVA PARCEL MAP # 055-00-00-010-00-000)
 IS APPROX. 2.502 ACRES

 CITY
 COUNTY



1 inch = 667 feet

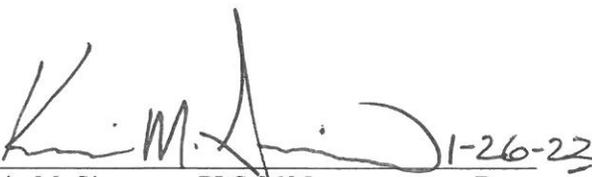
ANNEXATION DESCRIPTION

155 Salem Drive: 2.502 ACRES

A tract of land known as 155 Salem Drive containing 2.502 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 1-26-23
Date



CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

1. LOCATION OF PROPERTY TO BE ANNEXED:

155 Salem Drive

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

Attached

B. SOURCE OF TITLE:

DB 913, Pg 404

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

B-5

4. ACREAGE FEES: N/A

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

Crandalls Bypass LLC; 130 Salem Drive; Owensboro, KY 42303-7706

6. PHONE NO: 270-929-6704

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 155 Salem Drive 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 4th day of February, 20 23.

Witness: Tammy Beals Tammy Beals
Sign & Print Name

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

[Signature]
Signature
Kew CRANDALL
Print Name

POB COORDINATES
KY SPC SOUTH
N: 2150606.19
E: 1245611.41

LINE	BEARING	LENGTH
L1	S 72° 14' 10" E	184.35'
L2	S 75° 13' 09" E	434.00'
L3	S 14° 48' 53" W	175.00'
L4	N 75° 12' 06" W	580.15'
L5	N 75° 12' 06" W	37.90'
L6	N 14° 47' 49" E	43.22'
L7	N 14° 47' 49" E	141.18'

ANNEXATION PLAT
 SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN TAKEN FROM DEED BOOK 913 AT PAGE 404, AN ANNEXATION PLAT SUBMITTED BY BRYANT ENGINEERING, INC DATED 1/17/2023 AND FROM THE CURRENT ODC-GIS CORPORATE BOUNDARY 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, P.L.S. 3635

Kevin M. Simmons

1-26-23

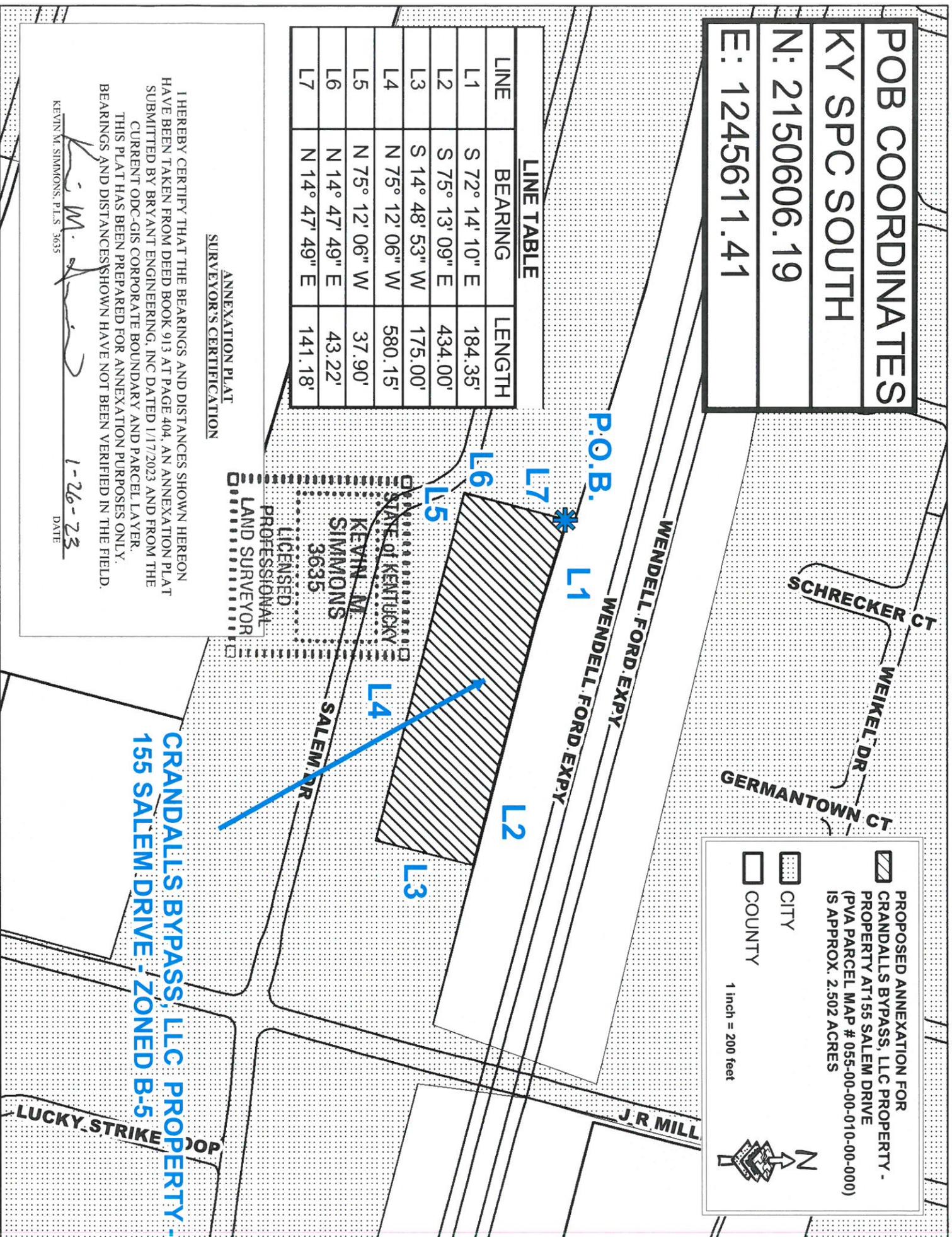
DATE

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

PROPOSED ANNEXATION FOR
 CRANDALLS BYPASS, LLC PROPERTY -
 PROPERTY AT 155 SALEM DRIVE
 (PVA PARCEL MAP # 055-00-00-010-00-000)
 IS APPROX. 2.502 ACRES

1 inch = 200 feet

CITY
 COUNTY



**CRANDALLS BYPASS, LLC PROPERTY -
 155 SALEM DRIVE - ZONED B-5**