

EDWARD J. POPPE
DIRECTOR



200 West Dixie Avenue
P. O. Box 550
Elizabethtown, KY 42702
(270) 765-6121
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CITY OF ELIZABETHTOWN
PLANNING AND DEVELOPMENT

RECEIVED AND FILED
DATE July 28, 2011

June 13, 2011

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

ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson

Dear Kandie:

The City of Elizabethtown recently completed an annexation that added 4.46 acres along our western boundary. Under the provisions of KRS 81A.470 we are submitting the required ordinance (#11-2011) 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 July 28, 2011
ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkins

ORDINANCE NO. 11-2011

AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED AT 40 BURR OAK COURT

WHEREAS, the property owned by Commonwealth of Kentucky (Department of Highways) located 40 Burr Oak Court 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 40 Burr Oak Court 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 Residential-2 (R-2).

This action is taken for property owned by Commonwealth of Kentucky (Department of Highways) 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 16th day of May, 2011.

READ, ADOPTED AND APPROVED this 6th day of June, 2011.

Tim C. Walker
TIM C. WALKER, MAYOR

ATTESTED TO:

Mary Chaudoir
MARY CHAUDOIR, CITY CLERK

COUNCIL
LARRY D. ASHLOCK
EDNA B. BERGER
TONY BISHOP
MARTY E. FULKERSON
KENNY LEWIS
RONALD B. THOMAS



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CITY OF ELIZABETHTOWN
TIM C. WALKER, 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 - 2011 series duly adopted by the City Council of said City at a duly convened meeting held on June 6, 2011 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 20th day of June, 2011.

Mary Chaudoin
CITY CLERK

(Seal of the City)



ORDINANCE NO. 11-2011
LEGAL DESCRIPTION FOR ANNEXATION
EXHIBIT A

A certain tract of land lying and being in Hardin County, Kentucky, adjacent to the existing southern right of way of Ky. Hwy. 1600, (Rineyville Road). Said tract includes portions of Lots 7 and 10 and all of Lots 8, 9, 19, and 11 of Fontaine Estates Section 2, (P.C. 1 Sht. 700), and portions of the existing right of ways of Fontaine Drive and Cornerstone Church Lane. Said property is more particularly bounded and described as follows:

The point of beginning is a point in the in the existing city limits of Elizabethtown, (Ordinance No. 20-2007) and is a common corner to Lots 1A and 2A of Cox's Corner Subdivision, (P.C. 1 Sht. 5008), and is a point in the eastern right of way of Cornerstone Church Lane, thence leaving said existing city limits of Elizabethtown and said Lots 1A and 2A, and crossing Cornerstone Church Lane

North 32 degrees 52 minutes 2 seconds West for a distance of 50.39 feet to a point, said point is a point in the western right of way of Cornerstone Church Lane and is a northeastern corner of Lot 17 of Fontaine Estates Section 2, (P.C. 1 Sht. 700), thence with the northern line of Lot 17 and continuing with the northern line of Lot 18 of Fontaine Estates Section 2

North 45 degrees 14 minutes 23 seconds West for a distance of 262.12 feet to a point, said point is a northern corner of Lot 18 and is a point in the eastern right of way of Fontaine Drive, thence with a western line of Lot 18 along the eastern right of way of Fontaine Drive

South 44 degrees 44 minutes 4 seconds West for a distance of 92.35 feet to a point, said point is a point in the western line of Lot 18, thence leaving Lot 18 and crossing Fontaine Drive

North 45 degrees 15 minutes 56 seconds West for a distance of 50.00 feet to a point, said point is a point in the western right of way of Fontaine Drive and is a point in the eastern line of Lot 10 of Fontaine Estates Section 2, (P.C. 1 Sht. 700), thence with a new division line, in Lot 10 for three calls

North 12 degrees 28 minutes 52 seconds East for a distance of 108.90 feet to a point, thence

North 27 degrees 13 minutes 1 seconds West for a distance of 70.49 feet to a point, thence

North 51 degrees 19 minutes 20 seconds West for a distance of 25.13 feet to a point, said point is a point in the western line of Lot 10, thence with the western line of Lot 10

South 44 degrees 41 minutes 41 seconds West for a distance of 192.11 feet to a point, said point is a southwestern corner of Lot 10 and is a point in the Northern right of way of Burr Oak Court, thence with the northern right of way of Burr Oak Court for two calls

North 45 degrees 16 minutes 3 seconds West for a distance of 6.70 feet to a point, thence

Along a curve to the left having a radius of 50.00 feet and an arc length of 87.80 feet, being subtended by a chord of North 35 degrees 34 minutes 49 seconds West for a distance of 76.95 feet to a point, said point is a southeastern corner of Lot 12 of Fontaine Estates Section 2, thence with an eastern line of Lot 12

North 4 degrees 4 minutes 26 seconds East for a distance of 205.89 feet to a point, said point is a point in an eastern line of Lot 12, thence leaving Lot 12 and crossing Lots 11 and 7 of Fontaine Estates Section 2, (P.C. 1 Sht. 700) with a new annexation line

North 42 degrees 25 minutes 23 seconds East for a distance of 254.22 feet to a point, said point is a point in a northern line of Lot 7 and is a point in the existing southern right of way of Ky. Hwy. 1600, (Rineyville Road), and is a point in the existing city limits of Elizabethtown, (Ordinance No. 5-1994), thence with the southern right of way of Ky. Hwy. 1600 and the existing city limits of Elizabethtown for four calls

South 45 degrees 15 minutes 55 seconds East for a distance of 267.43 feet to a point, thence

South 39 degrees 33 minutes 16 seconds East for a distance of 100.50 feet to a point, thence

South 45 degrees 15 minutes 55 seconds East for a distance of 208.92 feet to a point, thence

South 46 degrees 31 minutes 58 seconds East for a distance of 43.69 feet to a point, said point is a point in the southern right of way of Ky. Hwy. 1600 and a point in the eastern right of way of Cornerstone Church Lane and is a northern corner of Lot 1A of Cox's Corner Subdivision, (P.C. 1. Sht. 5008), and is a common corner of the existing city limits of Elizabethtown, (Ordinance No. 5-1994) and (Ordinance No. 20-2007), thence with a western line of Lot 1A and the existing city limits of Elizabethtown, (Ordinance No. 20-2007)

South 19 degrees 34 minutes 59 seconds West for a distance of 278.25 feet to the point of beginning.

Said property contains 194,546.09 square feet or 4.466 acres.

This legal description was prepared from record information (i.e. annexation ordinances, record plats, highway right of way plans, and legal descriptions).

There was no field survey performed and this is not a boundary survey and should be considered as such.

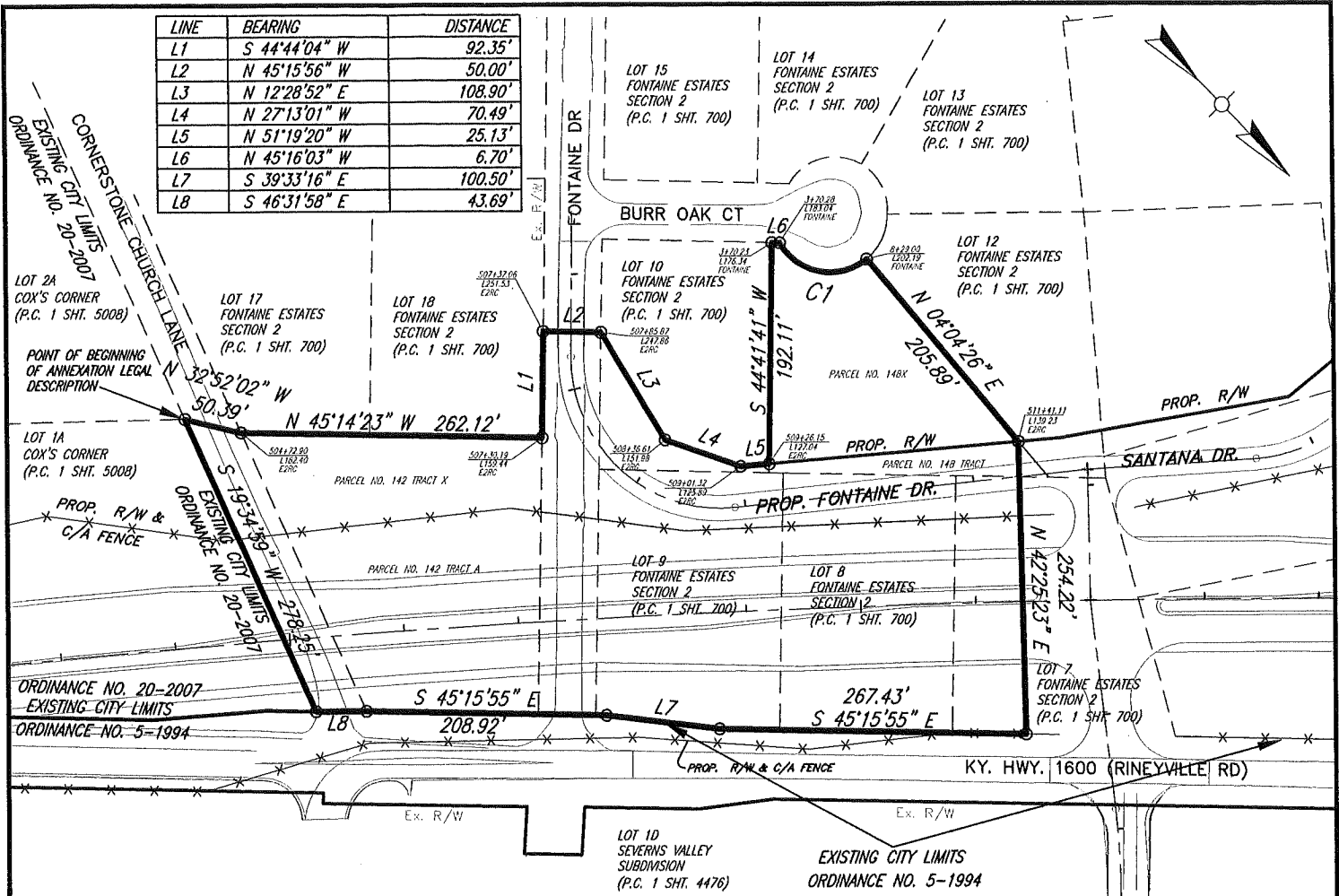
The sole purpose of this legal description is for the annexation of the area described into the city limits of the city of Elizabethtown. This document shall not be used for the sale, transfer or conveyance of property,

All adjoining property owners are according the Hardin County property valuation office.

This legal description was prepared by Michael P. Billings, (Ky. P.L.S. 3472), of Engineering Design Group, Inc., 315 South Mulberry Street, Elizabethtown, Kentucky

STATE OF KENTUCKY
MICHAEL P. BILLINGS
3472
LICENSED
PROFESSIONAL
LAND SURVEYOR
MAY 23, 2011

LINE	BEARING	DISTANCE
L1	S 44°44'04" W	92.35'
L2	N 45°15'56" W	50.00'
L3	N 12°28'52" E	108.90'
L4	N 27°13'01" W	70.49'
L5	N 51°19'20" W	25.13'
L6	N 45°16'03" W	6.70'
L7	S 39°33'16" E	100.50'
L8	S 46°31'58" E	43.69'



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT	DEGREE OF CURVE
C1	50.00'	87.80'	76.95'	N 35°34'49" W	100°36'29"	60.24'	114°34'53"

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).

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.

May 23, 2011 Michael P. Billings
DATE MICHAEL P. BILLINGS LS 3472

STATE OF KENTUCKY
MICHAEL P. BILLINGS
3472
LICENSED PROFESSIONAL LAND SURVEYOR
May 23, 2011

PROPOSED ZONING: R-2

EXHIBIT B

TOTAL AREA PROPOSED FOR ANNEXATION: 194,546.09 SF (4.466 AC)

ANTHONY & SHIRLEY KINSER - PROPERTY (D.B. 656 PG. 470) & (D.B. 643 PG. 009)
LOTS 8 & 9 FONTAINE EST. SECT. 2 - (P.C. 1 SHT. 700)
PVA MAP # 184-00-02-008 & 009

COMMONWEALTH OF KENTUCKY - PROPERTY - (D.B. 1338 PG. 928), (D.B. 1341 PG. 180), (D.B. 1341 PG. 1039), & (D.B. 1341 PG. 1448)
LOTS 7, (PORTION), 10, (PORTION), 11 & 19 FONTAINE EST. SECT. 2 - (P.C. 1 SHT. 700) - PVA MAP # 184-00-02-007 & 010 & 011 & 019
PVA MAP # 184-00-02-007 & 010 & 011 & 019

PORTION CORNERSTONE CHURCH LANE & FONTAINE DRIVE RIGHT OF WAYS

SCALE: 1" = 150' DATE: MAY 18, 2011

CADD FILE: D:\PROJECTS\ETOWN\FONTAINE-ANNEX\FONTAINESTATES.DWG

ANNEXATION DRAWING
CITY OF ELIZABETHTOWN
ORDINANCE NO. 11-2011

JUNE 2011

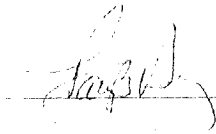
ENGINEERING DESIGN GROUP, INC.
315 SOUTH MULBERRY STREET
P.O. BOX 2484
ELIZABETHTOWN, KY. 42702-2484
(270) 769-1436



ORDINANCE NO. 11-2011
EXHIBIT C - CONSENT

CONSENT TO ANNEXATION

Comes Patty Dunaway, District Engineer KY Transportation Cabinet
Dept of Highways District 4 Office, in her official capacity as a representative for
the Commonwealth of Kentucky as owner of property located at 40 Burr Oak
Court and gives consent to the annexation by the City of Elizabethtown of the
property, and further acknowledges and does not object to the residential zoning
district classification that will be effective upon the property through the
annexation process. By consenting to the annexation the Commonwealth of
Kentucky (property owner) understands and agrees to waive their objection to
the annexation, waive any notice required to file an objection and waive any
waiting period.



STATE OF KENTUCKY
COUNTY OF HARDIN

The foregoing instrument was acknowledged before me this 16th day of
April, 2011 by Patty Dunaway, in their official
capacity as District Engineer for the KY Transportation Cabinet,
Department of Highways an agency of the Commonwealth of Kentucky.

Signature of notary [Signature] Notary Public
Date commission expires 12 June 2013
Serial number if any _____