

ORDINANCE NO. 32-94

AN ORDINANCE ANNEXING TERRITORY INTO
THE CITY OF HOPKINSVILLE, KENTUCKY

RECEIVED
JAN 23 1995
SECRETARY OF STATE
COMMONWEALTH OF KY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPKINSVILLE, KENTUCKY, AS FOLLOWS:

SECTION ONE

The City Council of the City of Hopkinsville does hereby state and declare an area described in Exhibit A to be annexed into the City limits of Hopkinsville. Exhibit A is attached hereto and incorporated herein by reference as if fully set forth.

SECTION TWO

Pursuant to House Bill 466 adopted in the 1994 Kentucky General Assembly, that amended KRS 81A.412 to permit "consent annexation," all property owners involved have requested to be annexed immediately into the City of Hopkinsville under said house bill and no Ordinance of Intent is required.

SECTION THREE

The City Council of the City of Hopkinsville declares that the service delivery plan and City taxes will be in effect on the 1st day after publication of this ordinance.

SECTION FOUR

Any and all existing ordinances inconsistent with this ordinance are repealed.

SECTION FIVE

If any section, subsection, sentence, clause, or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmities shall not affect the validity of the remaining portions of this ordinance.

SECTION SIX

This ordinance shall take effect immediately after passage and publication according to law.

PUBLICLY READ AND PASSED FIRST TIME: December 20, 1994

PUBLICLY READ AND PASSED SECOND TIME: January 3, 1994

APPROVED:

William Wallace Bryan Jr.
Mayor

ATTEST:

T. Mark Withers, II.
CAO/City Clerk

**LEGAL DESCRIPTION OF A PORTION OF THE WAL-MART STORES,
INCORPORATED PROPERTY FOR PURPOSES OF ANNEXATION**

Being a tract of land located in Hopkinsville, Christian County, Kentucky and being a portion of the same property conveyed to Wal-Mart Stores, Incorporated from Will O. King, Jr., and being more particularly described as follows:

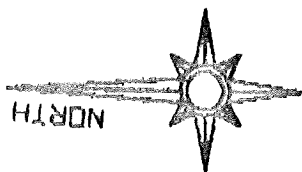
Commencing at an existing concrete right of way monument in the east right of way of Frontage Road 2-A (also known as Clinic Road), said monument being located South 84 degrees 45 minutes 18 seconds West a distance of 141.21 feet from the intersection of the centerline of the north bound land of U.S. Highway 41-A and the entrance to said Frontage Road 2-A, said monument also being the southwest corner of the Kenneth R. and Jo Anne James property (Deed Book 478, Page 61); THENCE leaving said east right of way of said Frontage Road 2-A and along the south line of said James property, South 86 degrees 02 minutes 20 seconds East for a distance of 235.39 feet to a point in said south line of James, said point also being on the Hopkinsville, Kentucky City limits line and being the TRUE POINT OF BEGINNING; THENCE leaving said City limits line and continuing along said south line of James, South 86 degrees 02 minutes 20 seconds East for a distance of 54.52 feet to a concrete monument, said monument being the southeast corner of said James property; THENCE along the east line of said James property, North 13 degrees 29 minutes 05 seconds East for a distance of 150.00 feet to a point, said point being the northeast corner of said James property; THENCE along the north line of said James property, North 86 degrees 01 minutes 20 seconds West for a distance of 55.36 feet to a point in said north line of said James property, said point also being on said Hopkinsville, City limits line; THENCE leaving said north line of James, and along said City limits line, and across the Wal-Mart Stores, Incorporated property, North 13 degrees 10 minutes 04 seconds East for a distance of 527.60 feet to a point; THENCE continuing along said City limits line, and continuing across said Wal-Mart property, North 26 degrees 28 minutes 39 seconds East for a distance of 25.33 feet to a point, THENCE continuing along said City limits line and continuing across said Wal-Mart property, North 39 degrees 47 minutes 14 seconds East for a distance of 925.75 feet to a point on the south line of the Madisonville Realty Company property (Deed Book 450, Page 241); THENCE along said south line of Madisonville Realty Company, North 76 degrees 31 minutes 12 seconds East for a distance of 179.11 feet to an iron pin, THENCE leaving said south line of Madisonville Realty, and along the west line of said Will O. King, Jr. property (Deed Book 498, Page 349), South 13 degrees 28 minutes 48 seconds East for a distance of 983.31 feet to an iron pin; THENCE along the north line of said King property, South 76 degrees 31 minutes 12 seconds West for a distance of 152.09 feet to a point; THENCE continuing with said north line of King, North 66 degrees 19 minutes 42 seconds West for a distance of 255.61 feet to a point; THENCE, continuing along said north line of King, South 75 degrees 47 minutes 16 seconds West for a distance of 57.82 feet to a point; THENCE continuing along said north line of King, South 40 degrees 22 minutes 14 seconds West for a distance of 149.00 feet to a point; THENCE continuing along said north line of King, South 75 degrees 47 minutes 16 seconds West for a distance of 505.83 feet to a point in the east right of way of a proposed 60 foot right of way; THENCE along said east line of right of way, along a

curve to the right having a radius of 280.00 feet, a delta of 34 degrees 39 minutes 14 seconds, and an arc length of 169.35 feet, being subtended by a chord of South 03 degrees 50 minutes 32 seconds East for a distance of 166.78 feet to a point on said east right of way; THENCE continuing along said east right of way, South 13 degrees 29 minutes 05 seconds West for a distance of 200.77 feet to a point on the south right of way of said proposed 60 foot right of way; THENCE along said south right of way, North 86 degrees 02 minutes 20 seconds West for a distance of 115.02 feet to a point in said south right of way; THENCE across said right of way, North 13 degrees 10 minutes 04 seconds East for a distance of 60.78 feet to the Point of Beginning and according to a survey by Joseph C. Deering, Kentucky Registered Land Surveyor's License Number 3171, of Patrick Engineering, Inc..

Together with and subject to covenants, easements, rights of way and restrictions of record.

Said property contains 16.189 acres more or less or 705,189.76 square feet more or less.

EXHIBIT A



MADISONVILLE REALTY COMPANY
DEED BOOK 450, PAGE 241

N 76°31'12"E
179.11'

PROPERTY CONTAINS
16.189 Acres ±

925.75'

N 38°47'14"E

REMAINDER OF WAL-MART PROPERTY

25.33'
N 26°28'38"E

883.31'

S 13°28'48"E

S 75°47'16"W
57.82'
S 40°22'14"W
149.00'

N 86°19'42"W
256.61'

S 75°47'16"W
505.85'

S 13°28'05"W
200.77'

CURVE

527.80'

N 15°10'04"E

60.18'

S 88°02'20"E

115.02'

N 15°10'04"E

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PUBLICLY READ AND PASSED SECOND TIME: January 3, 1995

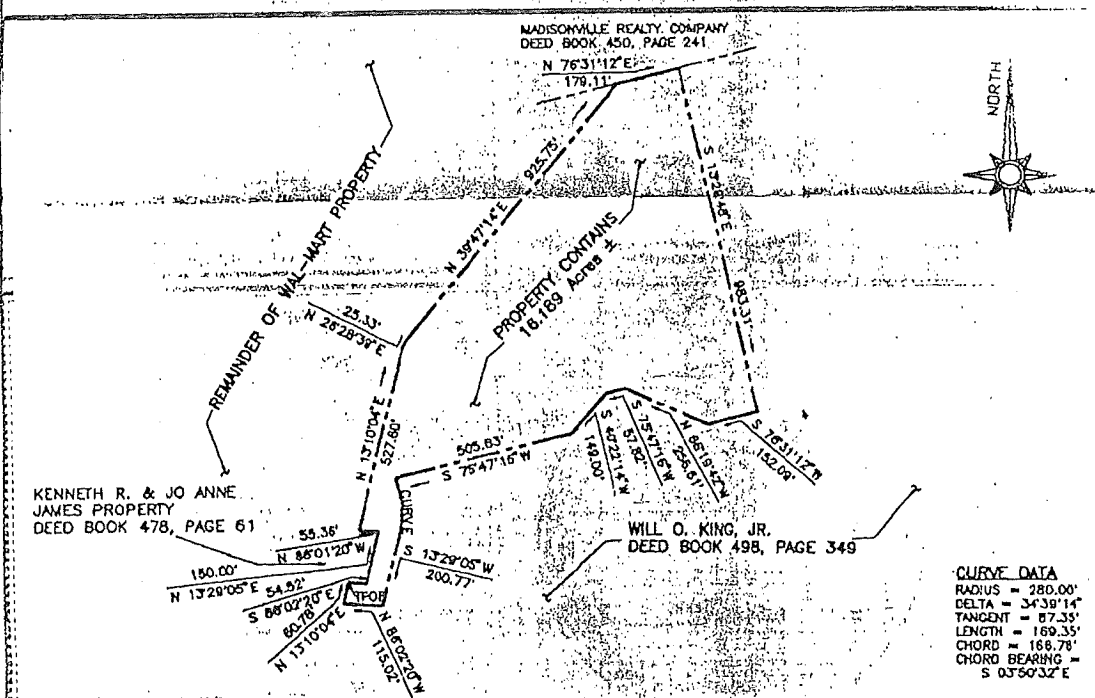
APPROVED: William Wallace Bryan, Jr.

Mayor

ATTEST: T. Mark Withers, II

CAO/City Clerk

EXHIBIT A



PATRICK
 ENGINEERS INC.
 Clarksville, Tennessee

WAL-MART

ANNEXATION OF A PORTION OF
 THE WAL-MART STORES, INC. PROPERTY

DATE: 12/13/94

PROJ. NO.: T6292

APP. BY: JCD

LEGAL DESCRIPTION OF A PORTION OF THE WAL-MART STORES,
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