

EDWARD J. POPPE
DIRECTOR



200 West Dixie Avenue
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CITY OF ELIZABETHTOWN
PLANNING AND DEVELOPMENT

April 16, 2013

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

Re: Annexation (Ord #04-2013)

Dear Kandie:

The City of Elizabethtown recently completed an annexation that added 2.185 acres along our northern boundary. Under the provisions of KRS 81A.470 we are submitting the required ordinance (#04-2013) 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 map of the area signed and stamped by a licensed surveyor which was an exhibit to the ordinance.

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 April 18, 2013

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



COUNCIL
WILLIAM R. BENNETT
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. 04 - 2013 series duly adopted by the City Council of said City at a duly convened meeting held on April 15, 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 16th day of April, 2013.

Mary Chaudoin
CITY CLERK

(Seal of the City)

RECEIVED AND FILED
DATE April 18, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Alderson



ORDINANCE NO. 04-2013

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED AT 2635 RINEYVILLE ROAD**

WHEREAS, the property owned by TDA Properties, Inc. located at 2635 Rineyville 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 2635 Rineyville 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 Residential-2 (R-2).

This action is taken for property owned by 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.

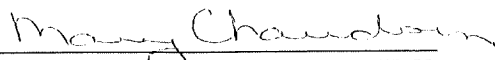
BE IT FURTHER ORDAINED that the Mayor of the City of Elizabethtown and/or his designate be and he is hereby authorized and directed to take all steps necessary to perfect this Ordinance.

READ THE FIRST TIME this 18th day of March, 2013.

READ, ADOPTED AND APPROVED this 15th day of April, 2013.

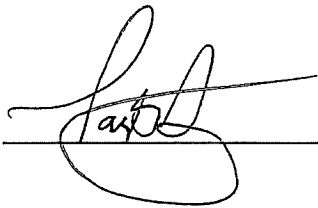

TIM C. WALKER, MAYOR

ATTESTED TO:


MARY CHAUDOIN, CITY CLERK

CONSENT TO ANNEXATION

Comes Patty Dunaway, District Engineer KY Transportation Cabinet Department of Highways District 4 Office, in her official capacity as a representative for the Commonwealth of Kentucky as owner of the right-of-way for KY 361 and gives consent to the annexation by the City of Elizabethtown of the right-of-way, 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 understands and agrees to waive their objection to the annexation, waive any notice required to file an objection and waive any waiting period.



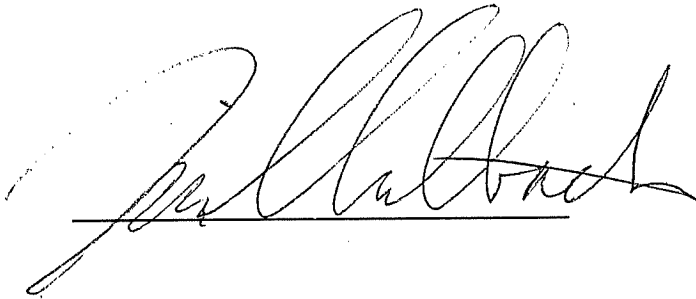
STATE OF KENTUCKY
COUNTY OF HARDIN

The foregoing instrument was acknowledged before me this 6th day of March 2013 by Patty Dunaway, in her official capacity as Chief Dist Engineer for the KY Transportation Cabinet, Department of Highways an agency of the Commonwealth of Kentucky.

Signature of notary Frances Carter Notary Public
Date commission expires 9-15-13
Serial number if any 404828

CONSENT TO ANNEXATION

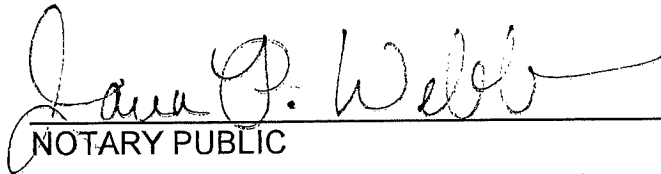
Comes, Tim Aulbach, representative of T D A Properties, Inc, owner of the property located at 2635 Rineyville Road and gives consent to the annexation by the City of Elizabethtown of said property which is approximately 0.43 acres in size. T D A Properties, Inc. further acknowledges and does not object to the residential zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation T D A Properties, Inc. as the current property owner does understand 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 24th day of January, 2013.


NOTARY PUBLIC

My Commission Expires: 02/28/15
Notary ID: _____

Ordinance No. ~~4~~2013
Exhibit A
Property Description
2.185 Acre Tract

A certain tract of land lying and being in Hardin Co., Ky. on the south side of Ky. Hwy. 1600, approx. 1 mile west along said road from its intersection with Ky. Hwy. 3005 (Ring Road) and being more particularly bounded and described as follows:

All references to 1/2" rebar are 1/2" X 18" steel rebar's set or found with ID cap #3383.

Beginning at a 1/2" rebar on the south side of Ky. Hwy. 1600, said rebar being a corner to the 92 acre tract of TDA Properties, Inc. (D.B.1275, Pg.779) and in the line of the existing city limits of the city of Elizabethtown.

Thence with the lines of that tract as follows: S 18°19'49" W a distance of 167.04' to a 1/2" rebar;

Thence N 79°34'57" W a distance of 356.78' to a 1/2" rebar;

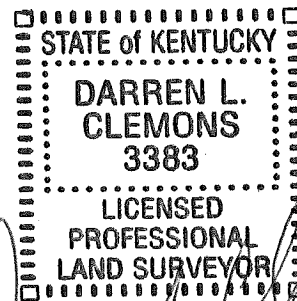
Thence N 38°03'49" E a distance of 67.00' to a 1/2" rebar;

Thence N 29°00'23" E a distance of 99.46' to a 1/2" rebar on the south side of Ky. Hwy. 1600;

Thence with the south side of said road and the existing city limits; S 81°43'15" E a distance of 317.20' to the point of beginning.

CONTAINING: 2.185 ACRES more or less according to a survey made by Clemons & Associates Land Surveying on the 5th day of March, 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.

SOURCE OF TITLE: D.B. 1341, Pg.317 & D.B.1342, Pg.210.



A handwritten signature in cursive script, appearing to read "Darren L. Clemons", written over the bottom portion of the seal.



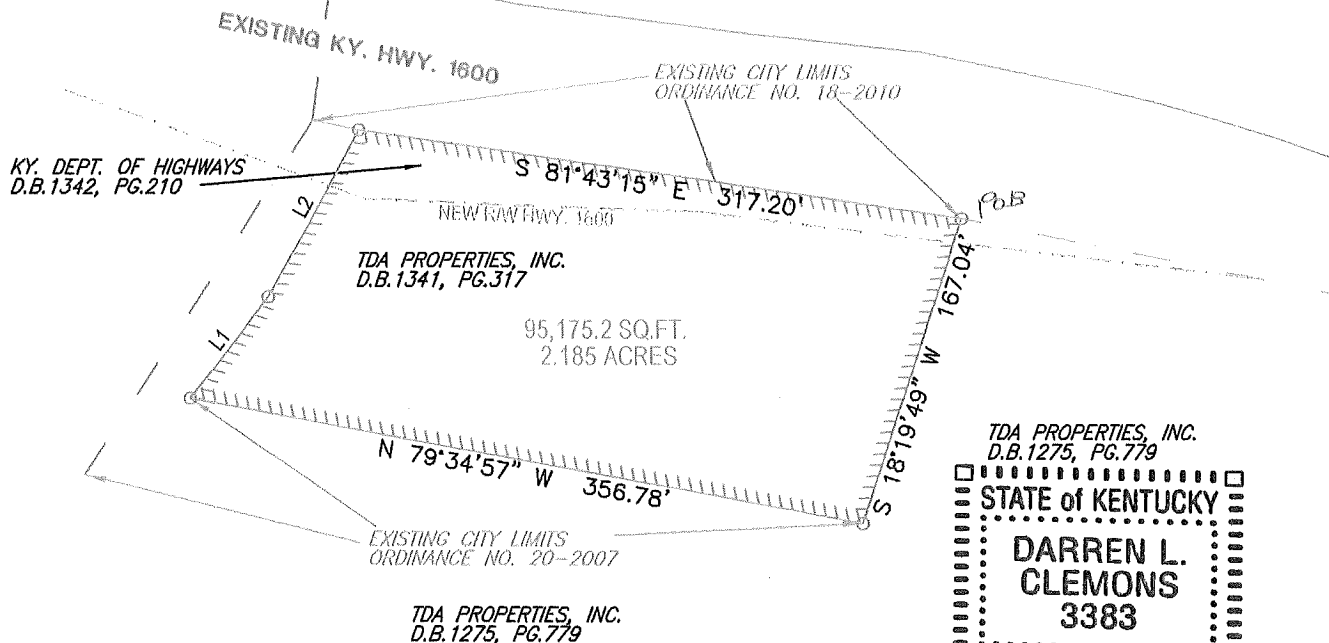
BEARING NOTE: The basis of bearings is NAD 83, KY State Plane Coordinates (South Zone) & the City of Elizabethtown Geodetic Control System.

LEGEND

○ ..1/2" REBAR SET OR FOUND WITH ID CAP #3383

----- ...BOUNDARY OF NEW ANNEXATION

----- ...EXISTING CORPORATE BOUNDARY



LINE	BEARING	DISTANCE
L1	N 38°03'49" E	67.00'
L2	N 29°00'23" E	99.46'

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.

3-14-13

DATE

Darren L. Clemons

DARREN L. CLEMONS P.L.S.#3383

PROPOSED ZONING: R-2

TOTAL AREA PROPOSED FOR ANNEXATION: 95,175.2 SF - 2.185 AC

KY. DEPT. OF HIGHWAYS PROPERTY
DEED BOOK 1342 PAGE 210
PVA# 184-00-00-011

TDA PROPERTIES, INC.
DEED BOOK 1341 PAGE 317
PVA# 184-00-00-011

DATE - MARCH 5TH, 2013

EXHIBIT B

ANNEXATION DRAWING

CITY OF ELIZABETHTOWN
ORDINANCE NO. 04-2013
MARCH 2013

CLEMONS & ASSOCIATES
LAND SURVEYING, INC.
522 NORTH MULBERRY STREET
ELIZABETHTOWN, KY. 42701

PH:270-766-1112 darren3383@comcast.net

GRAPHIC SCALE

