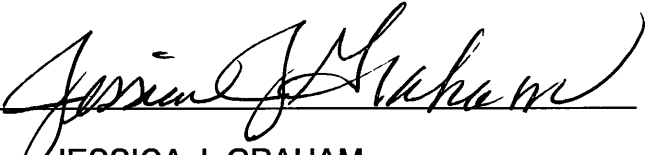


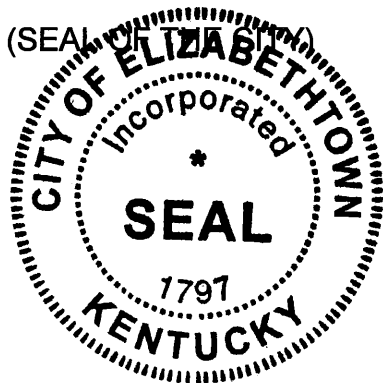
## CERTIFICATION

I, the undersigned, Jessica J. Graham, 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. 15-2020 series duly adopted by the City Council of said City at a duly convened meeting held on September 28, 2020 and thereafter signed by the Mayor as evidence of his 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 29<sup>th</sup> day of September, 2020.

  
\_\_\_\_\_  
JESSICA J. GRAHAM

CITY CLERK



RECEIVED AND FILED  
DATE October 2, 2020

\_\_\_\_\_  
MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkins

**ORDINANCE NO. 15-2020**

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY  
ANNEXING PROPERTY LOCATED AT 401 SOUTH RING ROAD**

WHEREAS, the property owned by Aulbach Pence, LLC located at South Ring Road and Arnold Lane 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 401 South Ring Road (the intersection of South Ring Road and Arnold Lane) 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 General Service Commercial (C-4) pursuant to the recommendation of the City of Elizabethtown Planning Commission based on a public hearing conducted on August 25, 2020. 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 Aulbach Pence, LLC and pursuant to their request and consent (Exhibit C).

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

BE IT FURTHER ORDAINED that this Ordinance be published in summary form.

READ THE FIRST TIME this 8<sup>TH</sup> day of September 2020.

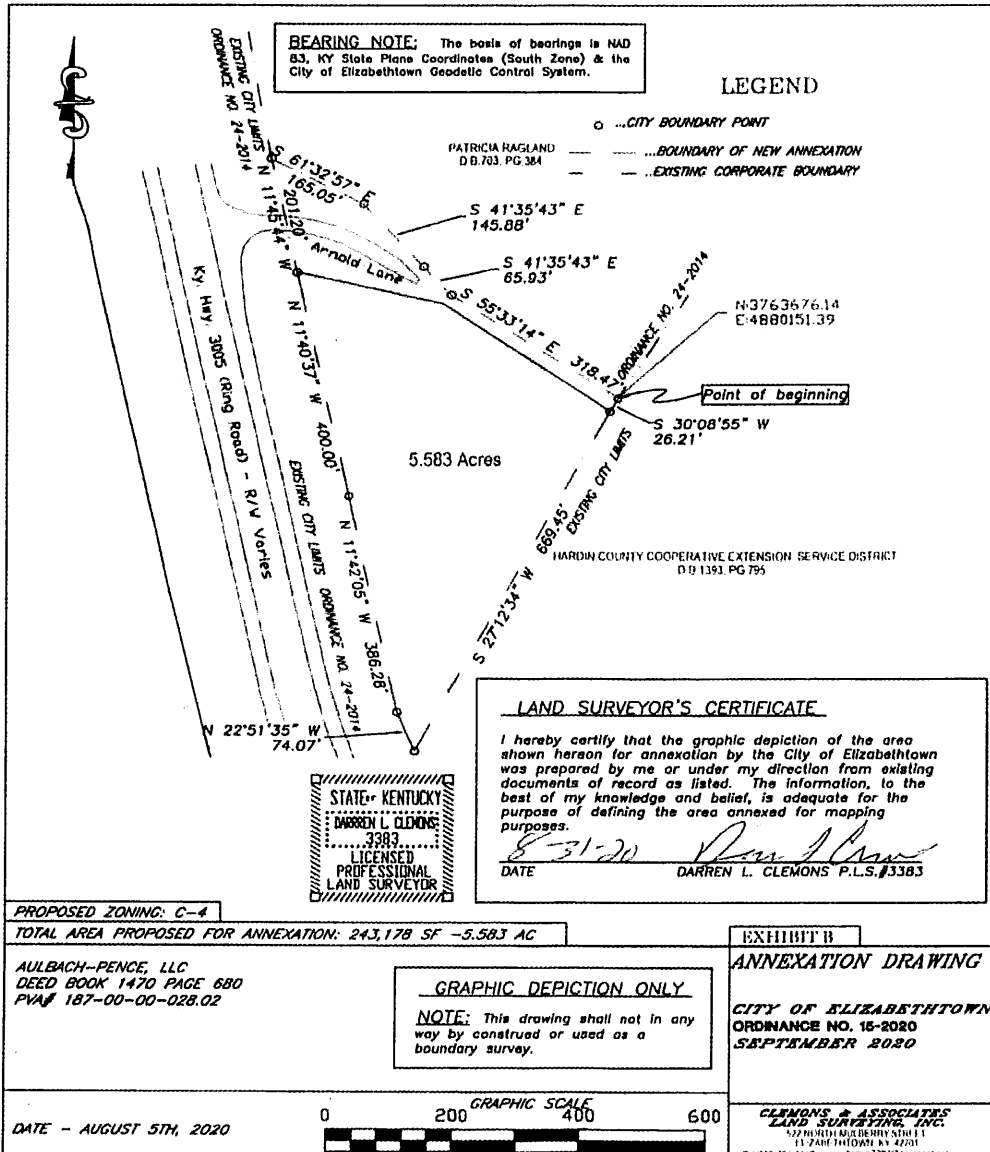
READ, ADOPTED AND APPROVED this 28<sup>th</sup> day of September 2020.

  
JEFFREY H. GREGORY, MAYOR

ATTESTED TO:

  
JESSICA J. GRAHAM, CITY CLERK

**EXHIBIT B**  
**ORDINANCE NO. 15-2020**  
**MAP**  
**PENCE-AULBACH LLC**  
**401 SOUTH RING ROAD**




**EXHIBIT C  
ORDINANCE #15-2020  
CONSENT  
PENCE-AULBACH LLC  
401 SOUTH RING ROAD**

**ANNEXATION CONSENT**

Comes, Aulbach Pence LLC, owner of property along South Ring Road (KY 3005) and Arnold Lane, more specifically known as 401 South Ring Road and PVA # 187-00-00-028.01 and gives consent to the annexation by the City of Elizabethtown of approximately 4.695 acres of their property along South Ring Road and Arnold Lane. Property is further known as Niceley's Corner, Lot 1 as recorded in the office of the Hardin County Clerk in Plat Cabinet 1, Sheet 6397 and as recorded in Deed Book 1470 Page 680-682.

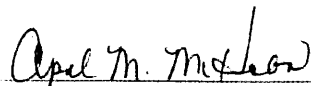
Aulbach Pence LLC acknowledges and does not object to the commercial zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation, Aulbach Pence LLC as the current property owner (Deed Book 1470 Page 680) does understand and agrees 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.

Aulbach Pence LLC further agrees to pay for the expenses 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.

  
MEMBER  
\_\_\_\_\_  
Aulbach Pence LLC

STATE OF KENTUCKY  
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Mike Pence  
as a representative of Aulbach Pence, LLC, this the 11th day of June, 2020.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: 10/13/21  
Notary ID: 500655

**EXHIBIT A**  
**ORDINANCE NO. 15-2020**  
**LEGAL DESCRIPTION OF AULBACH PENCE, LLC PROPERTY**  
**401 SOUTH RING ROAD**

Ordinance No. 15-2020  
Exhibit A  
Property Description  
5.583 Acre Tract

A certain tract of land lying and being in Hardin Co., Ky., adjoining the current city limits of Elizabethtown, lying south of Arnold Lane and east of Ky. Hwy. 3005 (Ring Road) and being more particularly bounded and described as follows:

All references to a rebar are ½" X 18" steel rebars with ID cap #3383.

**BEGINNING** at a rebar in the current Elizabethtown city limits (Ordinance #24-2014), said point being on the north side of abandoned Arnold Lane and having a KY State Plane Single Zone Coordinate of: N:3763676.14; E:4880151.39.

Thence with the existing city limits as follows: S 30°08'55" W a distance of 26.21' to a rebar;  
Thence S 27°12'34" W a distance of 669.45' to a rebar on the east right-of-way of Ky. Hwy.

3005;

Thence with the right-of-way as follows: N 22°51'35" W a distance of 74.07' to a rebar;  
Thence N 11°42'05" W a distance of 366.28' to a rebar;

Thence N 11°40'37" W a distance of 400.00' to a rebar at the intersection of the right-of-way of Ky. Hwy. 3005 and Arnold Lane;

Thence crossing Arnold Lane; N 11°45'44" W a distance of 201.20' to a point;

Thence with the north right-of-way of Arnold Lane as follows: S 61°32'57" E a distance of 165.05' to a point;

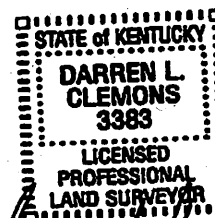
Thence S 41°35'43" E a distance of 145.98' to a point;

Thence S 41°35'43" E a distance of 65.93' to a point;

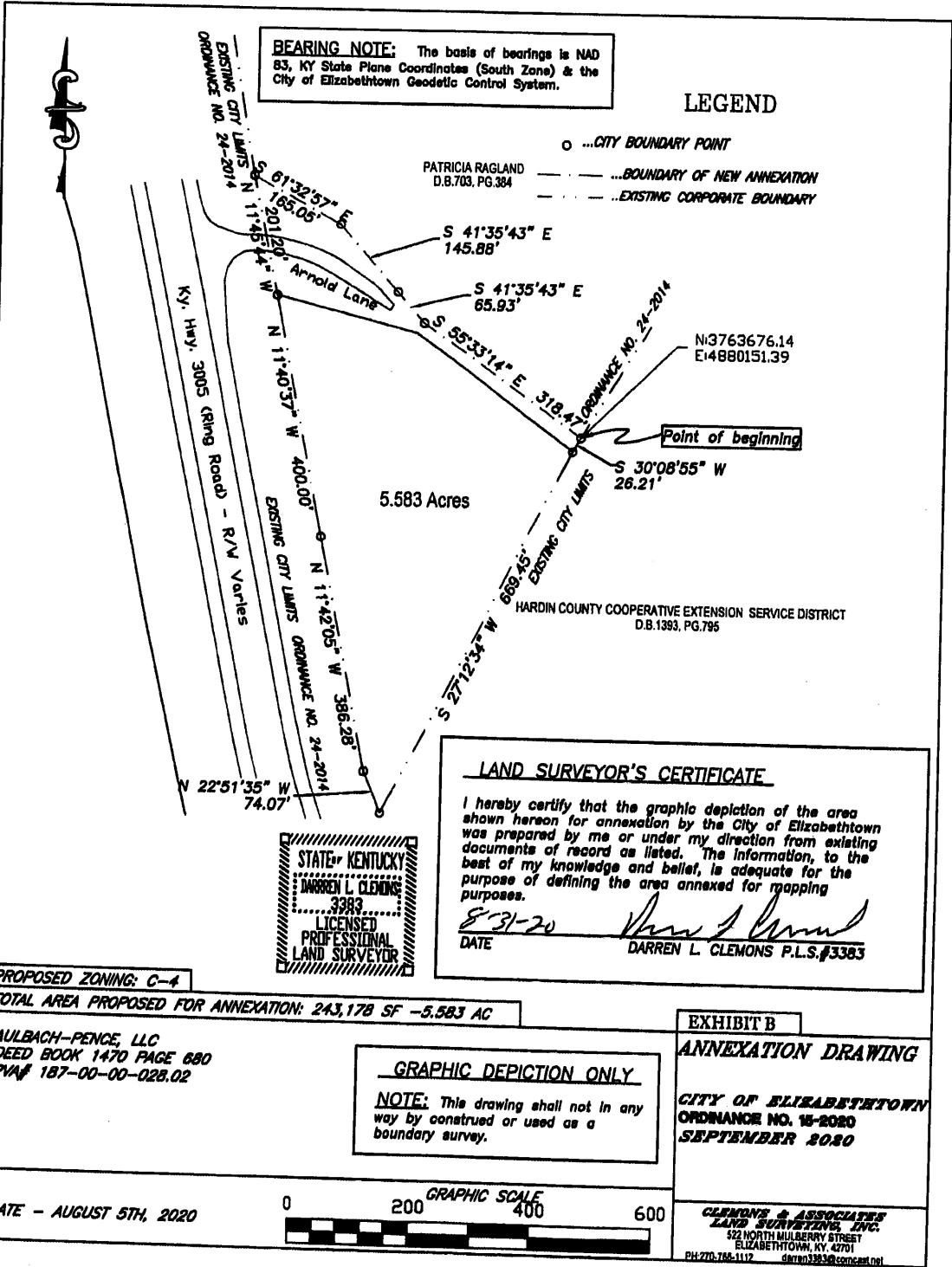
Thence S 53°33'14" E a distance of 318.47' TO THE POINT OF BEGINNING.

**CONTAINING:** 5.583 ACRES (243,178 Sq. Ft.) more or less according to a survey made by Clemons & Associates Land Surveying on the 5<sup>th</sup> day of August, 2020. Darren Clemons Ky. P.L.S. 3383. Subject to any and all rights-of-way, appurtenances, restrictions, and/or easements in effect to date. Bearings and distances are based on KY. State Plane Single Zone.

**THE ABOVE DESCRIBED** description is for annexation purposes ONLY and is not a boundary survey and does not meet the minimum standards of practice for Professional Land Surveyors.



*Handwritten signature of Darren L. Clemons*  
8-31-20



**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.

8/31/20 *[Signature]*  
 DATE DARREN L. CLEMONS P.L.S.#3383

STATE OF KENTUCKY  
 DARREN L. CLEMONS  
 3383  
 LICENSED PROFESSIONAL LAND SURVEYOR

PROPOSED ZONING: C-4  
 TOTAL AREA PROPOSED FOR ANNEXATION: 243,178 SF - 5.583 AC

AULBACH-PENCE, LLC  
 DEED BOOK 1470 PAGE 880  
 PVA# 187-00-00-028.02

**GRAPHIC DEPICTION ONLY**

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

**EXHIBIT B**  
**ANNEXATION DRAWING**

**CITY OF ELIZABETHTOWN**  
**ORDINANCE NO. 16-2020**  
**SEPTEMBER 2020**

DATE - AUGUST 5TH, 2020



**CLEMONS & ASSOCIATES**  
**LAND SURVEYING, INC.**  
 522 NORTH MULBERRY STREET  
 ELIZABETHTOWN, KY 40301  
 PH: 270-788-1112 dlr783383@comcast.net