

COUNCIL
TONY BISHOP
MARTY E. FULKERSON
TERRY SHIPP
BOBBY TABB
RONALD B. THOMAS
CINDY D. WALKER



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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. 04-2015 series duly adopted by the City Council of said City at a duly convened meeting held on May 4, 2015 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 5th day of May, 2014.

Mary Chaudoin

CITY CLERK

(Seal of the City)

RECEIVED AND FILED
DATE *May 11, 2015*

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Hardie Oelherum*



ORDINANCE NO. 04-2015

**AN ORDINANCE FOR THE CITY OF ELIZABETHTOWN, KENTUCKY
ANNEXING PROPERTY LOCATED AT 4101 NORTH DIXIE AVENUE**

WHEREAS, the property owned by the Kenton Cole, LLC located at 4101 North Dixie Avenue 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 4101 North Dixie Avenue 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) 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 Kenton Cole, LLC 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 20th day of April, 2015.

READ, ADOPTED AND APPROVED this 4th day of May, 2015.


EDNA B. BERGER, MAYOR

ATTESTED TO:


MARY CHAUDOIN, CITY CLERK

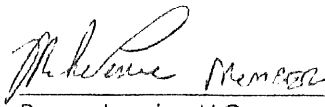
ORDINANCE NO. 04-2015
EXHIBIT C – CONSENTS

ANNEXATION CONSENT

Comes, Kenton Cole, Inc., owner of property along North Dixie Avenue (US 31W), more specifically known as 4101 North Dixie Avenue and PVA # 183-40-01-063 & 200-20-00-046, and gives consent to the annexation by the City of Elizabethtown of approximately 2 acres of their property along north Dixie Avenue.

Kenton Cole Inc. 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, Kenton Cole Inc. 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.

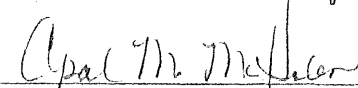
Kenton Cole Inc. further agrees to pay for the cost incurred by the City of Elizabethtown associated with the preparation of the annexation ordinance relating to the required boundary survey and legal description for the annexation of said property.



Pence Leasing LLC
Kenton Cole Inc.

STATE OF KENTUCKY
COUNTY OF HARDIN

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by
Mike Pence as a representative of Kenton Cole Inc., this the
12th day of February, 2015.



NOTARY PUBLIC

My Commission Expires: 10-3-17
Notary ID: 498272

February 10, 2015

LEGAL DESCRIPTION

EXHIBIT A

**Kenton-Cole, Inc. Property
Annexation Purposes Only, Not for Transfer of Property**

A certain tract of land located on the west side of US Highway N31W (North Dixie Avenue) immediately south of Crutz Lane in Hardin County, Kentucky and more particularly described as follows:

Beginning at a set iron pin (yellow cap with Clifford LS# 2124), said point being at the south right-of-way intersection of US Highway N31W (North Dixie Avenue) and Crutz Lane; Thence with the west right-of-way line of said North Dixie Avenue S 20°00'40" E for a distance of 311.52' to a point, a corner to other Kenton-Cole property (DB 860, Pg 175); Thence with said Kenton-Cole line S 57°21'20" W for a distance of 386.84' to an iron bar, a common corner between Church of God in Christ, Inc. property (DB 579, Pg 31) and Willie Jones (DB 659, Pg 60); Thence with said Willie Jones line N 42°09'55" W for a distance of 201.72' to a point, a common corner between SKI Partnership, Inc. (DB 1236, Pg 787) and Reddie and Anna Dailey (DB705, Pg 301); Thence with said Dailey line for the following courses and distances:

N 57°13'31" E for a distance of 160.67' to an existing iron pin;

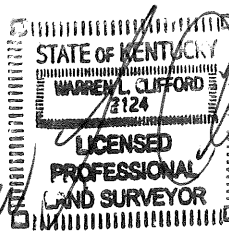
S 27°46'22" E for a distance of 73.12' to an existing iron pin;

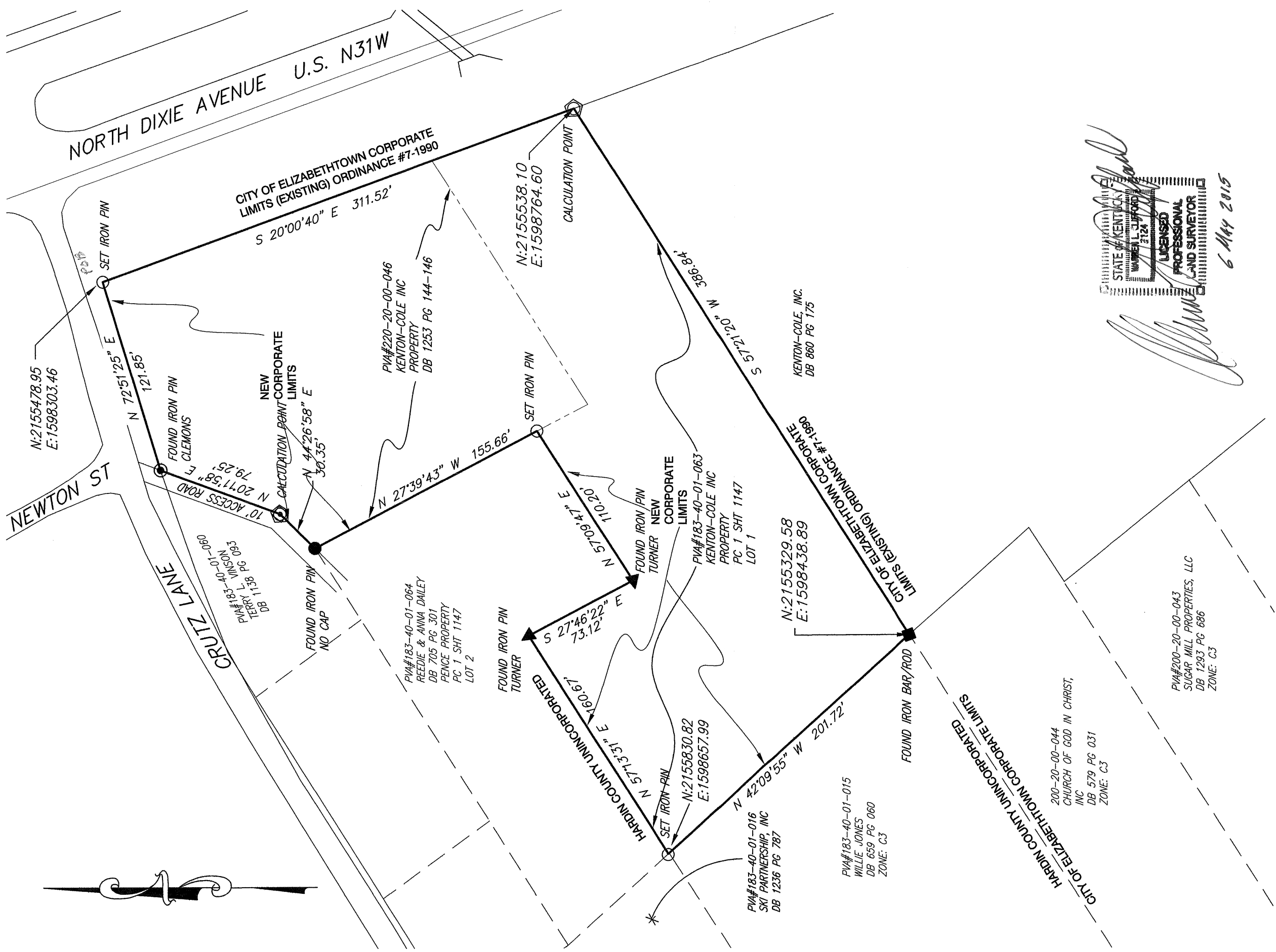
N 57°09'47" E for a distance of 110.20' to an iron pin;

N 27°39'43" W for a distance of 155.66' to an iron pin;

N 44°26'58" E for a distance of 30.35' to a point;

N 20°11'58" E for a distance of 79.25' to an iron pin in the south right-of-way line of said Crutz lane; Thence with said south right-of-way line N 72°51'25" E for a distance of 121.85' to the point of beginning. Said property contains 2.291 acres per physical survey by Warren L. Clifford (LS# 2124).


6 May 2015



STATE OF KENTUCKY
 WAREN L. CLIFFORD
 2124
 LICENSED PROFESSIONAL LAND SURVEYOR
 6 MAY 2015

OWNER/DEVELOPER:
 KENTON-COLE INC <POC MIKE PENCE>
 PO BOX 2005 ELIZABETHTOWN KY 42701
 (270) 737-8723

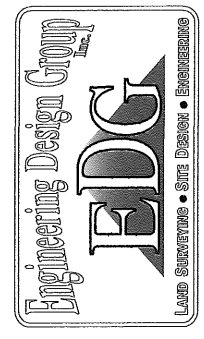
ENGINEERING DESIGN GROUP, INC.
 315 SOUTH MULBERRY ST.
 P.O. BOX 2484
 ELIZABETHTOWN, KY. 42702-2484
 (270) 769-1436

EXHIBIT B

ORDINANCE NO. 4-2015

ZONING C3

ANNEXATION OF 2.291 ACRES



US HWY 31W (NORTH DIXIE AVE)
 ELIZABETHTOWN, KENTUCKY
 SCALE: 1" = 60' DATE: MAY 4, 2015