

EDWARD J. POPPE
DIRECTOR



200 West Dixie Avenue
P. O. Box 550
Elizabethtown, KY 42702
(270) 765-6121
Fax: (270) 765-4954

CITY OF ELIZABETHTOWN
PLANNING AND DEVELOPMENT

February 19, 2010

Secretary of State
Kandie Adkinson
700 Capital Avenue
State Capital
Frankfort, Kentucky 40601

Dear Kandie:

The City of Elizabethtown recently completed an annexation that added 23.5 acres along our western boundary. Under the provisions of KRS 81A.470 we are submitting the required ordinance (#01-2010) for your records. The ordinance has been certified by our City Clerk and a complete copy of the ordinance has been provided, including the description of the annexed area. We are also sending a map of the area signed and stamped by a licensed surveyor.

If you should have any questions, please feel free to contact our office at 270-765-6121, extension 4247.

Sincerely,

Edward J. Poppe, Director
Planning and Development

Enclosures

RECEIVED AND FILED
DATE Feb 26, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson



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. 61 - 2010 series duly adopted by the City Council of said City at a duly convened meeting held on February 16, 2010 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 19th day of February, 2010.

Mary Chaudoin
CITY CLERK

(Seal of the City)

RECEIVED AND FILED
DATE Feb. 26, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkins

ORDINANCE NO. 01-2010

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED IN THE 800 BLOCK OF RING ROAD**

WHEREAS, the property owned by War Eagle, LLC, Mike & Celia Thomas and Raymond & Donna Thomas located in the 800 block of Ring Road is adjacent or contiguous to the City of Elizabethtown's 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 reasonable delay.

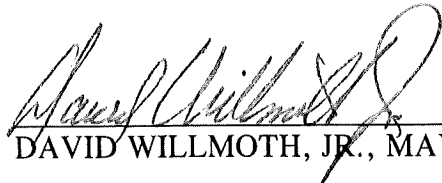
NOW, THEREFORE, BE IT ORDAINED by the City of Elizabethtown, Kentucky, that from and after the passage, approval, and publication of this Ordinance, that the property located in the 800 block of Ring Road and being more particularly described in attached Exhibit A (legal description) and Exhibit B (map) is annexed into the City of Elizabethtown. Said property shall be zoned as Commercial-3 (C-3) and Future Development Holding (FDH).

This action is taken for property owned by War Eagle, LLC, Mike & Celia Thomas and Raymond & Donna Thomas, and pursuant to their request, consent (Exhibit C) and pursuant to recommendation of the City of Elizabethtown Planning Commission. The findings of fact of the Commission in support of this request are adopted as if set out verbatim.

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

READ THE FIRST TIME this 1st day of February, 2010.

READ, ADOPTED AND APPROVED this 16th day of February, 2010.



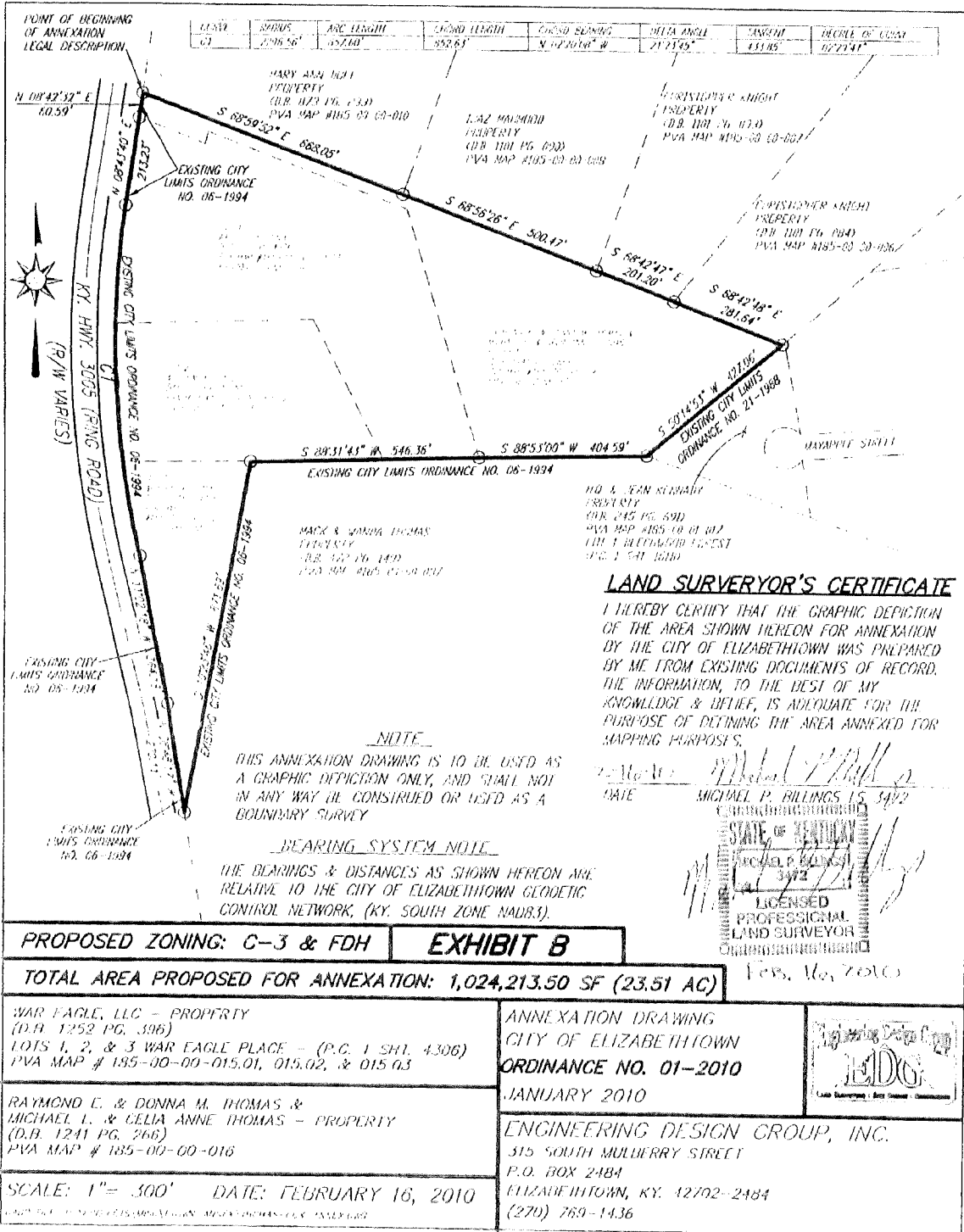
DAVID WILLMOTH, JR., MAYOR

ATTESTED TO:



MARY CHAUDOIN, CITY CLERK

**ORDINANCE NO. 01-2010
LEGAL DESCRIPTION
EXHIBIT A**



**ORDINANCE NO. 01-2010
LEGAL DESCRIPTION
EXHIBIT B**

**ORDINANCE NO. 01-2010
LEGAL DESCRIPTION FOR ANNEXATION
EXHIBIT A
PVA MAP #185-00-00-015.01, 015.02, & 015.03 &
PVA MAP #185-00-00-016**

The following described property is the War Eagle, LLC. property, (D.B. 1252 Pg. 396) and the Raymond & Donna Thomas & Michael & Celia Anne Thomas property, (D.B. 1241 Pg. 266) both of which are found in the office of the Hardin County Clerk. Said property is generally located along the east right of way of Ky. Hwy. 3005 (Ring Road) between Ky. Hwy. 1375 (St. John Road) to the south and Ky. Hwy. 1600 (Rineyville Road) to the north, in Hardin County, Kentucky.

The point of beginning is a point in the existing city limits of Elizabethtown, (Ordinance No. 06-1994) and is a point in the east right of way of Ky. Hwy. 3005 (Ring Road) and is the southwest corner of the Mary Ann Duff property, (D.B. 873 Pg. 233), thence leaving said existing city limits of Elizabethtown and said east right of way with the southern property line of said Duff property

South 68 degrees 59 minutes 52 seconds East for a distance of 668.05 feet to a point, said point is the southeast corner of said Duff property and is the southwest corner of the Ijaz Mahmood property, (D.B. 1101 Pg. 90), thence with the southern property line of said Mahmood property

South 68 degrees 56 minutes 26 seconds East for a distance of 500.47 feet to a point, said point is the southeast corner of said Mahmood property and is the southwest corner of the Christopher Knight property, (D.B. 1101 Pg. 93), thence with the southern property line of said Knight property

South 68 degrees 42 minutes 47 seconds East for a distance of 201.20 feet to a point, said point is the southeast corner of said Knight property and is the southwest corner of another Christopher Knight property, (D.B. 1101 Pg. 84), thence with the southern property line of said Knight property, (D.B. 1101 Pg. 84)

South 68 degrees 42 minutes 48 seconds East for a distance of 281.64 feet to a point, said point is the southeast corner of said Knight property, (D.B. 1101 Pg. 84) and is point in the northern property line of the H.Q. & Jean Kennady property, (D.B. 245 Pg. 691), also known as Lot 1 of Beechwood Forest Subdivision, (P.C. 1 Sht. 161B), and is a point in the in the existing city limits of Elizabethtown, (Ordinance No. 21-1988), thence with the northerly property line of said Kennady property and along the existing city limits of Elizabethtown

South 50 degrees 14 minutes 53 seconds West for a distance of 427.06 feet to a point, said point is a westerly corner of said Kennady property and is a northeasterly corner of the Mack & Wanda Thomas property, (D.B. 472 Pg. 149) and is a point in the existing city limits of Elizabethtown, (Ordinance No. 06-1994), thence with the northerly and westerly lines of said Thomas property and along the existing city limits of Elizabethtown for three calls

South 88 degrees 53 minutes 0 seconds West for a distance of 404.59 feet to a point, thence

South 88 degrees 31 minutes 43 seconds West for a distance of 546.36 feet to a point, thence

South 10 degrees 23 minutes 46 seconds West for a distance of 871.69 feet to a point, said point is a point in the western property line of said Thomas property and is a point in the easterly right of way of Ky. Hwy. 3005, (Ring Road) and is a point in the existing city limits of Elizabethtown, (Ordinance No. 06-1994), thence leaving said Thomas property with the eastern right of way of Ky. Hwy. 3005, (Ring Road) and the existing city limits of Elizabethtown for five calls

North 8 degrees 48 minutes 17 seconds West for a distance of 270.11 feet to a point, thence

North 11 degrees 2 minutes 18 seconds West for a distance of 364.18 feet to a point, thence

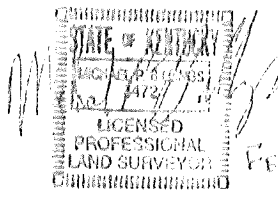
Along a curve to the right having a radius of 2296.56 feet and an arc length of 857.60 feet, being subtended by a chord of North 2 degrees 20 minutes 8 seconds West for a distance of 852.63 feet to a point, thence

North 8 degrees 43 minutes 40 seconds East for a distance of 213.23 feet to a point, thence

North 8 degrees 42 minutes 32 seconds East for a distance of 60.59 feet to the point of beginning.

Said property contains 1,024,213.64 square feet or 23.51 acres.

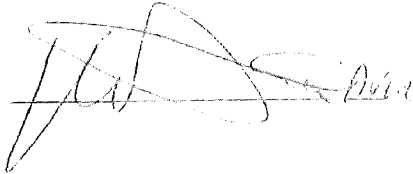
A portion of the above described property is commonly described as Lots 1, 2, & 3 of War Eagle Place as found in (P.C. 1 Sht. 4306). The remaining portion of the above described property is described by meets and bounds in Deed Book 1241 Page 266 both of which are recorded in the office of the Hardin County Clerk


MICHAEL P. ADAMS
No. 1472
LICENSED
PROFESSIONAL
LAND SURVEYOR
FEBRUARY 10, 2010

ORDINANCE NO. 01-2010
LEGAL DESCRIPTION
EXHIBIT C (Page 1 of 3)

CONSENT TO ANNEXATION

Comes, *Mike Thomas* as representative/owner/authorized member for War Eagle, LLC, owner of property located along Ring Road (recorded as War Eagle Place, Lots 1-3), Elizabethtown, Kentucky and gives consent to the annexation by the City of Elizabethtown of said property and further acknowledges and does not object to a commercial zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation the property owner understands and agrees to waive their objection to the annexation, waive any notice of the annexation to allow them to file an objection and waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.



STATE OF KENTUCKY
COUNTY OF HARDIN

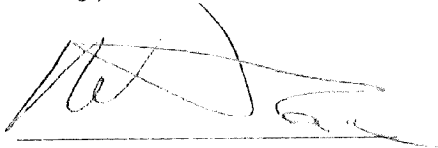
SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before
me by *Mike Thomas*, this the *19* day of *Dec*, 2009.


NOTARY PUBLIC
My Commission Expires: *6-18-2011*

ORDINANCE NO. 01-2010
LEGAL DESCRIPTION
EXHIBIT C (Page 2 of 3)

CONSENT TO ANNEXATION

Comes, *Mike and Celia Thomas* as husband and wife, owner of property located along Ring Road (approximately 7.75 acres; Deed Book 1241, Page 266), Elizabethtown, Kentucky and gives consent to the annexation by the City of Elizabethtown of said property. By consenting to the annexation the property owner understands and agrees to waive their objection to the annexation, waive any notice of the annexation to allow them to file an objection and waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.



STATE OF KENTUCKY
COUNTY OF HARDIN

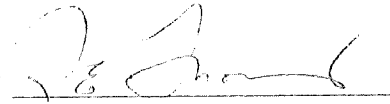
SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before
me by Mike and Celia Thomas, this the 17 day of DEC, 2009.

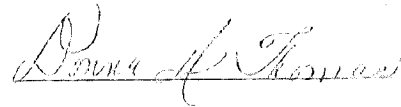

NOTARY PUBLIC
My Commission Expires: 6-15-2011

ORDINANCE NO. 01-2010
LEGAL DESCRIPTION
EXHIBIT C (Page 3 of 3)

CONSENT TO ANNEXATION


Comes, *Raymond and Donna Thomas* as husband and wife, owner of property located along Ring Road (approximately 7.75 acres; Deed Book 1241, Page 266), Elizabethtown, Kentucky and gives consent to the annexation by the City of Elizabethtown of said property. By consenting to the annexation the property owner understands and agrees to waive their objection to the annexation, waive any notice of the annexation to allow them to file an objection and waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.





STATE OF KENTUCKY
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before
me by Kelly O'Brien, this the 25th day of December 2009.



NOTARY PUBLIC
My Commission Expires: 12/11/10

ORDINANCE NO. 01-2010
LEGAL DESCRIPTION FOR ANNEXATION
EXHIBIT A
PVA MAP #185-00-00-00-015.01, 015.02, & 015.03 &
PVA MAP #185-00-00-016

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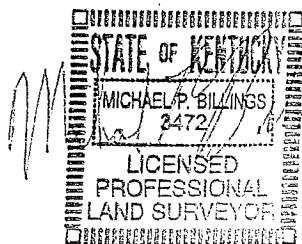
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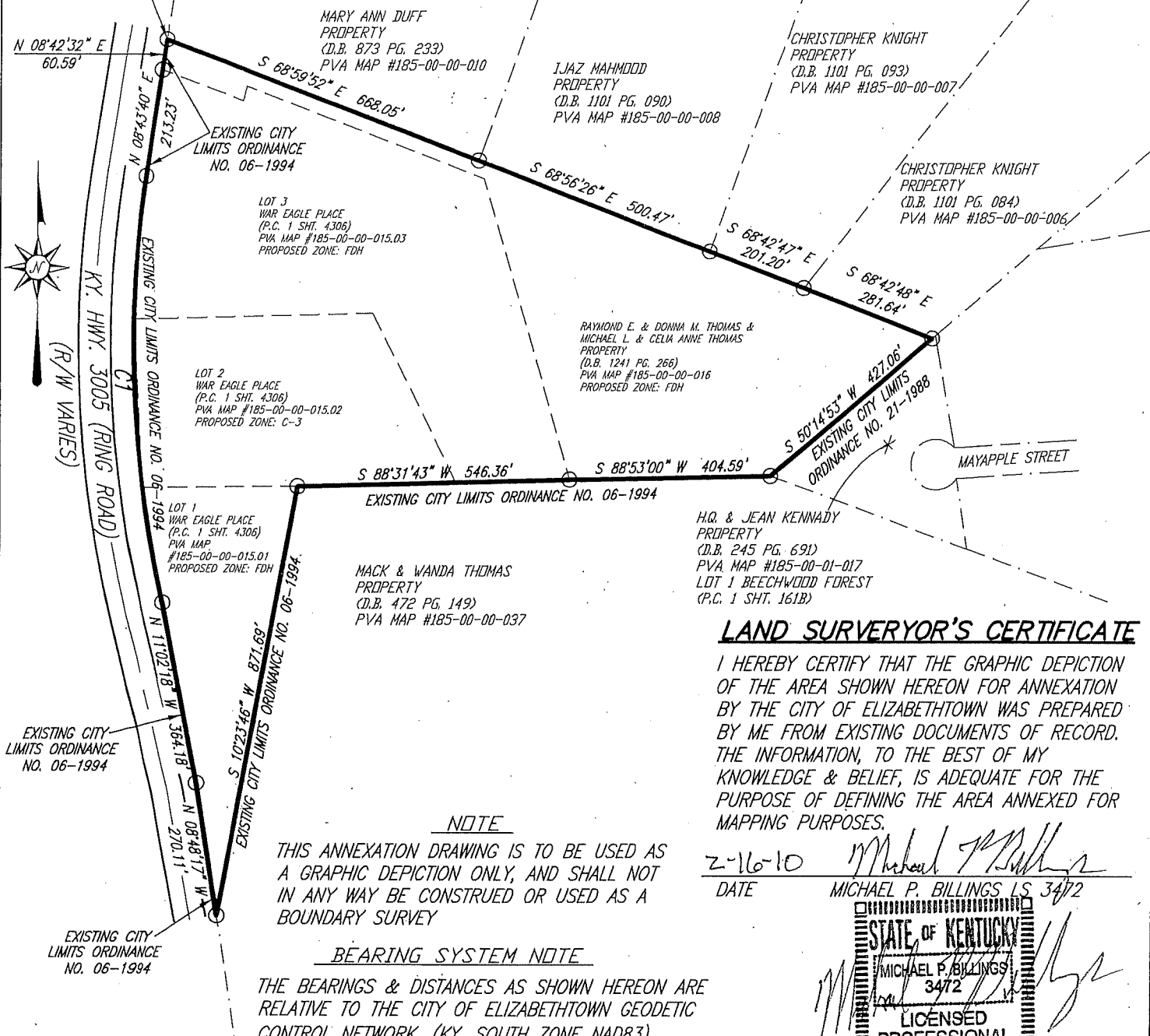
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FEBRUARY 16, 2010

POINT OF BEGINNING OF ANNEXATION LEGAL DESCRIPTION

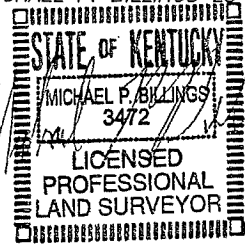
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT	DEGREE OF CURVE
C1	2296.56'	857.60'	852.63'	N 02°20'08" W	21°23'45"	433.85'	02°29'41"



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 FROM EXISTING DOCUMENTS OF RECORD. THE INFORMATION, TO THE BEST OF MY KNOWLEDGE & BELIEF, IS ADEQUATE FOR THE PURPOSE OF DEFINING THE AREA ANNEXED FOR MAPPING PURPOSES.

2-16-10 *Michael P. Billings*
DATE MICHAEL P. BILLINGS LS 3472



NOTE

THIS ANNEXATION DRAWING IS TO BE USED AS A GRAPHIC DEPICTION ONLY, AND SHALL NOT IN ANY WAY BE CONSTRUED OR USED AS A BOUNDARY SURVEY

BEARING SYSTEM NOTE

THE BEARINGS & DISTANCES AS SHOWN HEREON ARE RELATIVE TO THE CITY OF ELIZABETHTOWN GEODETIC CONTROL NETWORK, (KY. SOUTH ZONE NAD83).

PROPOSED ZONING: C-3 & FDH

EXHIBIT B

TOTAL AREA PROPOSED FOR ANNEXATION: 1,024,213.50 SF (23.51 AC)

FEB. 16, 2010

WAR EAGLE, LLC - PROPERTY (D.B. 1252 PG. 396)
LOTS 1, 2, & 3 WAR EAGLE PLACE - (P.C. 1 SHT. 4306)
PVA MAP # 185-00-00-015.01, 015.02, & 015.03

RAYMOND E. & DONNA M. THOMAS & MICHAEL L. & CELIA ANNE THOMAS - PROPERTY (D.B. 1241 PG. 266)
PVA MAP # 185-00-00-016

SCALE: 1" = 300' DATE: FEBRUARY 16, 2010
CADD FILE: D:\PROJECTS\MISC\ETOWN-ANNEX\THOMAS-COX-ANNEX.DWG

ANNEXATION DRAWING
CITY OF ELIZABETHTOWN
ORDINANCE NO. 01-2010
JANUARY 2010

ENGINEERING DESIGN GROUP, INC.
315 SOUTH MULBERRY STREET
P.O. BOX 2484
ELIZABETHTOWN, KY. 42702-2484
(270) 769-1436

