

ORDINANCE 24-2023

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 45 BOOTH FIELD ROAD (HWY 3067), CONTAINING 0.995 ACRES, MORE OR LESS, AT THE REQUEST OF JUSTIN CAMACHO AND KASEY DUPONT.

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) Justin Camacho and Kasey Dupont made a request for the annexation of their property, the property is contiguous to the existing city boundary, and the City has provided written notice to Daviess County Fiscal Court at least forty-five (45) days prior to the enactment of this ordinance.

(4) 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.

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

(6) 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. There is an incentive associated with this annexation.

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 45 Booth Field Road containing 0.995 Acres located on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the east right-of-way line of Booth Field Road, said point having a Kentucky State Plane South Zone Coordinate N:2170977.17, E:1227491.26; thence following the new city limit line and the east right-of-way line of Booth Field Road as follows: N 08°10'55" E, 50.00 feet to a point; thence N 06°57'55" E, 50.00 feet to a point; thence N 05°35'55" E, 50.00 feet to a point; thence N 02°13'55" E, 50.00 feet to a point; thence N 00°48'55" E, 50.00 feet to a point; thence N 00°32'02" W, 11.82 feet to a point; thence leaving the east right-of-way line of Booth Field Road and following the new city limit line S 89°42'31" E, 140.48 feet to a point in the west line of the Heatherstone Subdivision, said point also being in the current city limit line; thence following the west line of the Heatherstone Subdivision and the current city limit line S 04°20'05" E, 288.59 feet to a point; thence leaving the current city limit line and following the new city limit line N 81°21'05" W, 185.00 feet to the point of beginning containing 0.995 Acres as shown on an annexation plat prepared by the City of Owensboro dated 8/24/2023.

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 from a deed found in Deed Book 1068, Pg. 822 and a plat found in Plat Book 7, Page 161 in the office of the Daviess County Clerk. 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 R-1A, 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 5th day of
September, 2023.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 19th day
of September, 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 24-2023, duly adopted by the Owensboro Board of Commissioners on September 19, 2023, the original of which is on file in the Office of the City Clerk, this the 19th day of September, 2023.

Beth Davis, City Clerk

CITY OF OWENSBORO

COMMISSION MEETING DATE: 9/5/2023

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

- **TITLE: PROPOSED ANNEXATION FOR JUSTIN CAMACHO AND KASEY DUPONT PROPERTY AT 45 BOOTH FIELD ROAD (HWY 3067)**

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:

Justin Camacho and Kasey Dupont, owners of said property has submitted a signed annexation request forms for property at 45 Booth Field Road (HWY 3067).

The proposed annexation for property at 45 Booth Field Road is identified as PVA Parcel Map No. 038-00-00-010-00-000 totals 0.995 acres and is zoned R-1A.

There will be an Annexation Incentive Agreement for this property between the City of Owensboro and the owners Justin Camacho and Kasey Dupont.

CITY OF OWENSBORO

---ANNEXATION REQUEST FORM---

1. LOCATION OF PROPERTY TO BE ANNEXED:

45 Boothfield Road (HWY 3067) (PVA Map # 038-00-00-010-00-000)

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

Attached

B. SOURCE OF TITLE:

Deed Book 1068, Page 822

Plat Book 7, Page 161

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

R-1A

4. ACREAGE FEES: N/A

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

Justin Camacho & Kasey Dupont

6. PHONE NO:

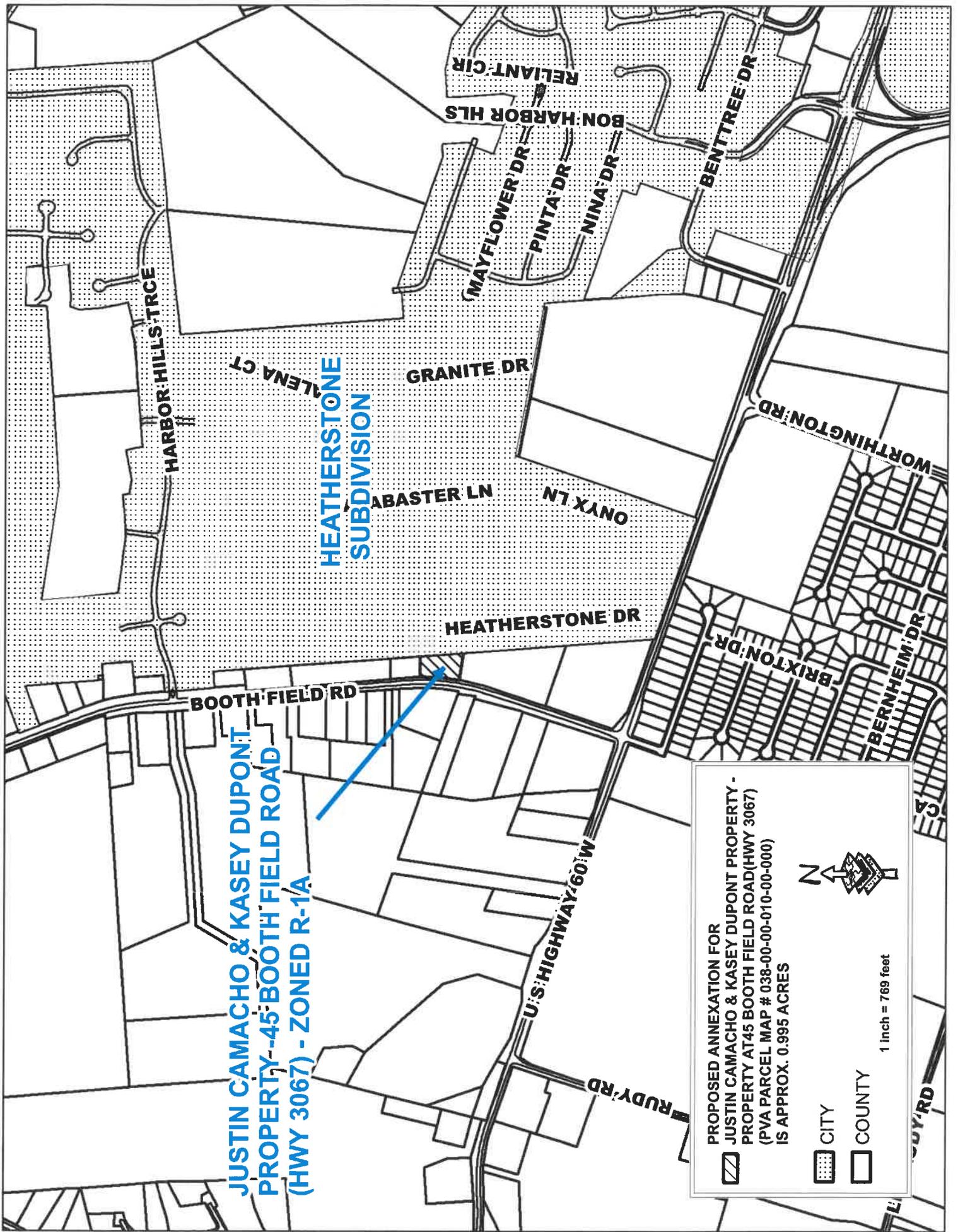
(619) 300-1931

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 45 Boothfield Road (HWY 3067) 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 27th day of July, 2023.

Witness: Mindy Kucic
Mindy Kucic
Sign & Print Name

Signature (s) of Record Owner (s) of Property:
[Signature] [Signature]
Signature
Justin Camacho KASEY DUPONT
Print Name

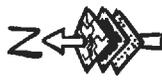


**JUSTIN CAMACHO & KASEY DUPONT
PROPERTY - 45 BOOTH FIELD ROAD
(HWY 3067) - ZONED R-1A**

**HEATHERSTONE
SUBDIVISION**

PROPOSED ANNEXATION FOR
 JUSTIN CAMACHO & KASEY DUPONT PROPERTY -
 PROPERTY AT 45 BOOTH FIELD ROAD (HWY 3067)
 (PVA PARCEL MAP # 038-00-00-010-00-000)
 IS APPROX. 0.995 ACRES

 CITY
 COUNTY



1 inch = 769 feet

**ANNEXATION PLAT
SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN HEREON
HAVE BEEN TAKEN FROM DEED BOOK 1068 AT PAGE 822, PLAT BOOK 07 AT PAGE 161
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 *[Signature]* **8-30-23**
DATE



**HEATHERSTONE
SUBDIVISION**

MICA CT

HEATHERSTONE DR

L7

L8

L9

BOOTH FIELD RD

L6

L5

L4

L3

L2

L1

P.O.B.

**JUSTIN CAMACHO & KASEY DUPONT
PROPERTY -45 BOOTH FIELD ROAD
(HWY 3067) - ZONED R-1A**

**PROPOSED ANNEXATION FOR
JUSTIN CAMACHO & KASEY DUPONT PROPERTY -
PROPERTY AT 45 BOOTH FIELD ROAD (HWY 3067)
(PVA PARCEL MAP # 038-00-00-010-00-000)
IS APPROX. 0.995 ACRES**



CITY

COUNTY

1 inch = 100 feet

**POB COORDINATES
KY SPC SOUTH
N: 2170977.17
E: 1227491.26**

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 08° 10' 55" E	50.00'
L2	N 06° 57' 55" E	50.00'
L3	N 05° 35' 55" E	50.00'
L4	N 02° 13' 55" E	50.00'
L5	N 00° 48' 55" E	50.00'
L6	N 00° 32' 02" W	11.82'
L7	S 89° 42' 31" E	140.48'
L8	S 04° 20' 05" E	288.59'
L9	N 81° 21' 05" W	185.00'

ANNEXATION DESCRIPTION

45 Booth Field Road: 0.995 ACRES

A tract of land known as 45 Booth Field Road containing 0.995 Acres located on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

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Kevin M. Simmons, PLS 3635 8-30-23
Date

