

COUNCIL
TONY BISHOP
MARTY E. FULKERSON
JULIA SPRINGSTEEN
CINDY D. WALKER
VIRGIL WILLOUGHBY
BILL WISEMAN



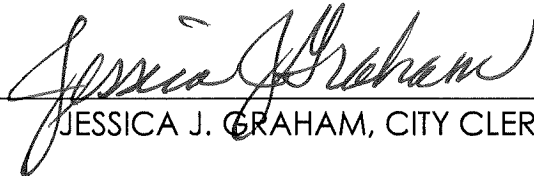
200 West Dixie Avenue
P.O. Box 550
Elizabethtown, KY 42702
(270) 765-6121
Web Site: www.etownky.org

CITY OF ELIZABETHTOWN
JEFFREY H. GREGORY, MAYOR

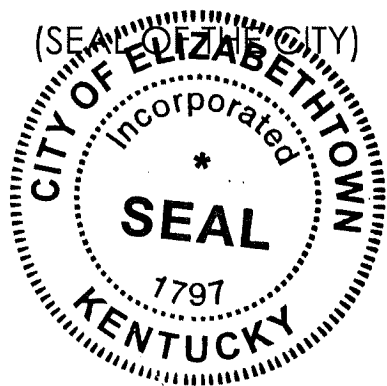
CERTIFICATION

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. 12-2023 series duly adopted by the City Council of said City at a duly convened meeting held on June 12, 2023 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 13th day of June 2023.



JESSICA J. GRAHAM, CITY CLERK



RECEIVED AND FILED
DATE July 17, 2023

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Travis A.



ORDINANCE NO. 12-2023

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED AT 204 JACKIE STREET**

WHEREAS the property owned by Brantingham Living Trust located at 204 Jackie Street is adjacent or contiguous to the City of Elizabethtown's existing boundaries; and,

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 unreasonable 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 204 Jackie Street, being known as a portion of PVA #200-00-00-026.01 as being more particularly described in the attached Exhibit A and shown on Exhibit B (map) is annexed into the City of Elizabethtown. Said property shall be zoned as Future Development Holding (FDH) pursuant to the recommendation of the City of Elizabethtown Planning Commission based on a public hearing conducted on April 11, 2023. The findings of fact of the Commission in support of this recommendation are adopted as if set out verbatim and attached (Exhibit C).

This action is taken for property owned by Brantingham Living Trust pursuant to their request and consent (Exhibit D).

BE IT FURTHER ORDAINED that the Mayor of the City of Elizabethtown and/or his designee is hereby authorized and directed to take all steps necessary to perfect this Ordinance, including notifying all appropriate agencies of this annexation.

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

READ THE FIRST TIME this 31st day of May 2023.

READ, ADOPTED AND APPROVED this 12th day of June 2023.

Published in summary June 16, 2023.



JEFFREY H. GREGORY, MAYOR

ATTESTED TO:

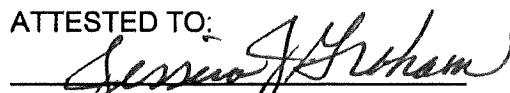
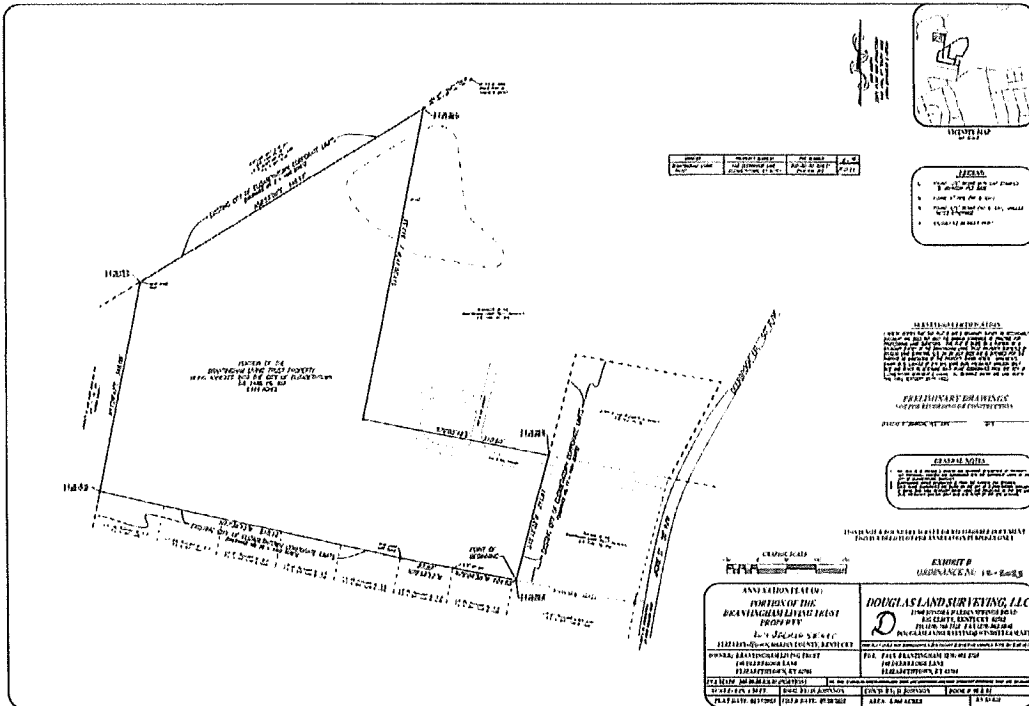

JESSICA J. GRAHAM, CITY CLERK

EXHIBIT B
ORDINANCE NO. 12-2023
MAP



NO.	DESCRIPTION	ACRES	DATE
1
2

- LEGEND**
- 1. ...
 - 2. ...
 - 3. ...
 - 4. ...

GENERAL NOTES

1. THIS MAP IS A PRELIMINARY DRAWING AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

2. THE BOUNDARIES SHOWN ON THIS MAP ARE BASED ON THE SURVEY DATA PROVIDED BY THE CLIENT.

3. THE AREA SHOWN ON THIS MAP IS SUBJECT TO ALL APPLICABLE ZONING ORDINANCES AND REGULATIONS.

GENERAL NOTES

4. THE AREA SHOWN ON THIS MAP IS SUBJECT TO ALL APPLICABLE ZONING ORDINANCES AND REGULATIONS.

5. THE BOUNDARIES SHOWN ON THIS MAP ARE BASED ON THE SURVEY DATA PROVIDED BY THE CLIENT.

<p>ANNEXATION MAP</p> <p>PORTION OF THE BRANVIGHEM ALPHE TRACT TRACT</p> <p>...</p>		<p>DOUGLAS LAND SURVEYING, LLC</p> <p>...</p>
<p>...</p>		<p>...</p>

**EXHIBIT C
ORDINANCE NO. 12-2023
FINDINGS OF FACT**

**PLANNING COMMISSION FINDINGS OF FACT
Zoning Docket No. 2023-PC-07**

The Elizabethtown Planning Commission's recommendation to assign a zoning district classification of FDH, Future Development Holding, for property located at 148 Deerbrook Ln and containing 6.464 acres was based on the evidence and testimony presented to the Commission, and the following findings:

WHEREAS, the Elizabethtown Planning Commission (The Commission) finds that the Comprehensive Plan encourages the City to plan for growth by expanding the existing City limits (Goal 4), and

WHEREAS, The Commission finds that this annexation was requested by the property owner; and

WHEREAS, The Commission finds that the Community-Wide Development Policies recommend development to occur in areas where utility and services from public agencies can meet the additional demand, and for developers and property owners to be responsible for necessary extensions; and

WHEREAS, The Commission finds that future development of the property will be evaluated for appropriate transitions to adjacent properties and mitigation of any adverse impacts.

RESOLVED, that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council a zoning district classification of FDH, Future Development Holding.

The vote was as follows:

YES: Commissioners Scott and McCrary

NO: Commissioner Rice

NOT PRESENT: Commissioners Dozer and Young

**EXHIBIT D
ORDINANCE NO. 12-2023
CONSENT**


MAR 06 2023

ANNEXATION CONSENT

Comes, Paul & Susan Brantingham, owner of property located at and more specifically known as 148 Deerbrook Lane and PVA # 200-00-00-026.01 and gives consent to the annexation by the City of Elizabethtown of approximately 6.464 acres of a portion of their property along Deerbrook Lane. Property is recorded in Deed Book 1490 Page 959 and will be subdivided prior to annexation creating a new lot to be annexed.

Paul & Susan Brantingham acknowledge and do not object to the residential zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation, Paul & Susan Brantingham, as the current property owners do understand and agree to waive their objection to the annexation, agree to waive any notice of the annexation to allow them to file an objection and agree to waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.

Paul & Susan Brantingham further agree 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. Paul & Susan Brantingham further agree and understand that any utility extensions to serve the property to be annexed must be done at their expense prior to any development activity on the property proposed to be annexed.



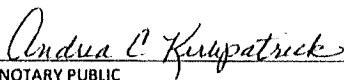
Paul Brantingham



Susan Brantingham

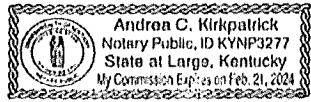
STATE OF KENTUCKY
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Paul and Susan Brantingham, owners, this the 3rd day of March, 2023.



NOTARY PUBLIC

My Commission Expires: Feb 21, 2024
Notary ID: KYNP3277



**EXHIBIT A
LEGAL DESCRIPTION**

DOUGLAS LAND SURVEYING, LLC.

21500 SONORA HARDIN SPRINGS ROAD
BIG CLIFTY, KENTUCKY 42712
douglaslandsurveying@windstream.net
PH. (270) 766-7722 FAX (270) 862-5840

**LEGAL DESCRIPTION
ANNEXATION OF
A PORTION OF THE BRANTINGHAM LIVING TRUST PROPERTY
204 JACKIE STREET
ELIZABETHTOWN, HARDIN COUNTY, KENTUCKY
EXHIBIT A, ORDINANCE NO. 12-2023**

18 February 2023

SOURCE OF TITLE: PORTION OF DEED BOOK 1490, PAGE 959.

Subject property being located 197.43 feet west of the west right-of-way of Jackie Street (50-foot right-of-way) approximately 625 feet north of its intersection with Pear Orchard Road near Elizabethtown, Hardin County, Kentucky and being more particularly bounded and described as follows to wit:

Beginning at a point in the common line of Brantingham Living Trust (Deed Book 1490, Page 959) and Lot 27 of Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 122A and 122B), said point being N79°04'58"W 197.43 feet from a found 1-inch pipe on the west right-of-way of Jackie Street (50-foot right-of-way) in the aforesaid common line, said point also being in the existing corporate limits of the City of Elizabethtown (intersection of Ordinance No. 26 – 1982 series and Ordinance No. 17 – 1984 series);

Thence with the common line of the aforesaid Brantingham Living Trust and Lot 27 and then the line of Lot 25 Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 122A and 122B) and the existing corporate limits of the City of Elizabethtown (Ordinance No. 26 – 1982 Series), N79°04'58"W 104.65 feet to a 3/8-inch rebar (no ID cap), the northeast corner of Lot 24 of the aforesaid Pleasant Acres Subdivision;

Continuing with the line of the aforesaid Brantingham Living Trust and Lot 24 and the existing corporate limits of the City of Elizabethtown (Ordinance No. 26 – 1982 Series), N78°59'12"W 87.87 feet to a found ½-inch rebar with cap stamped "D. Johnson PLS 3300" near a chain link fence and the northeast corner of Lot 23 of Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 122A and 122B);

Continuing with the line of the aforesaid Brantingham Living Trust and Lot 23 and then with the lines of Lots 22 and 21 of the aforesaid Pleasant Acres Subdivision and then the lines of Lots 20A and 19A of Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 1489) and continuing with the existing corporate limits of the City of Elizabethtown (Ordinance No. 26 – 1982 Series), N77°36'13"W 510.12 feet to a found 1-inch pipe in the line of Charles W. and Doris Jean Shelton (Deed Book 157, Page 345);

Thence leaving the existing corporate limits of the City of Elizabethtown with Shelton and continuing with Brantingham Living Trust, N11°29'47"E 348.08 feet to a found 1-inch pipe at a wood post in the line of Heartland Golf Club, Inc. (Deed Book 1364, Page 807 a.k.a. Lot 5 of

Hearland Golf Subdivision, Plat Cabinet 1, Sheet 6126), said pipe being in the line of the existing corporate limits of the City of Elizabethtown (Ordinance No. 9 – 1986 Series);

Thence with the line of Hearland Golf Club, Inc. and the existing corporate limits of the City of Elizabethtown and continuing with the line of Brantingham Living Trust, N58°57'09"E 548.67 feet to a point, said point being S58°57'09"W 464.40 feet from a found ½-inch rebar (no ID cap) at a 4-inch by 4-inch vinyl fence post in concrete;

Thence leaving the line of Hearland Golf Club, Inc. and the corporate limits of the City of Elizabethtown and severing the Brantingham Living Trust Property (Deed Book 1490, Page 959) the following two (2) calls:

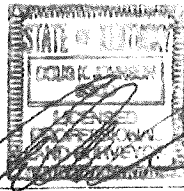
S11°20'11"W 517.33 feet to a point;

S79°05'46"E 310.60 feet to a found ½-inch rebar (no ID cap) the southwest corner of Jerry D. and Elizabeth A Harned (Deed Book 502, Page 82) and in the line of the aforesaid Brantingham Living Trust and in the existing corporate limits of the City of Elizabethtown (Ordinance No. 17 – 1984 Series);

Thence leaving the corner of Harned with the existing corporate limits of the City of Elizabethtown and severing the Brantingham Living Trust Property, S15°12'22"W 211.61 feet to the point of beginning.

Subject annexation containing 6.464 acres.

This is not a boundary survey or recordable document and does not meet the minimum standards of practice for Professional Land Surveyors. This description is for the purpose of annexation only. Monuments were located with dual frequency Carlson BRx7 base and rover using RTK GPS from the City of Elizabethtown Monument E-0004A to determine state plane coordinates. The described annexation lines are based on a portion of a boundary survey of the Brantingham Living Trust Property prepared by Douglas Land Surveying, LLC, dated 19 July 2022. All bearings have been rotated to grid north (NAD 1983, KY south zone 1602).



Douglas K. Johnson, PLS 3300

05/23/2023

Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.