

COUNCIL  
WILLIAM R. BENNETT  
TONY BISHOP  
MARTY E. FULKERSON  
KENNY LEWIS  
TERRY SHIPP  
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  
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. 24 - 2014 series duly adopted by the City Council of said City at a duly convened meeting held on December 1, 2014 and thereafter signed by the Mayor as evidence of her 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 3<sup>rd</sup> day of December, 2014.

Mary Chaudoin  
CITY CLERK

(Seal of the City)

RECEIVED AND FILED  
DATE December 10, 2014

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



ORDINANCE NO. 24-2014

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Hande Adilman

AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY  
ANNEXING PROPERTY LOCATED AT RING ROAD AND  
WESTERN KENTUCKY PARKWAY

WHEREAS, the property owned by the Hardin County Extension District Board, Pence Leasing, LLC, Kentucky Transportation Cabinet, Citizens Union Bank and City of Elizabethtown located at Ring Road and Western Kentucky Parkway 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.

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 Ring Road and Western Kentucky Parkway 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-3 (R-3), Commercial-4 (C-4) and Industrial-1 (I-1) pursuant to recommendation of the City of Elizabethtown Planning Commission. The findings of fact of the Commission in support of this recommendation are adopted as if set out verbatim.

This action is taken for property owned by the Hardin County Extension District Board, Pence Leasing, LLC, Kentucky Transportation Cabinet, Citizens Union Bank and City of Elizabethtown and pursuant to their request and their consent (Exhibit C).

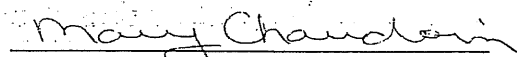
BE IT FURTHER ORDAINED that the Mayor of the City of Elizabethtown and/or her designate be and she is hereby authorized and directed to take all steps necessary to perfect this Ordinance.

READ THE FIRST TIME this 17<sup>th</sup> day of November, 2014.

READ, ADOPTED AND APPROVED this 1<sup>st</sup> day of December, 2014.

  
EDNA B. BERGER, MAYOR

ATTESTED TO:

  
MARY CHAUDOIN, CITY CLERK

ORDINANCE NO. 24-2014  
EXHIBIT A - LEGAL DESCRIPTION  
PAGE 1 OF 7

**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  
RING ROAD (KY 3005); WESTERN KENTUCKY PARKWAY; PENCE  
LEASING, LLC.; JOSEPH GRAY JAMES LIVING TRUST AND JEAN  
LAWSON JAMES LIVING TRUST; AND R&L RENTALS, LLC.  
HARDIN COUNTY, KENTUCKY**

22 October 2014

**SOURCE OF TITLE:** Deed Book 214, Page 556 (City of Elizabethtown); Deed Book 221, Page 20 (City of Elizabethtown); Deed Book 1303, Page 641 (Pence Leasing, LLC.); Deed Book 1365, Page 525 (Citizens Union Bank of Shelbyville, Inc.); Deed Book 1393, Page 795 (Hardin County Cooperative Extension Service District) and Deed Book 1393, Page 939 (Hardin County Cooperative Extension Service District).

Subject property being the right-of-way of Ring Road (KY 3005) and the Western Kentucky Parkway and the properties of the Hardin County Cooperative Extension Service District, Pence Leasing, LLC., Citizens Union Bank of Shelbyville, Inc. and the City of Elizabethtown in Hardin County Kentucky, and being more particularly bounded and described as follows:

Beginning at a point on the northerly right-of-way of Leitchfield Road (U.S. 62), a corner common to Lots 2 and 3 of Hillcrest Plaza (Plat Cabinet 1, Sheet 4348) and being in the corporate limits of the City of Elizabethtown (Annexation Ordinance adopted and approved 21 February 1977);

Thence with the northerly right-of-way of Leitchfield Road (U.S. 62), N63°17'45"E 241.41 feet to a found 1/2" diameter rebar with cap stamped "Billings PLS 3472" at the intersection of Leitchfield Road and Ring Road (KY 3005), said pin being S39°50'57"W 39.21 feet from the City of Elizabethtown Monument E-0026A;

Thence crossing Ring Road (KY 3005) and continuing with the corporate limits of the City of Elizabethtown, N64°47'49"E 190.45 feet to a point on the northerly right-of-way of Leitchfield Road (U.S. 62), a corner to Lot 27B, Hughes Commerce Center, Section 7 (Plat Cabinet 1, Sheet 2509);

Thence with said right-of-way and Lot 27B and continuing with the corporate limits of the City of Elizabethtown, N63°16'33"E 182.71 feet to a point in said right-of-way and in the line of Lot 27B and said corporate limits, said point being S63°16'33"W 232.29 feet from a found 1/2" rebar with cap stamped "Smith PLS 2465";

Thence crossing Leitchfield Road (U.S. 62) and leaving the corporate limits of the City of Elizabethtown, S26°43'27"E 176.17 feet to a 2.5" diameter aluminum disk stamped "KYTC R/W" on the southerly right-of-way of Leitchfield Road (U.S. 62) and in the line of Frances Richardson (Deed Book 218, Page 224);

Thence with said right-of-way and the line of Richardson, S59°48'29"W 125.73 feet to a point in the northeasterly right-of-way of Ring Road (KY 3005);

ORDINANCE NO. 24-2014  
EXHIBIT A - LEGAL DESCRIPTION  
PAGE 2 OF 7

Thence with said right-of-way and continuing with Richardson the following five (5) calls:

S35°35'01"E 216.12 feet to a point;

S33°25'04"E 20.20 feet to a point;

S33°25'00"E 637.26 feet to a point;

S46°09'21"E 71.85 feet to a point;

S48°45'20"E 393.88 feet to a point;

Continuing with said right-of-way and the line of Richardson and then the line of Hardin County Buildings Commission (Deed Book 229, Page 480); S57°23'51"E 1108.38 feet to a point at the intersection of said right-of-way and Bacon Creek Road (KY 1904);

Thence crossing Bacon Creek Road (KY 1904), S61°36'01"E 235.21 feet to a found ½" rebar with 1.5" diameter aluminum cap stamped "Gooch 3118" at the intersection of said right-of-way and the northerly right-of-way of Ring Road (KY 3005);

Thence with the right-of-way of Ring Road (KY 3005) and with the line of Kentucky Utilities Company, S59°09'49"E 705.87 feet to a found ½" rebar with 1.5" diameter aluminum cap stamped "Gooch 3118", a corner to Joseph L. and Rebecca Lea Thomas (Deed Book 793, Page 426);

Continuing with said right-of-way and the line of Thomas the following three (3) calls:

S59°09'49"E 614.13 feet to a point;

S32°35'55"E 111.80 feet to a point;

N87°43'30"E 137.30 feet to a point;

Continuing with said right-of-way and the line of Thomas and then the line of Frank R. and Mary E. Strickler (Deed Book 983, Page 437), S59°09'49"E 1147.16 feet to a point at the intersection of said right-of-way and the westerly right-of-way of Gaither Station Road;

Thence crossing Gaither Station Road and the right-of-way of CSX Railroad, S60°47'53"E 105.10 feet to a 2.5" diameter aluminum disk stamped "KYTC R/W" at the intersection of the easterly right-of-way of CSX Railroad and in the northerly right-of-way of Ring Road (KY 3005); a corner to Patricia A. Ragland (Deed Book 703, Page 384);

Thence with the right-of-way of Ring Road (KY 3005) and the line of Ragland the following four (4) calls:

S54°03'45"E 369.49 feet to a point;

S41°44'21"E 231.50 feet to a point;

S28°43'02"E 346.65 feet to a point;

S09°43'29"E 225.98 feet to a point at the intersection of said right-of-way and the northerly right-of-way of Arnold Lane;

Thence crossing Arnold Lane, S11°44'40"E 201.40 feet to a point at the intersection of said right-of-way and the easterly right-of-way of Ring Road (KY 3005) and a corner to Gillan T. Niceley, Jr. (Deed Book 516, Page 51);

Thence with the easterly right-of-way of Ring Road (KY 3005) and with the lines of Niceley the following three (3) calls:

S11°41'28"E 400.00 feet to a point;

S11°42'56"E 386.28 feet to a point;

S22°52'26"E 73.87 feet to a point in said right-of-way and a corner to the Hardin County Cooperative Extension Service District (Deed Book 1393, Page 795);

Thence leaving said right-of-way with the line of the Hardin County Cooperative Extension Service District, N27°12'13"E 669.45 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383" in the southerly right-of-way of Arnold Lane;

Thence crossing Arnold Lane the following two (2) calls:

N30°08'34"E 26.21 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383";

ORDINANCE NO. 24-2014  
EXHIBIT A - LEGAL DESCRIPTION  
PAGE 3 OF 7

N31°41'42"E 8.69 feet to a point on the northerly right-of-way of Arnold Lane and a corner to Pence Leasing, LLC. (Deed Book 1303, Page 641);

Thence with the line of Pence Leasing, LLC. the following two (2) calls:

N31°41'42"E 2406.46 feet to a found ½" rebar (no ID cap)

N68°30'15"W 1665.80 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383" on the easterly right-of-way of CSX Railroad;

Thence with said right-of-way along the cord of a curve to the right having a radius of 86516.79 feet, an arc length of 823.13 feet and a delta angle of 00°32'42", N34°57'55"E 823.13 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383" in said right-of-way and a corner common Pence Leasing, LLC. (Deed Book 1303, Page 641) and Phillip G. and Laurel B. Padgett (Deed Book 888, Page 494);

Thence leaving said right-of-way with the line of Pence Leasing, LLC. the following four (4) calls:

S68°29'24"E 2189.49 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383";

S68°57'19"E 451.79 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383";

S34°38'05"W 821.32 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383";

S68°45'34"E 587.54 feet to a found ½" diameter rebar with cap stamped "Clemons PLS 3383" in the westerly right-of-way of the Western Kentucky Parkway;

Thence with the westerly right-of-way of the Western Kentucky Parkway and the line of Clifford Newton (Deed Book 1159, Page 662) the following three calls:

N29°59'45"E 5.32 feet to a point;

N30°06'01"E 256.29 feet to a point;

N36°43'37"E 704.44 feet to a found ½" diameter rebar (no ID cap) in said right-of-way and a corner to Citizens Union Bank of Shelbyville, Inc. (Deed Book 1365, Page 525 a.k.a. Future Development Subdivision of Winding Springs Property, Tract G, Plat Cabinet 1, Sheet 4859);

Thence leaving said right-of-way with the line of Citizens Union Bank of Shelbyville, Inc., N14°47'07"E 2082.09 feet to a wood post, a corner to Citizens Union Bank of Shelbyville, Inc. (Deed Book 1365, Page 525 a.k.a. Future Development Subdivision of Winding Springs Property, Tract H, Plat Cabinet 1, Sheet 4859);

Continuing with the lines of Citizens Union Bank of Shelbyville, Inc. the following five (5) calls:

N89°00'13"W 887.34 feet to a point;

S63°57'36"W 475.64 feet to a point;

N83°05'42"W 182.53 feet to a point;

N61°46'12"W 167.04 feet to a found 5/8" diameter rebar with cap stamped "Fowler PLS 2095";

N35°11'48"E 221.72 feet to a point in the center of Valley Creek and in the line of the City of Elizabethtown (Deed Book 214, Page 556);

Thence with the line of the City of Elizabethtown and the center of Valley Creek the following four (4) calls:

N78°17'55"W 58.88 feet to a point;

N64°17'55"W 160.00 feet to a point;

N46°36'55"W 145.30 feet to a point;

N24°38'55"W 670.50 feet to a point in the center of Valley Creek and in the southeasterly right-of-way of CSX Railroad (34 feet from center);

ORDINANCE NO. 24-2014  
EXHIBIT A – LEGAL DESCRIPTION  
PAGE 4 OF 7

Thence into said right-of-way with the center of Valley Creek, N32°17'02"W 27.99 feet to a point in the southern edge of the railroad bridge spanning Valley Creek, a point in the corporate limits of the City of Elizabethtown (Annexation Ordinance adopted and approved 2 August 1971 (Area 2A));

Thence leaving said railroad bridge with the corporate limits of the City of Elizabethtown and severing the tracts of the aforesaid CSX Railroad, the City of Elizabethtown (Deed Book 214, Page 556 and Deed Book 221, Page 20) and Citizens Union Bank of Shelbyville, Inc., S72°06'31"E 3170.91 feet to a point in the northwesterly right-of-way of the Western Kentucky Parkway and in the corporate limits of the City of Elizabethtown, said point being N14°04'08"E 128.20 feet from the City of Elizabethtown Monument ET-1201, and being S47°16'28"W 710.43 feet from the City of Elizabethtown Monument ET-1202;

Thence crossing the Western Kentucky Parkway with the corporate limits of the City of Elizabethtown, S72°06'31"E 275.84 feet to a point in the southeasterly right-of-way of the Western Kentucky Parkway and in the line of R. Kent and Nga Collard (Deed Book 764, Page 496);

Thence with said right-of-way and the line of Collard and then the line of the Mary Ann Duff Irrevocable Trust, Sue Russell, Thomas Duff and Michael Duff co-trustees (Deed Book 1296, Page 58), S44°33'19"W 860.03 feet to a point;

Continuing with said right-of-way and the line of the Mary Ann Duff Irrevocable Trust the following three (3) calls:

S32°09'02"W 596.53 feet to a point;

S34°15'46"W 472.37 feet with the cord of curve to the left with a radius of 11331.06 feet, an arc length of 472.40 feet and a delta angle of 02°23'19" to a point;

S33°04'06"W 641.18 feet to a point;

Continuing with said right-of-way and the line of the Mary Ann Duff Irrevocable Trust and then the line of Overall Land Limited Partnership (Deed Book 1179, Page 176), S31°24'39"W 622.26 feet to a point;

Continuing with said right-of-way and the line of Overall Land Limited Partnership the following seven (7) calls:

S32°01'02"W 109.02 feet to a point;

S37°23'04"W 106.30 feet to a point;

S38°22'59"W 345.49 feet to a point;

S33°04'06"W 984.00 feet to a point;

S32°19'14"W 766.07 feet to a point;

S33°04'05"W 192.66 feet to a point;

S80°02'08"E 28.92 feet to a point in said right-of-way and a corner to Jeff Lewis Etal. (Deed Book 916, Page 300);

Continuing with the right-of-way of the Western Kentucky Parkway and the line of Lewis the following six (6) calls:

S32°29'28"W 79.81 feet to a point;

S30°12'52"W 485.56 feet to a point;

S22°40'30"W 289.07 feet to a point;

S14°35'05"W 200.25 feet to a point;

S17°26'49"W 200.00 feet to a point;

S10°58'00"W 286.74 feet to a point at the intersection of said right-of-way and Ring Road (KY 3005);

Thence with the northerly right-of-way of Ring Road (KY 3005) and continuing with Lewis, S52°33'11"E 550.00 feet to a point;

ORDINANCE NO. 24-2014  
EXHIBIT A - LEGAL DESCRIPTION  
PAGE 5 OF 7

Thence crossing said right-of-way, S37°26'49" W 300.00 feet to a point on the southerly right-of-way of Ring Road (KY 3005) and in the line of Jeff Lewis et al. (Deed Book 916, Page 300);

Thence with said right-of-way and the line of Lewis, N52°33'11" W 450.00 feet to a point at the intersection of said right-of-way and the easterly right-of-way of the Western Kentucky Parkway;

Thence with the easterly right-of-way of the Western Kentucky Parkway and the line of Lewis the following six (6) calls:

N88°19'07" W 151.08 feet to a point;

S71°12'09" W 203.96 feet to a point;

S65°36'12" W 201.00 feet to a point;

S59°53'34" W 600.00 feet to a point;

S61°48'07" W 300.17 feet to a point;

S61°13'42" W 400.11 feet to a point;

Thence crossing the Western Kentucky Parkway, N17°34'46" E 344.42 feet to a point in the westerly right-of-way of the Western Kentucky Parkway and in the line of Thomas Franklin Janes (Deed Book 1303, Page 217);

Thence with said right-of-way and the line of Janes the following six (6) calls:

N49°03'03" E 197.16 feet to a point;

N46°47'39" E 183.69 feet to a point;

N33°53'33" E 230.39 feet to a point;

N27°26'52" E 450.00 feet to a point;

N24°35'08" E 200.25 feet to a point;

N06°42'19" W 101.17 feet to at the intersection of said right-of-way and the southerly right-of-way of Ring Road (KY 3005);

Thence with the southerly right-of-way of Ring Road (KY 3005) and continuing with Janes the following two calls:

N52°31'35" W 501.52 feet to a point;

N46°23'41" W 374.43 feet to a point in the easterly right-of-way of an access road;

Thence crossing said access road, N31°28'59" W 181.87 feet to a point at the intersection of said right-of-way and the southerly right-of-way of Ring Road (KY 3005), a corner to Gillan T. Niceley, Jr. (Deed Book 516, Page 51);

Thence with said right-of-way and the line of Niceley the following five (5) calls:

N24°39'21" W 233.79 feet to a point;

N12°52'26" W 314.86 feet to a point;

N11°41'28" W 642.00 feet to a point;

N16°43'14" W 356.00 feet to a point;

N54°42'06" W 613.30 feet to a 2.5" diameter aluminum disk stamped "KYTC R/W" on the easterly right-of-way of the CSX Railroad;

Thence with said right-of-way and continuing with Niceley, S34°52'08" W 679.94 feet to a point;

Thence crossing said right-of-way and the right-of-way of Gaither Station Road, N57°07'07" W 105.08 feet to a point on the westerly right-of-way of Gaither Station Road and in the line of Gillan T. Niceley, Jr. (Deed Book 516, Page 51);

Thence with the right-of-way of Gaither Station Road and with the line of Niceley the following four (4) calls:

N34°36'53" E 300.00 feet to a point;

N46°04'52" W 271.34 feet to a point;

N07°58'44" W 208.27 feet to a point;

ORDINANCE NO. 24-2014  
EXHIBIT A – LEGAL DESCRIPTION  
PAGE 6 OF 7

N27°40'13"E 193.79 feet to at the intersection of said right-of-way and the southerly right-of-way of Ring Road (KY 3005);

Thence with the southerly right-of-way of Ring Road (KY 3005) and continuing with Niceley, N54°42'06"W 379.78 feet to a point in said right-of-way and a corner to Joseph L. and Rebecca Lea Thomas (Deed Book 793, Page 426);

Continuing with said right-of-way and the line of Thomas the following two (2) calls:

N57°50'01"W 222.43 feet to a point;

N59°09'49"W 521.00 feet to a point;

Continuing with said right-of-way and the line of Thomas and then the line of Patricia and Richard McGehee (Deed Book 1355, Page 1411), N57°58'03"W 479.10 feet to a point;

Continuing with said right-of-way and the line of McGehee, N56°37'48"W 565.55 feet to a point at the intersection of said right-of-way and the easterly right-of-way of Bacon Creek Road (KY 1904), said point being N27°28'50"E 229.39 feet from a 2.5" diameter aluminum disk stamped "KYTC R/W";

Thence crossing Bacon Creek Road (KY 1904), N60°57'10"W 220.12 feet to a point at the intersection of said right-of-way and the southerly right-of-way of Ring Road (KY 3005) and a corner to Charles and Imogene Bush (Deed Book 222, Page 34);

Thence with the southerly right-of-way of Ring Road (KY 3005) and with the line of Bush the following three calls:

N64°15'57"W 316.25 feet to a point;

N53°27'11"W 301.49 feet to a point;

N61°59'20"W 401.54 feet to a point;

Continuing with said right-of-way and the line of Bush and then the line of CMW Family Realty Management, LLC. (Deed Book 1291, Page 360), N54°40'20"W 399.75 feet to a point;

Continuing with said right-of-way and the line of CMW Family Realty Management, LLC. the following three (3) calls:

N56°45'00"W 455.38 feet to a point;

N21°42'16"W 418.22 feet to a point;

N25°57'40"W 424.40 feet to a point at the intersection of said road and the southerly right-of-way of Leitchfield Road (U.S. 62);

Thence with the southerly right-of-way of Leitchfield Road (U.S. 62) and continuing with the line of CMW Family Realty Management, LLC., S66°36'49"W 206.81 feet to a point;

Thence crossing Leitchfield Road (U.S. 62), N28°01'46"W 198.27 feet to the point of beginning.

Subject description containing 356.823 acres per the deed and plat descriptions listed.

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 RTK GPS to determine state plane coordinates and used to fit individual tracts together. The described annexation lines are based on the following descriptions: Deed Book 214, Page 556; Deed Book 221, Page 20; Deed Book 1207, Page 348; Deed Book 1303, Page 221; Deed Book 1303, Page 641; Deed Book 1365, Page 525; Deed Book 1393, Page 795; Deed Book 1393, Page 939; Record Plat of Future Development Subdivision of Winding Springs Property recorded in Plat Cabinet 1, Sheet 4859, all of record in the Hardin County Clerk's Office and the right-of-way plans of Ring Road (KY 3005) were used, Item # 4-7010.00 with an as-built date of 26 January 2012 and Item # 4-7010.50 with an approval date of 27 July 2011 and plans of the Western Kentucky Parkway dated 1962. All bearings have been rotated to grid north (NAD 1983, KY south zone 1602) and all distances are ground (scale factor ground to grid = 0.99993284, average scale factor per Ring Road Plans).



ORDINANCE NO. 24-2014  
EXHIBIT A - LEGAL DESCRIPTION  
PAGE 7 OF 7



Douglas K. Johnson, PLS 3300

Date

8/23/2014

ORDINANCE NO. 24-2014

EXHIBIT B - MAP

FRO, 2014

Maps are file with the original Ordinance.

GENERAL NOTE

The map is intended to show the location of the property described in the ordinance. The map is not intended to show the boundaries of the property. The map is not intended to show the location of the property. The map is not intended to show the location of the property.

The map is intended to show the location of the property described in the ordinance. The map is not intended to show the boundaries of the property. The map is not intended to show the location of the property. The map is not intended to show the location of the property.

2014-04-24

City of...  
...

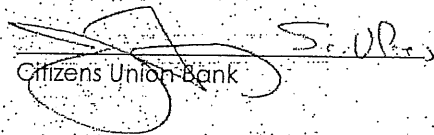
2014-04-24

ORDINANCE NO. 24-2014  
EXHIBIT C - CONSENTS  
PAGE 1 OF 7

CONSENT TO ANNEXATION

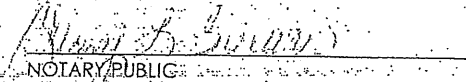
Comes, Citizens Union Bank, owner of property along Nicholas Street, more specifically known as Windings Springs subdivision, Tract G and Tract H, as recorded in the office of the Hardin County Clerk in Plat Cabinet 1, Sheet 4859 and known as PVA # 203-00-00-016.07 and # 203-00-00-016.08, and gives consent to the annexation by the City of Elizabethtown of approximately 35.5 acres of their property at 938 Nicholas Street and 948 Nicholas Street.

Citizens Union Bank 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, Citizens Union Bank as the current property owner does understand and agrees to waive their objection to the annexation, agrees to waive any notice of the annexation to allow them to file an objection and agrees to waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.

  
Citizens Union Bank

STATE OF KENTUCKY  
COUNTY OF Hardin

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by  
James D. Cox in their capacity as Sec. U. Pres. as a  
representative of Citizens Union Bank, this the 16 day of April, 2014.

  
NOTARY PUBLIC

My Commission Expires: July 31, 2015  
Notary ID: 443166

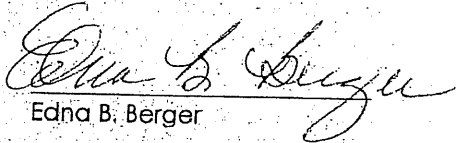
April 10, 2014

ORDINANCE NO. 24-2014  
EXHIBIT C - CONSENTS  
PAGE 2 OF 7

**CONSENT TO ANNEXATION**

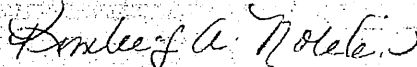
Comes, Edna B. Berger, in her capacity as Mayor for the City of Elizabethtown, and gives consent to the annexation by the City of Elizabethtown of property owned by the City at 1600 Nicholas Street, said property more specifically known as PVA # 203-00-00-013 and further acknowledges and does not object to the commercial zoning district classification that will be effective upon the property through the annexation process.

By consenting to the annexation the City of Elizabethtown as the owner of said property understands and agrees to waive their objection to the annexation, to waive any notice of the annexation required to allow it to file an objection and agrees to waive any waiting period involved in the annexation process as may be noted in KRS 81A.

  
Edna B. Berger

STATE OF KENTUCKY  
COUNTY OF HARDIN

The foregoing Consent to Annexation form was acknowledged before me this \_\_\_\_ day of April 2014 by Edna B. Berger, in her official capacity as Mayor of the City of Elizabethtown.

NOTARY PUBLIC 

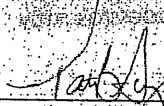
My Commission Expires: February 9, 2018  
Notary ID: 503147

April 10, 2014

ORDINANCE NO. 24-2014  
EXHIBIT C - CONSENTS  
PAGE 3 OF 7


**CONSENT TO ANNEXATION**

Comes Patty Dunaway, Chief 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 property (right-of-way of KY 3005, known as Ring Road and KY 9001, known as the Western Kentucky Parkway) and gives consent to the annexation by the City of Elizabethtown of said street right-of-ways, and further acknowledges and does not object to the zoning district classification that will be effective upon said 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, agrees to waive any notice required to file an objection and agrees to waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.

  
Patty Dunaway, KTC  
Chief District Engineer  
Commonwealth of Kentucky

STATE OF KENTUCKY  
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by Patty Dunaway, representative of the Commonwealth of Kentucky, KY Transportation Cabinet this the 14th day of April, 2014.

  
NOTARY PUBLIC # 484023

My Commission Expires: February 25, 2017

April 14, 2014

ORDINANCE NO. 24-2014

EXHIBIT C – CONSENTS

PAGE 4 OF 7

**CONSENT TO ANNEXATION**

Comes, Pence Leasing LLC, owner of property along the Western Kentucky Parkway (KY 9001) and Gaither Station Road, more specifically known as 535 Arnold Lane and PVA # 204-00-00-007, and gives consent to the annexation by the City of Elizabethtown of approximately 133 acres of their property along Gaither Station Road & Arnold Lane.

Pence Leasing LLC acknowledges and does not object to the future development holding zoning district classification that will be effective upon the property through the annexation process. By consenting to the annexation, Pence Leasing LLC as the current property owner does understand and agrees to waive their objection to the annexation, agrees to waive any notice of the annexation to allow them to file an objection and agrees to waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.

Pence Leasing LLC further acknowledges that there will be cost allocations for public utilities (natural gas, sanitary sewer and water) established by the City of Elizabethtown for said property that shall be paid to the City of Elizabethtown and does further waive any objection to the ordinance specifying the allocation for said property that will be adopted by the City of Elizabethtown subsequent to the completion of the annexation. Pence Leasing LLC agrees to pay the City of Elizabethtown the full allocation amount for the extension of natural gas, sanitary sewer and water applicable to their annexed property which is currently estimated to be \$ 190,288 (sanitary sewer \$66,056.88 and water \$124,231.13). Each allocation amount shall be paid to the City by Pence Leasing LLC before the construction of the particular utility extension begins.

Pence Leasing LLC further agrees to share in the cost of 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 in the amount of \$ 2,500.00. This amount shall be paid to the City thirty (30) days after the completion of the annexation of said property by the City upon notice to Pence Leasing LLC by the City.

ORDINANCE NO. 24-2014  
EXHIBIT C - CONSENTS  
PAGE 5 OF 7

Consent to Annexation  
Pence Leasing, LLC  
535 Arnold Lane  
Page 2

Howard W. Pence  
Pence Leasing LLC

STATE OF KENTUCKY  
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by  
Howard W. Pence as a representative of Pence Leasing, LLC, this the  
25<sup>th</sup> day of September, 2014.

Opal M. McQueen  
NOTARY PUBLIC

My Commission Expires 10-3-17  
Notary ID: 198272

ORDINANCE NO. 24-2014  
EXHIBIT C – CONSENTS  
PAGE 6 OF 7

**CONSENT TO ANNEXATION**

Comes, Hardin County Extension District Board, owner of property along Ring Road (KY 3005) at its intersection with the Western Kentucky Parkway (KY 9001), more specifically known as PVA # 204-00-00-009 and 204-00-00-009.01 and gives consent to the annexation by the City of Elizabethtown of approximately 30 acres of their property along Ring Road.

Hardin County Extension District Board 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 Hardin County Extension District Board as the current property owner does understand and agrees to waive their objection to the annexation, agrees to waive any notice of the annexation to allow them to file an objection and agrees to waive any waiting period for the finalization of the annexation as may be noted in KRS 81A.

The Hardin County Extension District Board further acknowledges that there will be allocations for public utilities (natural gas, sanitary sewer and water) established by the City of Elizabethtown for said property that shall be paid to the City of Elizabethtown and does further waive any objection to the ordinance specifying the allocation for said property that will be adopted by the City of Elizabethtown subsequent to the completion of the annexation. The Hardin County Extension District Board agrees to pay the City of Elizabethtown the full allocation amount and other additional amounts for the extension of natural gas, sanitary sewer and water applicable to their annexed property before the construction phase of these utility extensions by the City which is estimated to begin within six (6) months after the annexation of said property. The Hardin County Extension District Board acknowledges that the total *currently estimated* cost for these utilities is \$118,000 (Gas: \$18,000; Sewer \$35,000; Water \$65,000) and understands that the final amount will be determined before the utility extension projects are constructed.

The Hardin County Extension District Board further agrees to share in the cost of 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 in the amount of \$2,500.00.



ORDINANCE NO. 24-2014  
EXHIBIT C - CONSENTS  
PAGE 7 OF 7

Steve Warden  
HARDIN COUNTY EXTENSION BOARD

STATE OF KENTUCKY  
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by  
Charles Steven Warden as a representative for the Hardin County Extension  
Board, this the 20 day of March, 2014.

Deborah S. [Signature]  
NOTARY PUBLIC

My Commission Expires: Oct 23, 2017  
Notary ID: 498 575

March 10, 2014

**ORDINANCE NO. 24-2014**

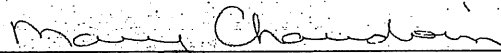
**SUMMARY OF THE ORDINANCE  
ANNEXING PROPERTY LOCATED AT  
RING ROAD AND WESTERN KENTUCKY PARKWAY**

The City of Elizabethtown passed Ordinance No. 24-2014 on the 1<sup>st</sup> day of December, 2014. It was read for the first time on the 17<sup>th</sup> day of November, 2014. The purpose of this ordinance is to annex property owned by Hardin County Extension District Board, Pence Leasing, LLC, Kentucky Transportation Cabinet, Citizens Union Bank and City of Elizabethtown located at Ring Road and Western Kentucky Parkway containing 356.823 acres and is adjacent and contiguous to the City of Elizabethtown's boundaries. This property shall be zoned Residential-3 (R-3), Commercial-4 (C-4) and Industrial-1 (I-1) pursuant to the Elizabethtown Planning Commission's recommendations. All property owners have given their consent to the annexation.

A complete copy of this ordinance can be viewed on the City's website: [www.elizabethtownky.org](http://www.elizabethtownky.org) or by contacting the City Clerk's office at 270-765-6121, ext. 4203.

  
EDNA B. BERGER, MAYOR

ATTESTED TO:

  
MARY CHAUDOIN, CITY CLERK

CERTIFICATION

I, Matthew Hess, hereby certify pursuant to KRS 83A.060 that I am an attorney licensed to practice law in the Commonwealth of Kentucky; that I prepared the foregoing Summary of Ordinance for the City of Elizabethtown, Kentucky; and the foregoing is a true and accurate summary of the contents of said Ordinance. Said Ordinance can be examined in its entirety at the Office of the City Clerk, City of Elizabethtown, 200 West Dixie Avenue, Elizabethtown, KY 42701.

  
MATTHEW HESS

**PROPERTY OWNER  
ANNEXATION-ORDINANCE #24-2014**

<u>PROPERTY OWNER</u>	<u>PROPERTY ADDRESS</u>	<u>PVA NUMBER</u>
Hardin County Extension District Board	South Ring Road Arnold Lane	204-00-00-009 204-00-00-009.01
Pence Leasing LLC	535 Arnold Lane	204-00-00-007
Citizens Union Bank	938 Nicholas Street	203-00-00-016.07
Citizens Union Bank	948 Nicholas Street	203-00-00-016.08
City of Elizabethtown	Gaither Station Road	203-00-00-013

All properties annexed are vacant.

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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