

COUNCIL  
WILLIAM R. BENNETT  
TONY BISHOP  
MARTY E. FULKERSON  
TERRY SHIPP  
RONALD B. THOMAS  
CINDY D. WALKER



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## CITY OF ELIZABETHTOWN

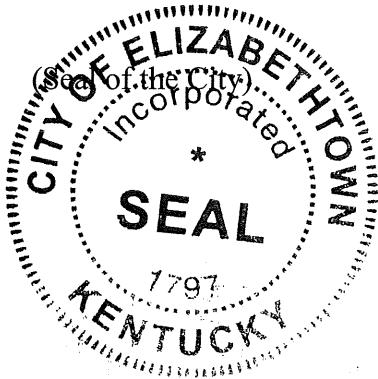
EDNA B. BERGER, MAYOR

### CERTIFICATION

I, the undersigned, Mary Chaudoin, do hereby certify that I am the duly qualified and acting City Clerk of the City of Elizabethtown, Kentucky, and as such Clerk, I further certify that the attached is a true, correct and complete copy of Ordinance No. 11-2018 series duly adopted by the City Council of said City at a duly convened meeting held on April 16, 2018 and thereafter signed by the Mayor as evidence of her approval, and now in full force and effect, all as appear from the official records of said City Council in my possession and under my control.

WITNESS my hand and Seal of the City, as of this 17<sup>th</sup> day of April, 2018.

  
\_\_\_\_\_  
CITY CLERK



RECEIVED AND FILED  
DATE July 23, 2018

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Randie Adkins



**ORDINANCE NO. 11-2018**

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY  
ANNEXING PROPERTY LOCATED AT 2580 BARDSTOWN ROAD**

WHEREAS, the property owned by Kenton Cole, Inc. located at 2580 Bardstown Road (US 62E) is adjacent or contiguous to the City of Elizabethtown's boundaries;

WHEREAS, by reason of population density, commercial, industrial, institutional or governmental use of land, and/or subdivision of land, this property is suitable for development for urban purposes without reasonable delay.

NOW, THEREFORE, BE IT ORDAINED by the City of Elizabethtown, Kentucky, that from and after the passage, approval, and publication of this Ordinance, property located at 2580 Bardstown Road to be known as 2580 North Mulberry Street (US 62E) upon annexation and being more particularly described in attached Exhibit A (legal description) and Exhibit B (map) is annexed into the City of Elizabethtown. Said property shall be zoned as Commercial-3 (C-3) pursuant to recommendation of the City of Elizabethtown Planning Commission based on a public hearing conducted on March 13, 2018. The findings of fact of the Commission in support of this recommendation are adopted as if set out verbatim.

This action is taken for property owned by the Kenton Cole, Inc. and pursuant to its request and consent (Exhibit C).

BE IT FURTHER ORDAINED that the Mayor of the City of Elizabethtown and/or her designate be and she is hereby authorized and directed to take all steps necessary to perfect this Ordinance.

READ THE FIRST TIME this 19<sup>th</sup> day of March, 2018.

READ, ADOPTED AND APPROVED this 16<sup>th</sup> day of April, 2018.

  
EDNA B. BERGER, MAYOR

ATTESTED TO:

  
MARY CHAUDOIN, CITY CLERK

ORDINANCE NO. 11-2018  
EXHIBIT C – CONSENTS

ANNEXATION CONSENT

Comes, Mike Pence as President of Kenton Cole, Inc., owner of property along North Mulberry Street/Bardstown Road (US 62E), more specifically known as 2580 Bardstown Road and PVA # 231-40-00-046, and gives consent to the annexation by the City of Elizabethtown of approximately 2.3 acres of their property along U S 62E as further described in Deed Book 1032 Page 366 in the office of the Hardin County Clerk.

Kenton Cole Inc., through its President Mike Pence, acknowledges and does not object to the commercial zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation, Kenton Cole Inc. through its President Mike Pence, as the current property owner does understand and agrees to waive their objection to the annexation, agrees to waive any notice of the annexation to allow them to file an objection and agrees to waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.

Kenton Cole Inc., through its President Mike Pence, as property owner, further agrees to pay for the cost incurred by the City of Elizabethtown associated with the preparation of the annexation ordinance relating to the required boundary survey and legal description for the annexation of said property.

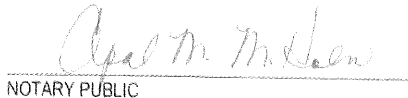
Further, as property owner, Kenton Cole, Inc. through its President Mike Pence acknowledges and gives our consent to the change in address for the property to 2580 North Mulberry Street which will occur upon the completion of the annexation to avoid any confusion for emergency responders.



Mike Pence, President  
Kenton Cole, Inc.

STATE OF KENTUCKY  
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Mike Pence  
as a representative of Kenton Cole Inc., this the 20th day of November, 2017.



NOTARY PUBLIC

My Commission Expires: 10/13/17  
Notary ID: 588655

November 17, 2017

ORDINANCE NO. 11-2018  
EXHIBIT A – LEGAL DESCRIPTION

Ordinance No. 11 -2018  
Exhibit A  
Property Description  
2.339 Acre Tract

A certain tract of land lying and being in Hardin Co., Ky. on the north side of Bardstown Road (U.S. Hwy. 62) and being more particularly bounded and described as follows:

Beginning at a ½" rebar on the north side of Bardstown Road, said rebar being in the line of the existing city limits of the city of Elizabethtown.

Thence with the lines of the existing city limits as follows: N 26°38'05" W a distance of 633.50' to a ½" rebar (found);

Thence N 47°30'20" E a distance of 156.94' to a ½" rebar (found).

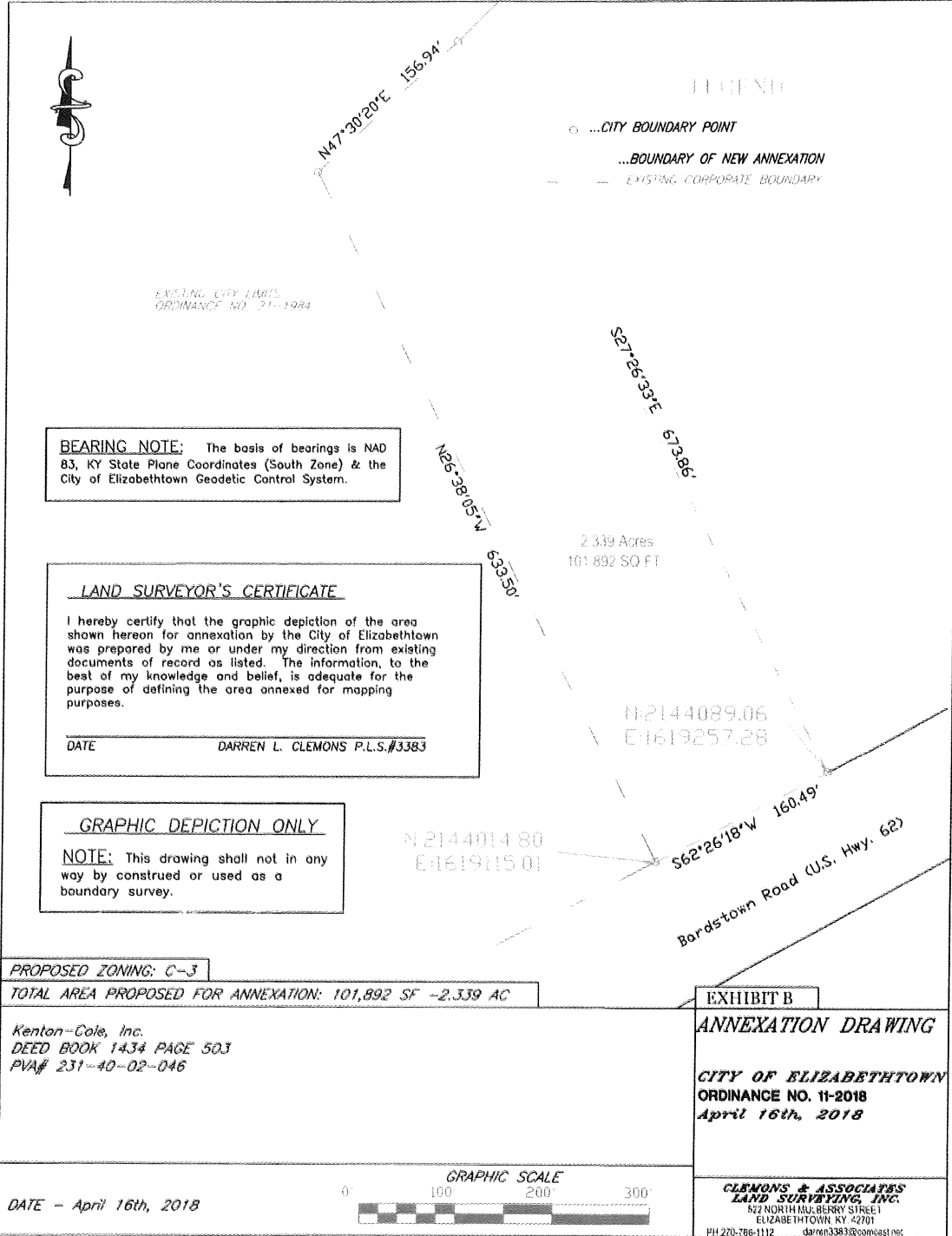
Thence leaving the existing city limits line and with a new line; S 27°26'33" E a distance of 673.86' to a ½" rebar on the north side of U.S. Hwy. 62.

Thence with the north side of said road; S 62°26'18" W a distance of 160.49' to the point of beginning.

CONTAINING: 2.339 ACRES (101,892 SF) more or less according to a survey made by Clemons & Associates Land Surveying on the 5<sup>th</sup> day of March, 2018. Darren Clemons Ky. P.L.S. 3383. Subject to any and all rights-of-way, appurtenances, restrictions, and/or easements in effect to date.

SOURCE OF TITLE: D.B.1434, Pg.503.

**ORDINANCE NO. 11-2018  
EXHIBIT B – MAP**



Ordinance No. 11 -2018  
Exhibit A  
Property Description  
2.339 Acre Tract

A certain tract of land lying and being in Hardin Co., Ky. on the north side of Bardstown Road (U.S. Hwy. 62) and being more particularly bounded and described as follows:

Beginning at a 1/2" rebar on the north side of Bardstown Road, said rebar being in the line of the existing city limits of the city of Elizabethtown.

Thence with the lines of the existing city limits as follows: N 26°38'05" W a distance of 633.50' to a 1/2" rebar (found);

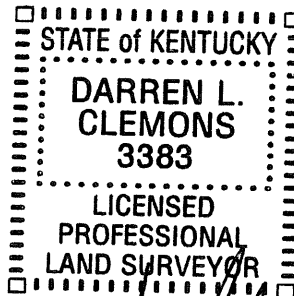
Thence N 47°30'20" E a distance of 156.94' to a 1/2" rebar (found).

Thence leaving the existing city limits line and with a new line; S 27°26'33" E a distance of 673.86' to a 1/2" rebar on the north side of U.S. Hwy. 62.

Thence with the north side of said road; S 62°26'18" W a distance of 160.49' to the point of beginning.

CONTAINING: 2.339 ACRES (101,892 SF) more or less according to a survey made by Clemons & Associates Land Surveying on the 5<sup>th</sup> day of March, 2018. Darren Clemons Ky. P.L.S. 3383. Subject to any and all rights-of-way, appurtenances, restrictions, and/or easements in effect to date.

SOURCE OF TITLE: D.B.1434, Pg.503.



*Darren Clemons*  
6-22-18



STATE of KENTUCKY  
**DARREN L. CLEMONS**  
 3383  
 LICENSED  
 PROFESSIONAL  
 LAND SURVEYOR

*[Signature]*  
 6-22-18  
 EXISTING CITY LIMITS  
 ORDINANCE NO. 21-1984

**LEGEND**

- ...CITY BOUNDARY POINT
- ...BOUNDARY OF NEW ANNEXATION
- - - ..EXISTING CORPORATE BOUNDARY

**BEARING NOTE:** The basis of bearings is NAD 83, KY State Plane Coordinates (South Zone) & the City of Elizabethtown Geodetic Control System.

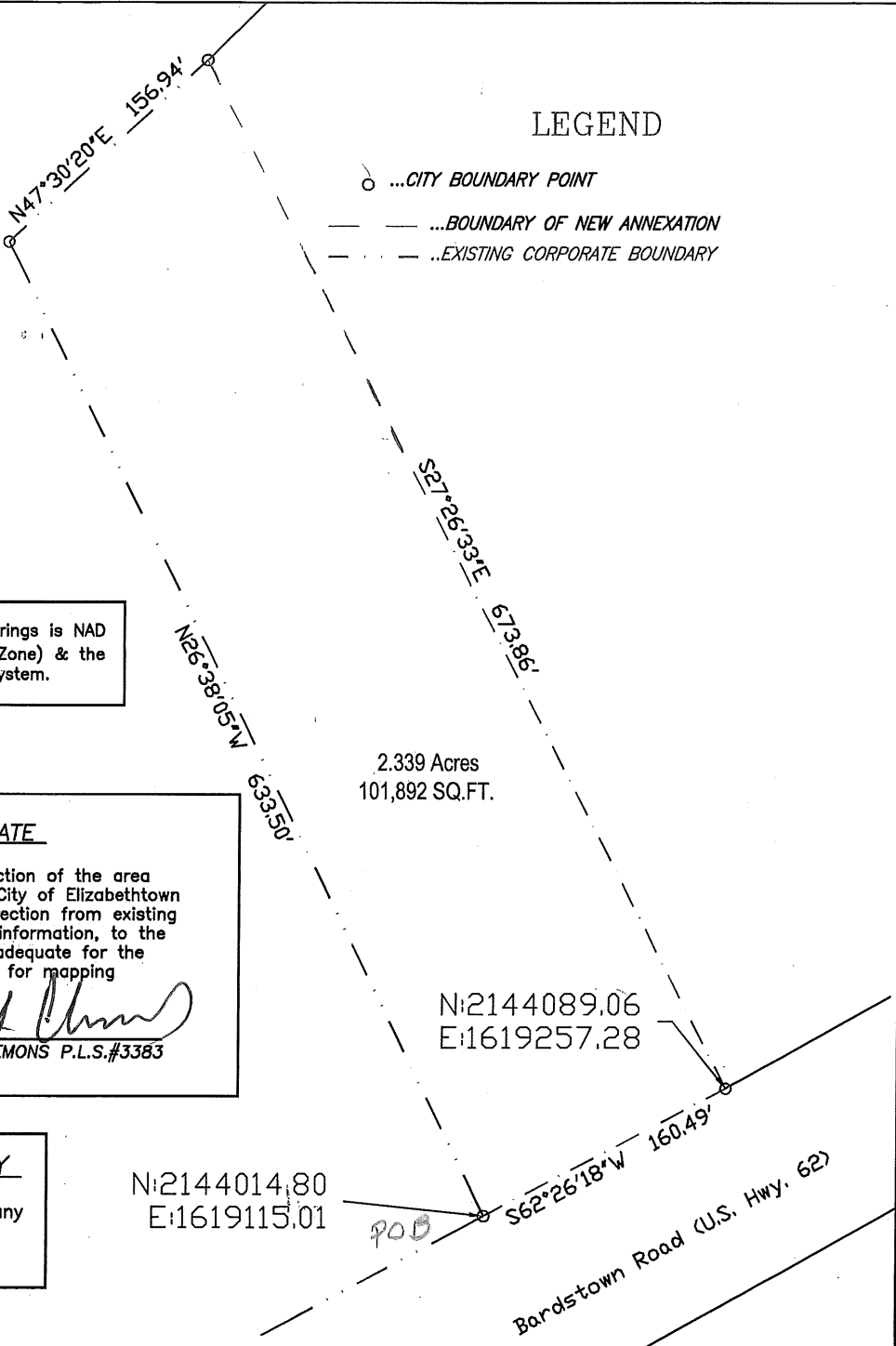
LAND SURVEYOR'S CERTIFICATE

I hereby certify that the graphic depiction of the area shown hereon for annexation by the City of Elizabethtown was prepared by me or under my direction from existing documents of record as listed. The information, to the best of my knowledge and belief, is adequate for the purpose of defining the area annexed for mapping purposes.

*[Signature]*  
 DATE 6-22-18 DARREN L. CLEMONS P.L.S.#3383

GRAPHIC DEPICTION ONLY

**NOTE:** This drawing shall not in any way be construed or used as a boundary survey.



2.339 Acres  
 101,892 SQ.FT.

N:2144089.06  
 E:1619257.28

N:2144014.80  
 E:1619115.01

POB

Bardstown Road (U.S. Hwy. 62)

**PROPOSED ZONING:** C-3

**TOTAL AREA PROPOSED FOR ANNEXATION:** 101,892 SF - 2.339 AC

Kenton-Cole, Inc.  
 DEED BOOK 1434 PAGE 503  
 PVA# 231-40-02-046

**EXHIBIT B**

**ANNEXATION DRAWING**

**CITY OF ELIZABETHTOWN**  
**ORDINANCE NO. 11-2018**  
*April 16th, 2018*

DATE - April 16th, 2018



**CLEMONS & ASSOCIATES**  
**LAND SURVEYING, INC.**  
 522 NORTH MULBERRY STREET  
 ELIZABETHTOWN, KY. 42701  
 PH:270-766-1112 darren3383@comcast.net