

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

April 16, 2013

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

Re: Annexation (Ord #05-2013)

Dear Kandie:

The City of Elizabethtown recently completed an annexation that added 0.655 acres along our northern boundary. Under the provisions of KRS 81A.470 we are submitting the required ordinance (#05-2013) 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



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

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. 05 - 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 Godwin



ORDINANCE NO. 05-2013

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED AT 71 FONTAINE DRIVE**

WHEREAS, the property owned by Kelvin & Deborah Turner located at 71 Fontaine Drive 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

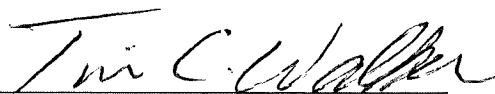
NOW, THEREFORE, BE IT ORDAINED by the City of Elizabethtown, Kentucky, that from and after the passage, approval, and publication of this Ordinance, that the property located at 71 Fontaine Drive and being more particularly described in attached Exhibit A (legal description) and Exhibit B (map) is annexed into the City of Elizabethtown. Said property shall be zoned as Residential-2 (R-2).

This action is taken for property owned by Kelvin & Deborah Turner 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

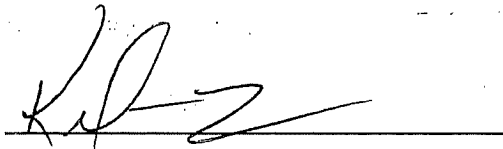
ATTESTED TO:


MARY CHAUDOIN, CITY CLERK

CONSENT TO ANNEXATION

Comes Kelvin Turner, owner of property located at 71 Fontaine Drive, and gives his consent to the annexation by the City of Elizabethtown of said property, and he 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 Kelvin Turner as the property owner understands and agrees to waive his objection to the annexation, to waive any notice required to file an objection and to waive any waiting period involved in the annexation process.

Kelvin Turner as property owner does further acknowledge that there are costs associated with the annexation process such as surveying of the property and preparation of legal descriptions and maps as required by KRS and that those direct costs will be paid by the property owners when requested. Kelvin Turner as property owner further acknowledges that there will be future costs associated with connection to the public sanitary sewer furnished by the City of Elizabethtown for said property after the property is annexed and that those costs shall be paid to the City of Elizabethtown when requested.

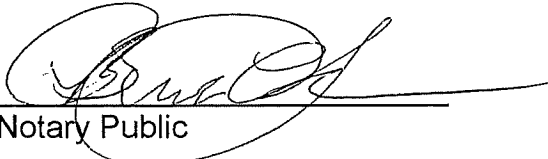


STATE OF OHIO

COUNTY OF Montgomery

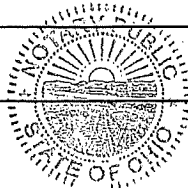
Sworn to, subscribed and acknowledged before me this 20th day of February 2013 by Kelvin Turner, as owner of the property at 71 Fontaine Drive.

Signature of notary


Notary Public

Date commission expires _____

Serial number if any _____



BRENDA C. JAMES
Notary Public, State of Ohio
My Commission Expires April 6, 2013

CONSENT TO ANNEXATION

Comes Deborah Turner, owner of property located at 71 Fontaine Drive, and gives her consent to the annexation by the City of Elizabethtown of said property, and she 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 Deborah Turner as the property owner understands and agrees to waive her objection to the annexation, to waive any notice required to file an objection and to waive any waiting period involved in the annexation process.

Deborah Turner as property owner does further acknowledge that there are costs associated with the annexation process such as surveying of the property and preparation of legal descriptions and maps as required by KRS and that those direct costs will be paid by the property owners when requested. Deborah Turner as property owner further acknowledges that there will be future costs associated with connection to the public sanitary sewer furnished by the City of Elizabethtown for said property after the property is annexed and that those costs shall be paid to the City of Elizabethtown when requested.



STATE OF KENTUCKY
COUNTY OF HARDIN

Sworn to, subscribed and acknowledged before me this 22ND day of JANUARY
2013 by Deborah Turner as owner of the property at 71 Fontaine Drive.

Signature of notary Bethany Fisher
Notary Public

Date commission expires MARCH 5, 2016

Serial number if any 461730

Ordinance No. 5-2013
Exhibit A
Property Description
0.655 Acre Tract

A certain tract of land lying and being in Hardin Co., Ky. on the north side of Burr Oak Court and the west side of Fontaine Drive and being more particularly bounded and described as follows:

Beginning at a 1/2" rebar on the north side of Burr Oak Court, said rebar being the original southwest corner of lot 10 of Fontaine Estates lot 10 (P.C.1, Sheet 700) and in the line of the existing city limits of the city of Elizabethtown.

Thence with the lines of the existing city limits as follows: N 44°42'27" E a distance of 192.11' to a 1/2" rebar;

Thence S 51°18'34" E a distance of 25.13' to a city boundary point;

Thence S 27°12'15" E a distance of 70.49' to a city boundary point;

Thence S 12°29'38" W a distance of 108.90' to a city boundary point;

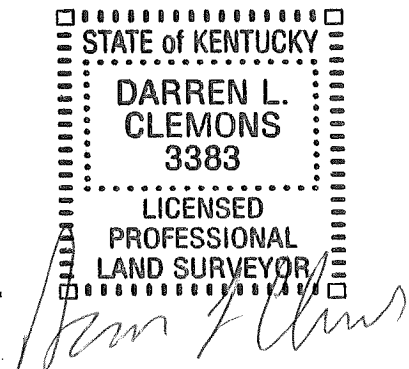
Thence S 45°15'10" E a distance of 50.00' to a city boundary point;

Thence S 44°44'50" W a distance of 80.69' to a city boundary point;

Thence N 45°17'33" W a distance of 199.99' to the point of beginning.

CONTAINING: 0.655 ACRES (28,543.3 SF) 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.961, Pg.228.





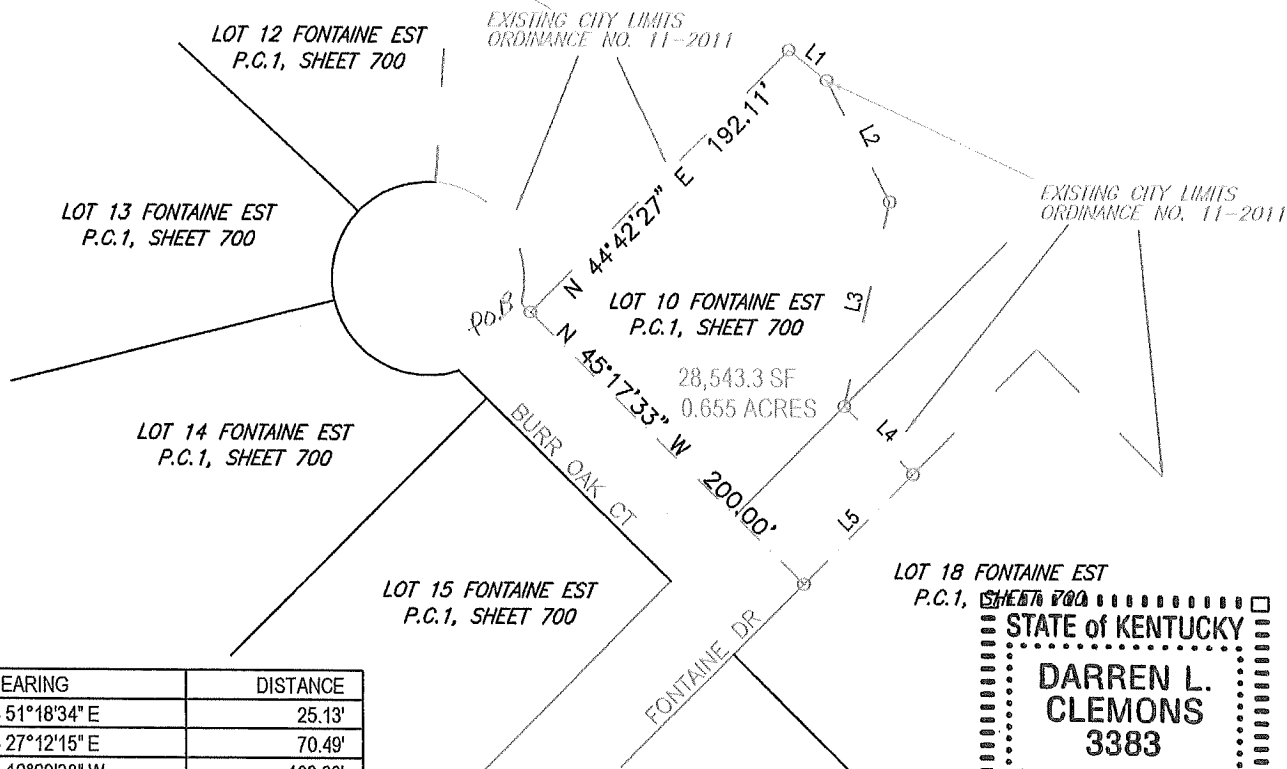
BEARING NOTE: The basis of bearings is NAD 83, KY State Plane Coordinates (South Zone) & the City of Elizabethtown Geodetic Control System.

LEGEND

○ ...CITY BOUNDARY POINT

— ...BOUNDARY OF NEW ANNEXATION

— ...EXISTING CORPORATE BOUNDARY



LINE	BEARING	DISTANCE
L1	S 51°18'34" E	25.13'
L2	S 27°12'15" E	70.49'
L3	S 12°29'38" W	108.90'
L4	S 45°15'10" E	50.00'
L5	S 44°44'50" W	80.69'

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

STATE OF KENTUCKY
DARREN L. CLEMONS
3383
LICENSED
PROFESSIONAL
LAND SURVEYOR

PROPOSED ZONING: R-2

TOTAL AREA PROPOSED FOR ANNEXATION: 28,543.3 SF - 0.655 AC

KELVIN & DEBORAH TURNER
DEED BOOK 961 PAGE 228
PVA# 184-00-02-010

EXHIBIT B

ANNEXATION DRAWING

CITY OF ELIZABETHTOWN
ORDINANCE NO. 05-2013
MARCH 2013

DATE - MARCH 5TH, 2013



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