

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

December 6, 2013

RECEIVED AND FILED
DATE December 9, 2013

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

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson

Re: Annexation (Ord #23-2013)

Dear Kandie:

The City of Elizabethtown recently completed an annexation that added 40.644 acres along our northeastern boundary. Under the provisions of KRS 81A.470 we are submitting the required ordinance (#23-2013) 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 *corrected* map and description of the area signed and stamped by a licensed surveyor per your comments.

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



COUNCIL
WILLIAM R. BENNETT
TONY BISHOP
MARTY E. FULKERSON
KENNY LEWIS
TERRY SHIPP
RONALD B. THOMAS



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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. 23 - 2013 series duly adopted by the City Council of said City at a duly convened meeting held on November 18, 2013 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 November, 2013.

Mary Chaudoin
CITY CLERK

(Seal of the City)

RECEIVED AND FILED
DATE December 9, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Katie Udron



ORDINANCE NO. 23-2013

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED AT 2875 SHEPHERDSVILLE ROAD**

WHEREAS, the property owned by Pence Leasing, LLC and TDA Properties, Inc. located at 2875 Shepherdsville Road 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; and

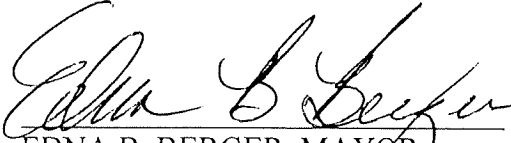
NOW, THEREFORE, BE IT ORDAINED by the City of Elizabethtown, Kentucky, that from and after the passage, approval, and publication of this Ordinance, that the property located at 2875 Shepherdsville Road and being more particularly described in attached Exhibit A (legal description) and Exhibit B (map) is annexed into the City of Elizabethtown. Said property shall be zoned as Commercial-3 (C-3).

This action is taken for property owned by Pence Leasing, LLC and TDA Properties, Inc. 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 her designate be and she is hereby authorized and directed to take all steps necessary to perfect this Ordinance.

READ THE FIRST TIME this 4th day of November, 2013.

READ, ADOPTED AND APPROVED this 18th day of November, 2013.


EDNA B. BERGER, MAYOR

ATTESTED TO:


MARY CHAUDOIN, CITY CLERK

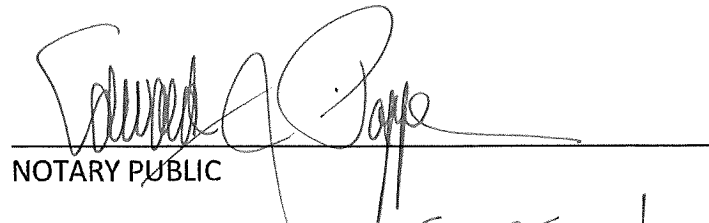
CONSENT TO ANNEXATION

Comes, Tim Aulbach, representative of T D A Properties, Inc, an owner of the property located along Shepherdsville Road (also fronting along Nelson Drive) and known by PVA # 219-30-00-001 & PVA # 219-30-00-002 and gives consent to the annexation by the City of Elizabethtown of said property. T D A Properties, Inc. further 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 T D A Properties, Inc. as one of the current property owners 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 Tim Aulbach, representative of T D A Properties, Inc. this the 25TH day of
SEPTEMBER, 2013.


NOTARY PUBLIC

My Commission Expires: JUN 25, 2014
Notary ID: 412420

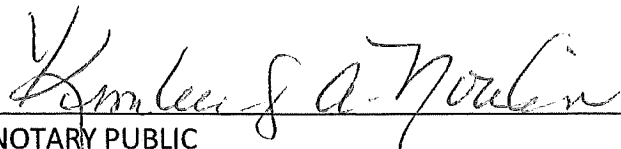
CONSENT TO ANNEXATION

Comes, , a representative of Pence Leasing, LLC one of the owners of the property located along Shepherdsville Road (also fronting along Nelson Drive) and known by PVA # 219-30-00-001 & PVA # 219-30-00-002 and gives consent to the annexation by the City of Elizabethtown of said property. Pence Leasing, LLC further 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 Pence Leasing, LLC as one of the current property owners 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.


for Pence Leasing LLC

STATE OF KENTUCKY
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before
me by MIKE PENCE, representative of Pence Leasing, LLC, this the
6th day of SEPTEMBER, 2013.


NOTARY PUBLIC

My Commission Expires: FEBRUARY 9, 2014
Notary ID: 412074

**PROPERTY OWNER
ANNEXATION-ORDINANCE #23-2013**

PROPERTY OWNER

PROPERTY ADDRESS

PVA NUMBER

TDA Properties, Inc
(Tim Aulbach)
Pence Leasing, LLC
(Mike Pence)

2875 Shepherdsville Road

219-30-00-001
219-30-00-002

Ordinance No.23 -2013
Exhibit A
Property Description
40.644 Acre Tract

A certain tract of land lying and being in Hardin Co., Ky. on the west side of Ky. Hwy. 251 (Shepherdsville Road) approx. 500' north along said road from its intersection with Ky. Hwy. 3005 (Ring Road) and being more particularly bounded and described as follows:

Beginning at a ½" rebar on the east side of Ky. Hwy. 251, said rebar being in the line of the existing city limits of the city of Elizabethtown ordinance No. 26-2009. Said rebar having a KY State Plane South Zone Coordinate of: N: 2150858.92; E: 1613589.15.

Thence with the east side of Hwy. 251 and the lines of the existing city limits as follows:

A curve turning to the left with an arc length of 38.80', with a radius of 25.00', with a chord bearing of S 63°49'02" W, with a chord length of 35.02' to a city boundary point;

Thence S 19°21'02" W a distance of 75.97' to a city boundary point;

Thence S 19°57'02" W a distance of 100.36' to a city boundary point;

Thence S 20°33'03" W a distance of 152.24' to a city boundary point;

Thence S 20°39'23" W a distance of 109.97' to a city boundary point. Said point being the southwest corner of ordinance No.26-2009 and the northwest corner of ordinance No. 16-2005.

Thence with ordinance No. 16-2005; S 20°33'02" W a distance of 115.00' to a city boundary point. Said point being in the north line of ordinance No. 16-1988.

Thence with ordinance No. 16-1988 as follows: N 80°54'19" W a distance of 69.68' to a city boundary point on the west side of Ky. Hwy. 251.

Thence S 18°39'29" W a distance of 19.81' to a city boundary point;

Thence S 18°38'59" W a distance of 40.74' to a city boundary point;

Thence S 20°27'55" W a distance of 45.87' to a ½" rebar;

Thence S 24°16'23" W a distance of 38.87' to a ½" rebar, said rebar being in the north line of ordinance No. 42-1982.

Thence with ordinance No. 42-1982 as follows: S 88°39'45" W a distance of 275.09' to a ½" rebar;

Thence S 88°14'43" W a distance of 718.42' to a ½" rebar with ID cap #2131;

Thence S 88°28'03" W a distance of 205.59' to a ½" rebar with ID cap #3383;

Thence S 88°27'37" W a distance of 626.06' to a ½" rebar with ID cap #3383, said rebar being the southeast corner of ordinance No. 2-1999.

Thence with ordinance No. 2-1999 as follows: N 02°32'32" W a distance of 849.11' to a ½" rebar with ID cap #3472;

Thence S 88°26'02" W a distance of 164.78' to a ½" rebar with ID cap #3472;

Thence N 15°26'13" W a distance of 20.72' to a ½" rebar with ID cap #2095, said rebar being the southwest corner of lot Forest Springs Subdivision (P.C.1, Sheet 159A).

Thence with the south lines of Forest Springs as follows: N 87°47'10" E a distance of 20.00' to a 1" pipe;

Thence N 88°54'54" E a distance of 626.00' to a 1" pipe;

Thence N 88°34'55" E a distance of 149.52' to a ½" rebar with ID cap #3383;

Thence continuing with Forest Springs and then the south side of Amberwood Subdivision (P.C. 1, Sheet 1601); N 88°34'55" E a distance of 1532.10' to a ½" rebar with ID cap #3383 on the west side of Ky. Hwy. 251.

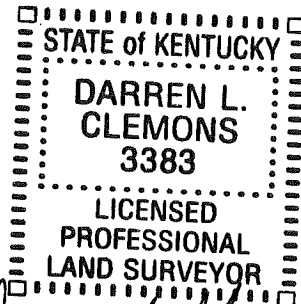
Thence with a curve turning to the right with an arc length of 182.03', with a radius of 5677.58', with a chord bearing of S 17°33'09" W, with a chord length of 182.02' to a city boundary point.

Thence S 71°42'58" E a distance of 109.42' to the point of beginning.

CONTAINING: 40.644 ACRES (1,770,455 SF) more or less according to a survey made by Clemons & Associates Land Surveying on the 29th day of October, 2013. Darren Clemons Ky. P.L.S. 3383. Subject to any and all rights-of-way, appurtenances, restrictions, and/or easements in effect to date.

BASIS OF BEARINGS: Ky. State plane (south zone) and the city of Elizabethtown Geodetic Control System.

SOURCES OF TITLE: D.B.1334, Pg.609 and D.B.1379, Pg.788.



Darren L. Clemons
12-6-13



BEARING NOTE:

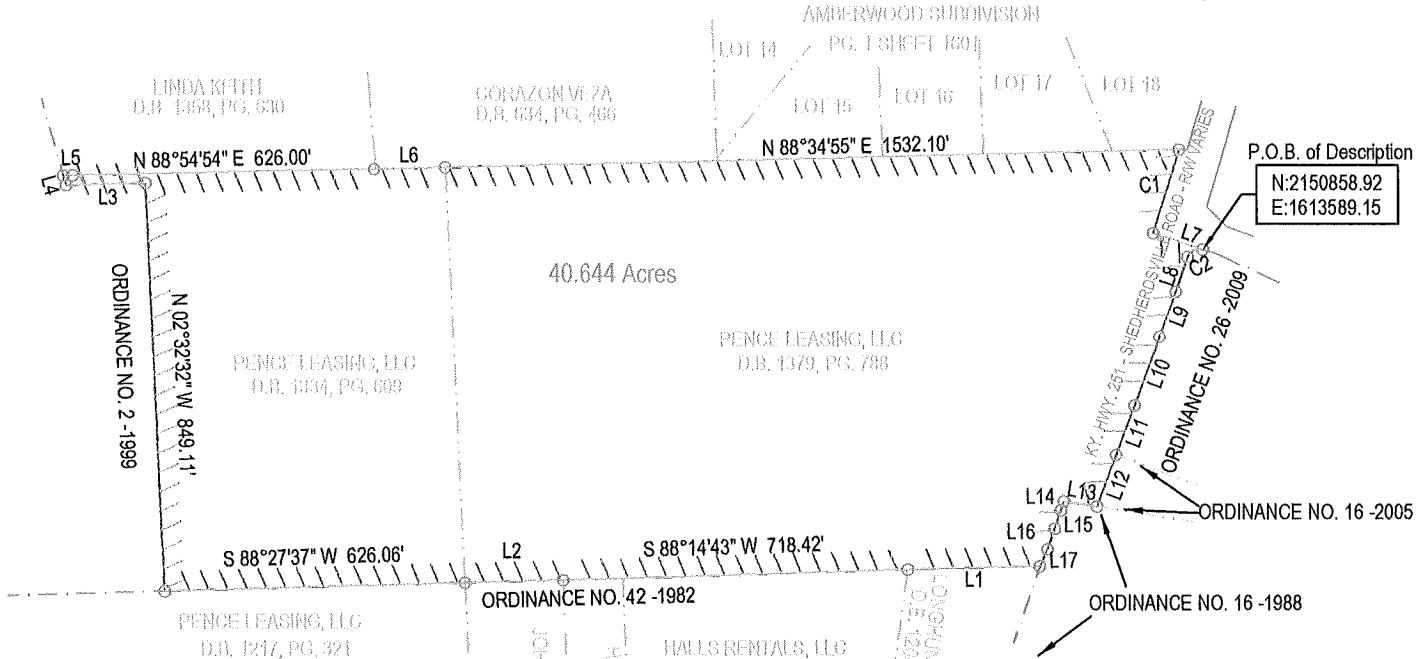
83, KY State Plane Coordinates (South Zone) & the City of Elizabethtown Geodetic Control System.

LEGEND

○ ...CITY BOUNDARY POINT

TTTTTTTTT ...BOUNDARY OF NEW ANNEXATION
.....EXISTING CORPORATE BOUNDARY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5677.58'	182.03'	182.02'	S 17°33'09" W	1°50'13"
C2	25.00'	38.80'	35.02'	S 63°49'02" W	88°55'06"



LINE	BEARING	DISTANCE
L1	S 88°39'45" W	275.09'
L2	S 88°28'03" W	205.59'
L3	S 88°26'02" W	164.78'
L4	N 15°26'13" W	20.72'
L5	N 87°47'10" E	20.00'
L6	N 88°34'55" E	149.52'
L7	S 71°42'58" E	109.42'
L8	S 19°21'02" W	75.97'
L9	S 19°57'02" W	100.36'
L10	S 20°33'03" W	152.24'
L11	S 20°39'23" W	109.97'
L12	S 20°33'02" W	115.00'
L13	N 80°54'19" W	69.68'
L14	S 18°39'29" W	19.81'
L15	S 18°38'59" W	40.74'
L16	S 20°27'55" W	45.87'
L17	S 24°16'23" W	38.87'

GRAPHIC DEPICTION ONLY

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

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.

12-6-13 *Darren L. Clemons*
 DATE DARREN L. CLEMONS P.L.S.#3383

PROPOSED ZONING: C3

TOTAL AREA PROPOSED FOR ANNEXATION:
 1,770,445 SF - 40.644 AC

PENCE LEASING, LLC
 TDA PROPERTIES INC.
 DEED BOOK 1334 PAGE 609
 DEED BOOK 1379 PAGE 788
 PVA# 219-30-00-001
 PVA# 219-30-00-002

2875 SHEPHERDSVILLE ROAD, ELIZABETHTOWN, KY. 42701

STATE of KENTUCKY

DARREN L. CLEMONS
3383

LICENSED
 PROFESSIONAL
 LAND SURVEYOR

EXHIBIT B

ANNEXATION DRAWING

CITY OF ELIZABETHTOWN
ORDINANCE NO. 23 -2013



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