

JEFFREY H. GREGORY
MAYOR



200 West Dixie Avenue
P. O. Box 550
Elizabethtown, KY 42702
(270) 765-6121
Fax: (270) 737-5362
Website: www.etownky.org

CITY OF ELIZABETHTOWN

April 10, 2025

SECRETARY OF STATE
TRAVIS HORN
700 CAPITAL AVENUE
STATE CAPITAL
FRANKFORT, KENTUCKY 40601

RE: ANNEXATION (Ordinance #08-2025)

Dear Travis:

The City of Elizabethtown recently completed an annexation that added 25.825 acres. Under the provisions of KRS 81A.470 we are submitting the required Ordinance (#08-2025) 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 which was an exhibit to the ordinance. Electronic versions of the map and description will be submitted to your attention by email.

If you should have any questions, please feel free to contact us at City Hall at 270-765-6121.

Sincerely,


Edward J. Poppe
City Administrator

Enclosures

RECEIVED AND FILED
DATE April 16th
2025
MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY James Phillips



JEFFREY H. GREGORY
MAYOR



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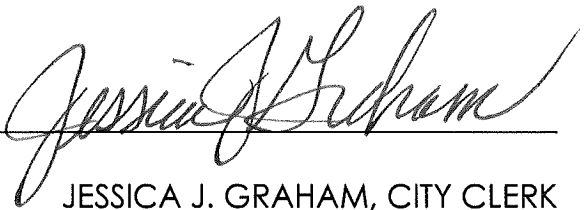
CITY OF ELIZABETHTOWN

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. 08-2025 series duly adopted by the City Council of said City at a duly convened meeting held on April 07, 2025 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 10th day of April 2025.




JESSICA J. GRAHAM, CITY CLERK



ORDINANCE NO. 08-2025

AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY ANNEXING PROPERTY LOCATED AT 320 PEAR ORCHARD ROAD NORTHWEST

WHEREAS the properties, owned by Omni Land and Development, LLC, located at 320 Pear Orchard Road Northwest, are adjacent or contiguous to the City of Elizabethtown's existing boundaries; and,

WHEREAS, the properties which are adjacent or contiguous to the City's boundaries at the time the annexation proceedings began; and which by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without reasonable delay; and,

WHEREAS, the City of Elizabethtown gave written notice of this requested annexation to Hardin County Government; and,

WHEREAS, the property owners involved in this annexation gave their written consent to the annexation.

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 320 Pear Orchard Road Northwest, more specifically known as PVA #200-00-00-027, 200-00-00-027.01, 200-00-00-027.02, 200-00-00-027.03, and 200-00-00-027.04 and as being more particularly described in the attached Legal Description (Exhibit A) and shown on the attached Map (Exhibit B) is annexed into the City of Elizabethtown. Said property shall be zoned as Suburban Residential, R-2, pursuant to the recommendation of the City of Elizabethtown Planning Commission based on a public hearing conducted on March 11, 2025. 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 Omni Land and Development LLC pursuant to their request and written consent. The property owners have given a signed consent in agreement to the annexation (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 pursuant to KRS 81A.

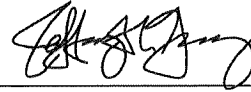
ORDINANCE NO. 08-2025

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

READ THE FIRST TIME the 17th day of March 2025.

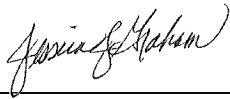
READ, ADOPTED AND APPROVED the 7th day of April 2025.

Published in summary April 11, 2025.



JEFFREY H. GREGORY, MAYOR

ATTESTED TO:



JESSICA J. GRAHAM, CITY CLERK

ORDINANCE NO. 08-2025

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
THE OMNI LAND & DEVELOPMENT LLC. PROPERTY
320 PEAR ORCHARD ROAD NW
ELIZABETHTOWN, HARDIN COUNTY, KENTUCKY
EXHIBIT A, ORDINANCE NO. 08-2025

24 February 2025

SOURCE OF TITLE: DEED BOOK 1568, PAGE 920.

Subject property being on the northerly right-of-way of Pear Orchard Road NW at its intersection with Cecil Court adjoining the corporate limits of the City Elizabethtown, Hardin County, Kentucky and being more particularly bounded and described as follows to wit:

Beginning at a found 1/2-inch rebar with cap stamped "Leftwich PLS 3013" on the northerly right-of-way of Pear Orchard Road NW (60-foot right-of-way) approximately 284 feet northeast of Cecil Court (50-foot right-of-way), a corner common to Lot 1 of Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 122A), said pin being in the existing corporate limits of the City of Elizabethtown (intersection of Ordinance No. 26 – 1982 Series and KRS 81.045 filing);

Thence leaving the aforesaid common corner with the northerly right-of-way of Pear Orchard Road NW and with the existing corporate limits of the City of Elizabethtown (KRS 81.045 filing) the following eleven (11) calls:

S83°07'05"W 251.23 feet with the cord of a curve to the left having a radius of 484.25 feet, an arc length of 254.13 feet and a central angle of 30°04'07" to a found 1/2-inch rebar with cap stamped "Leftwich PLS 3013";

S68°17'07"W 42.86 feet to a point;

S62°38'32"W 104.30 feet to a point;

S57°28'29"W 135.95 feet to a found 1/2-inch rebar with cap stamped "Leftwich PLS 3013";

S57°28'36"W 35.64 feet to a point;

S55°50'05"W 164.32 feet to a found 1/2-inch rebar with cap stamped "Leftwich PLS 3013";

S55°50'05"W 32.37 feet to a point;

S55°56'15"W 168.22 feet to a point;

S59°15'23"W 14.43 feet to a found 1/2-inch rebar with cap stamped "Leftwich PLS 3013";

S59°15'23"W 85.55 feet to a point;

S69°40'40"W 133.26 feet to a found 1/2-inch rebar with cap stamped "Clifford LS 2124", the southeast corner of Lot 1A of Hunter Ridge Estates (Plat Cabinet 1, Sheet 3902, said pin being in the corporate limits of the City of Elizabethtown (Ordinance No. 7 – 1990 Series);

ORDINANCE NO. 08-2025

Thence leaving the northerly right-of-way of Pear Orchard Road NW with the line of Lot 1A and the corporate limits of the City of Elizabethtown (Ordinance No. 7 – 1990 Series), N35°53'28"W 150.05 feet to a found ½-inch rebar with cap stamped "Clifford LS 2124", the southeast corner of Lot 2 of Hunter Ridge Estates (Plat Cabinet 1, Sheet 3630, said pin being in the corporate limits of the City of Elizabethtown (Ordinance No. 7 – 1990 Series);

Continuing with the corporate limits of the City of Elizabethtown and Lots 2 through 8 of the aforesaid Hunters Ridge Estates, N35°55'58"W passing through a found ½-inch rebar with cap stamped "Clifford LS 2124" at 544.99 feet and a total distance of 590.40 feet to a 6-inch wood corner post, the southwest corner of SNM, LLC. (Deed Book 969, Page 51 a.k.a. Future Development Tract A, The Village at Pine Valley, Plat Cabinet 1, Sheet 2654) and the corporate limits of the City of Elizabethtown (Ordinance No. 9 – 1986 series);

Thence with the line of SNM, LLC. and the corporate limits of the City of Elizabethtown, N60°20'38"E passing through found ½-inch rebar with cap stamped "Leftwich PLS 3013" at 297.71 feet, 512.16 feet and a total distance of 712.95 feet to a found ½-inch rebar with cap stamped "Leftwich PLS 3013";

Continuing, N60°20'30"E 651.91 feet to a found ½-inch rebar with cap stamped "Leftwich PLS 3013", the southwest corner of Heartland Golf Club, LLC. (Deed Book 1364, Page 807 a.k.a. Lot 5 of Heartland Golf Subdivision, Plat Cabinet 1, Sheet 6126);

Continuing with the corporate limits of the City of Elizabethtown and with the line of Heartland Golf Club, LLC., N74°24'02"E 276.56 feet to a found ½-inch rebar with cap stamped "D. Johnson PLS 3300" the northwest corner of Brantingham Living Trust (Deed Book 1576, Page 135 a.k.a. Lot 6 of Ds Acres, Section 2, Plat Cabinet 1, Sheet 7479);

Thence leaving the corporate limits of the City of Elizabethtown with the line of Brantingham Living Trust the following two (2) calls:

S30°35'30"E 248.37 feet to a found ½-inch rebar with cap stamped "D. Johnson PLS 3300"

S77°36'51"E 25.94 feet to a found 1-inch pipe (no ID cap), the northwest corner of Lot 19A of Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 1489), said pipe being at the intersection of the corporate limits of the City of Elizabethtown (Ordinance No. 12 -2023 and Ordinance No. 26 – 1982 Series);

Thence with the line of 19A, the end of Natalie Drive (50-foot right-of-way) and Lots 10 and 1 of Pleasant Acres Subdivision (Plat Cabinet 1, Sheet 122A) and the corporate limits of the City of Elizabethtown (Ordinance No. 26 – 1982 Series), S11°28'08"W 654.82 feet to the point of beginning.

Subject annexation containing 25.576 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 Lots 1 through 4 of DS Acres (Plat Cabinet 1, Sheet 7353) and the Amended Record Plat of DS Acres, Lot 5 (Plat Cabinet 1, Sheet 7479) of record in the Hardin County Clerk's Office. All bearings have been rotated to grid north (NAD 1983 (2011), KY South Zone 1602).

ORDINANCE NO. 08-2025

A handwritten signature in black ink, appearing to read 'DK Johnson', is written over a rectangular, textured grey background.

Douglas K. Johnson, PLS 3300

03/13/2025

Date

ORDINANCE NO. 08-2025

EXHIBIT B MAP



ORDINANCE NO. 08-2025

EXHIBIT C PLANNING COMMISSION FINDINGS OF FACT Zoning Docket No. 2025-PC-02

The Elizabethtown Planning Commission's recommendation to assign a zoning district classification of R-2, Suburban Residential, for property located on the north side of Pear Orchard Road Northwest, approximately 140 feet east of Crossfield Drive, known as 320 Pear Orchard Road Northwest, and containing approximately 25.825 acres, was based on the evidence and testimony presented to the Commission, and the following findings:

WHEREAS, the Elizabethtown Planning Commission (Commission) finds that Goal 1 of the Envision Elizabethtown 2040 Comprehensive Plan (Plan) calls to identify and acquire appropriate property for future growth, and to expand infrastructure to facilitate development; and

WHEREAS, the Commission finds Goal 2 of the Plan calls for the responsible expansion and improvement of infrastructure; and

WHEREAS, the Commission finds that Goal 4 of the Plan encourages the City to plan for growth by expanding the existing City limits in a fiscally responsible way; and

WHEREAS, the Commission finds that the Plan identifies much of the area of the properties requested for annexation as being located within a flood prone area; and

WHEREAS, the Commission finds that the annexation was requested by the property owner, and all proper notification was provided to nearby property owners; and

WHEREAS, the Commission finds the Hardin County Government was provided proper notification of the proposed annexation; and

WHEREAS, the Commission finds that assignment of a zoning district should comply with the goals, objectives, policies, guidelines, and recommended land use map of the Plan; and

WHEREAS, the Commission finds that the property is located in Sub Area 3, Outer Ring Road East, of the recommended land use map of the Plan; and

WHEREAS, the Commission finds that the property is not located within a targeted planning area within Sub Area 3; and

WHEREAS, The Commission finds that the recommended zoning of R-2, Suburban Residential, is compatible with surrounding properties, and will provide an appropriate scale of development and transition to adjacent properties; 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.

Now, therefore be it **RESOLVED** that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council a zoning assignment of R-2, Suburban Residential for the proposed annexation area be **APPROVED**.

The vote was as follows:

YES: Commissioners Rice, Dozer, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

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EXHIBIT D CONSENT

ANNEXATION CONSENT

Comes, Mike Brantingham and T J Bryant, members of Omni Land and Development LLC, owners of property located at 320 Pear Orchard Road Northwest and more specifically known as PVA # 200-00-00-027, 200-00-00-027.01, 200-00-00-027.02, 200-00-00-027.03, and 200-00-00-027.04 and gives consent to the annexation by the City of Elizabethtown of approximately 26 acres of their property along Pear Orchard Road Northwest. Property is recorded in Deed Book 1568 Pages 920-923 and is recorded in the Office of the Hardin County Clerk as DS Acres Lots 1-4 as recorded in Plat Cabinet 1, Sheet 7353 and as DS Acres Lt 5A in Plat Cabinet 1 Sheet 7479.

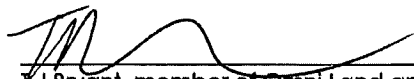
Mike Brantingham and T J Bryant, members of Omni Land and Development LLC, acknowledge and do not object to the residential zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation, Mike Brantingham and T J Bryant, members of Omni Land and Development LLC, 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.

Mike Brantingham and T J Bryant, members of Omni Land and Development LLC, 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. Mike Brantingham and T J Bryant, members of Omni Land and Development LLC, 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.



1/26/25

Mike Brantingham, member of Omni Land and Development, LLC



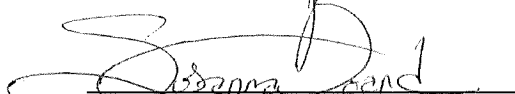
1/26/25

T J Bryant, member of Omni Land and Development, LLC

ORDINANCE NO. 08-2025

STATE OF KENTUCKY
COUNTY OF HARDIN

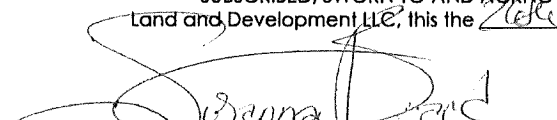
SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Mike Brantingham
member of Omni Land and Development LLC, this the 26th day of January, 2025.


NOTARY PUBLIC

My Commission Expires: 3-7-26
Notary ID: KNP46636

STATE OF KENTUCKY
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by T J Bryant member of Omni
Land and Development LLC, this the 26th day of January, 2025.


NOTARY PUBLIC

My Commission Expires: 3-7-26
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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

THE OMNI LAND & DEVELOPMENT LLC. PROPERTY

320 PEAR ORCHARD ROAD NW

ELIZABETHTOWN, HARDIN COUNTY, KENTUCKY

EXHIBIT A, ORDINANCE NO. 08-2025

24 February 2025

SOURCE OF TITLE: DEED BOOK 1568, PAGE 920.

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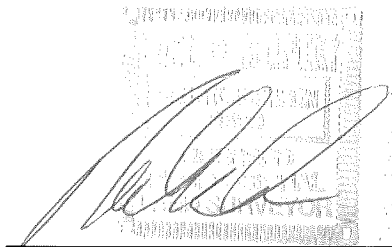
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A handwritten signature in black ink, appearing to read 'DK Johnson', is written over a rectangular area with a fine grid pattern.

Douglas K. Johnson, PLS 3300

03/13/2025

Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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