

ORDINANCE NO. 03-2001

MAR 5 2001

**AN ORDINANCE ANNEXING TERRITORY
INTO THE CITY OF HOPKINSVILLE, KENTUCKY**

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

SECTION ONE

The City Council of the City of Hopkinsville does hereby state and declare an area described as 620.418 acres +/-, adjacent to and east of KY 109 (Bradshaw Road), and more particularly 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 area of property to be annexed is:

A. Adjacent to current City of Hopkinsville boundaries and has contiguous boundaries to the current City of Hopkinsville limits at the time of these annexation proceedings.

B. Urban in character or suitable for further urban development without unreasonable delay.

C. Not included within the boundary of another incorporated city.

SECTION FOUR

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 FIVE

Any and all existing ordinances inconsistent with this ordinance are repealed.

SECTION SIX

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

SECTION SEVEN

This ordinance shall take effect upon publication.

ORDINANCE NO. 03-2001

Annexing Territory into the City of Hopkinsville, Kentucky

PUBLICLY READ AND PASSED FIRST TIME: January 16, 2001

PUBLICLY READ AND PASSED SECOND TIME: January 23, 2001

APPROVED: Rich G. Liebe
Rich G. Liebe, Mayor

ATTEST: T. Mark Withers, II
T. Mark Withers, II
CAO, City Clerk

2
ACCURATE ENGINEERING & SURVEYING
WILLIAM J. CHAUDOIN, PE-PLS
12990 HERNDON-OAK GROVE ROAD
HERNDON, KENTUCKY 42236

2001 ENTERPRISE ZONE ANNEXATION—PHASE I
prepared for
CITY OF HOPKINSVILLE
PO Box 707
Hopkinsville, Kentucky 42241-0707

City of Hopkinsville Enterprise Zone Annexation—Phase I, east of the Pennyryle Parkway, southwest of the CSX Railroad, southwest of KY Hwy 109 (Bradshaw Pike), west and north of Harry Berry Lane, more fully described as follows:

Commencing at a capped iron pin set in the south right-of-way of Harry Berry Lane, being S45°03'17"W, 1355.034 ft. from the center of the intersection of KY Hwy 109, Casky Lane, and Harry Berry Lane, and being the point-of-beginning. Thence along said Harry Berry Lane right-of-way (r.o.w.) S46°45'55"W, 740.349 ft. to a point on a curve along the r.o.w. of said Harry Berry Lane, thence S53°29'01"W, 149.145 ft. to a point on a curve along the r.o.w. of said Harry Berry Lane, thence S80°42'21"W, 148.201 ft. to a point on a curve along the r.o.w. of said Harry Berry Lane, thence N78°28'15"W, 149.499 ft. to a point on a curve along the r.o.w. of said Harry Berry Lane, thence continuing along the r.o.w. of said Harry Berry Lane N72°04'38"W, 1485.445 ft. to a point on a curve along the r.o.w. of said Harry Berry Lane, thence crossing over said Harry Berry Lane N70°30'19"W, 142.886 ft. to a point on a curve along the r.o.w. on the other side of said Harry Berry Lane, thence along the Kyle Bruce Trust (DB 556, P 618) property line N71°55'37"W, 1475.218 ft. to a point in said property line, thence continuing with said Trust property line N71°54'42"W, 432.698 ft. to a corner fence post, thence continuing with said Trust property line N15°27'57"E, 1550.448 ft. to a fence post, thence continuing with said Trust property line N08°48'56"E, 168.471 ft. to a point on the south r.o.w. of the New U.S. Army Railroad, thence crossing over said Railroad, N08°48'56"E, 163.620 ft. to a point on the north r.o.w. of said Railroad, thence continuing with said Trust property line N08°48'56"E, 538.152 ft. to a point on the south r.o.w. of KY Hwy 68-B (Dr. Martin Luther King, Jr. Way Bypass), thence crossing over said highway N08°48'56"E, 337.810 ft. to a point on the north r.o.w. of said highway, thence continuing with said Trust property line N08°48'56"E, 2125.872 ft. to a fence corner post, being a corner with Hazel Parker (DB 488, P 673), thence with said Parker's line N83°54'54"W, 1180.355 ft. to a fence corner post, thence continuing with said Parker's line N17°31'31"W, 3415.512 ft. to a point, being a corner to Barbara Land (DB 306, P 362), thence with said Land's property line S72°09'41"W, 1013.469 ft. to a point on the east r.o.w. of the Pennyryle Parkway, thence with said Parkway r.o.w. N35°52'34"E, 1764.386 ft. crossing over the Land/Parker property line to a point on the southwest r.o.w. of the CSX Railroad, thence along said Railroad r.o.w. and Parker's line S49°53'41"E, 3760.993 ft. to a point on the west r.o.w. of KY Hwy 109 (Bradshaw Pike), thence along said Highway r.o.w. and Parker's line S29°42'06"E, 821.608 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and Parker's line S01°07'22"E, 57.209 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and Parker's line S28°32'28"E, 158.520 ft. to a point in said Highway r.o.w., thence continuing along said Highway r.o.w. and Parker's line S24°03'56"E, 127.570 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and Parker's line S10°55'25"E, 88.919 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and Parker's line S05°50'44"E, 213.608 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and Parker's line S13°08'11"E, 95.029 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and Parker's line S19°32'07"E, 108.590 ft. to a point in said Highway r.o.w., thence continuing along said Highway r.o.w. and Parker's line S25°11'32"E, 166.420 ft. to the intersection of the southwest r.o.w. of KY Hwy 109 and

EXHIBIT A

the northwest r.o.w. of KY Hwy 68-B, thence crossing over KY Hwy 68-B S49°19'45"E, 312.572 ft. to a point at the intersection of the southwest r.o.w. of KY Hwy 109 and the southeast r.o.w. of KY Hwy 68-B, thence continuing along said KY Hwy 109 r.o.w. and Parker's line S48°12'53"E, 46.590 ft. to a point in said Highway r.o.w., being a corner to Parker and the aforementioned Bruce Trust, thence continuing along said Highway r.o.w. and the Bruce Trust line S40°42'55"E, 186.049 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and the Bruce Trust line S31°50'20"E, 94.638 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and the Bruce Trust line S29°52'07"E, 249.910 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and the Bruce Trust line S45°58'11"E, 124.803 ft. to a concrete highway r.o.w. monument, thence continuing along said Highway r.o.w. and the Bruce Trust line S30°20'15"E, 736.621 ft. crossing over the New U.S. Army Railroad to a point in said Highway r.o.w., thence continuing along said Highway r.o.w. and the Bruce Trust line S29°46'20"E, 345.134 ft. to a point in said Highway r.o.w., thence continuing along said Highway r.o.w. and the Bruce Trust line S29°14'17"E, 223.425 ft. to a point in said Highway r.o.w., thence continuing along said Highway r.o.w. and the Bruce Trust line S28°50'31"E, 568.780 ft. to a point in said Highway r.o.w., being a corner to aforementioned Bruce Trust property and Philip Garnett (DB 468, P 583), thence continuing along said Highway r.o.w. and said Garnett line S28°50'31"E, 562.630 ft. to a point in said Highway r.o.w., thence departing said Highway r.o.w. across said Garnett property S35°47'38"W, 1404.028 ft. to a point in an open field, thence continuing across said Garnett property S28°17'30"E, 1912.052 ft. crossing over Harry Berry Lane to the point-of-beginning, containing 620.418 acres ±.

Note No. 1: Source of Title⇒ This 620.418 acre ± tract consists of all of the Kyle Bruce Trust property (DB 556, P 618) and part of the following properties: Hazel Parker (DB 488, P 673), Barbara Land (DB 306, P 362), and Philip Garnett (DB 468, P 583), all recorded in the Christian County Clerk's Office, Christian County Courthouse, Hopkinsville, Kentucky.


Note No. 2: Unless otherwise stated, all monuments referred to herein as a "c.i.p. set" or "capped iron pin set" are ½ inch diameter, #4 steel reinforcing bars, 18 inches long with a red plastic cap stamped "CHAUDOIN, PLS #1817" set during this survey at the location indicated. Those capped iron pins designated as found were previously set by another surveyor.

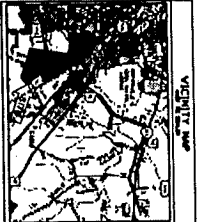
Note No. 3: All bearings stated herein are referenced to the common line/record meridian between HWEA Kentucky State Plane Coordinate Monuments No. RM-20 and RM-19, being N53°19'16"W as derived from the HWEA Control Monument Information Sheets and as surveyed in the field. Said monuments are located along the northeast r.o.w. of Bill Bryan Blvd. in the Hopkinsville Industrial Park.

Note No. 4: This 620.418 acre ± tract was surveyed in Kentucky State Plane Coordinates. The error of closure was 1: 14,446 which meets the requirements of a Class A or Class B survey in accordance with 201 KAR 18.150 and was not adjusted.

Note No. 5: This property is subject to all recorded and otherwise existing easements and/or rights-of-way.

Note No. 6: This property was surveyed in November and December, 2000 with the property description and plat prepared on January 2, 2001 by William J. Chaudoin, KY PLS #1817.


William J. Chaudoin
KY PLS #1817

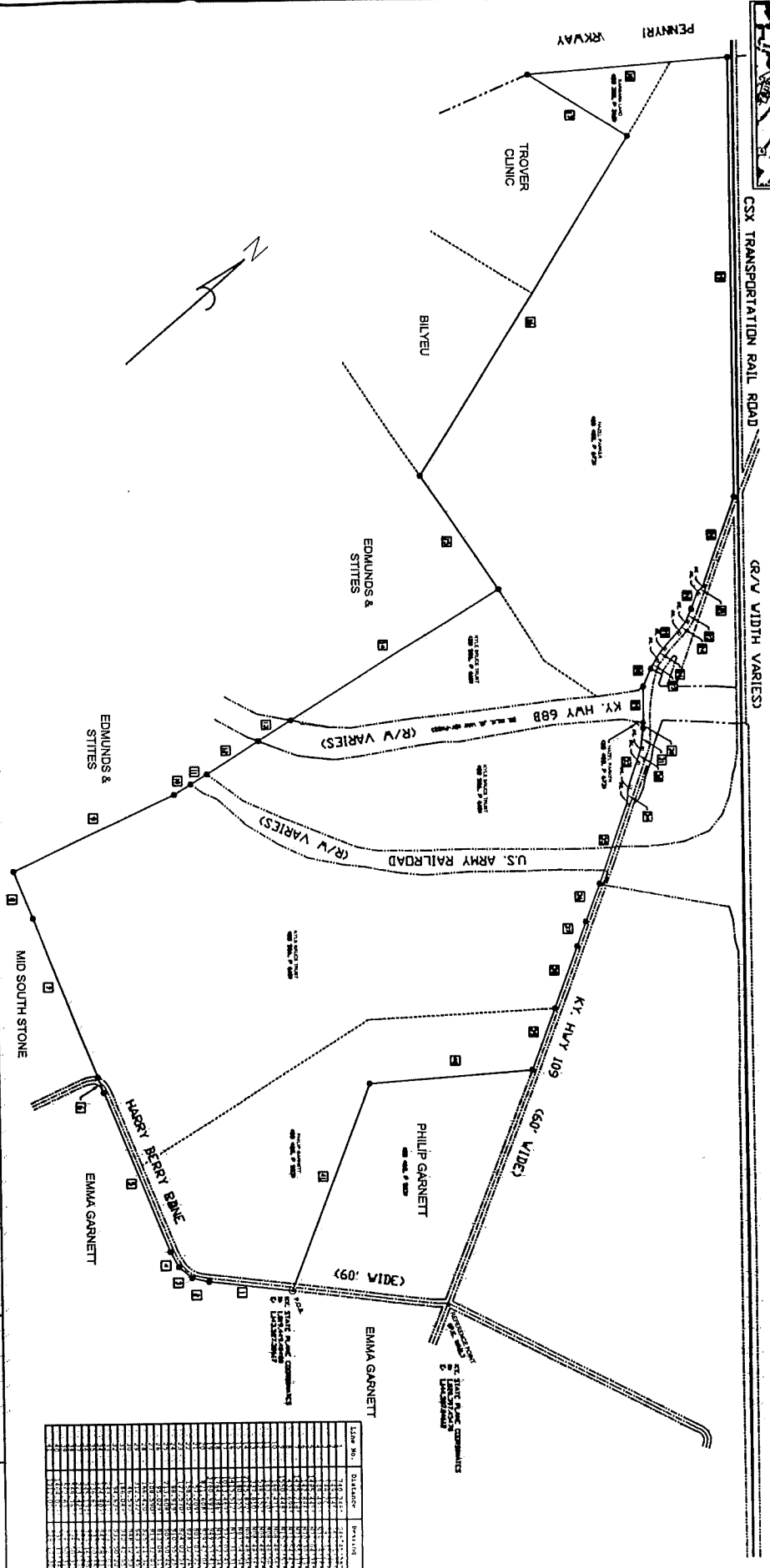


CITY OF HOPKINSVILLE, KY

2001 ENTERPRISE ZONE ANNEXATION - PHASE I

ANNEXATION BOUNDARY SURVEY---CONTAINS 620.418 ACRES ±

JANUARY, 2001



OWNER'S NOTES	OWNER'S CERTIFICATION	CERTIFICATE OF ACCURACY	OWNER'S CERTIFICATION	FLOOD CERTIFICATION	USING	PROFESSIONAL CERTIFICATION	ACCURATE	OWNER'S
1. The City of Hopkinsville, Kentucky, is hereby certifying that the information contained herein is true and correct to the best of its knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.	1. I, the undersigned, being duly sworn, depose and say that the information contained herein is true and correct to the best of my knowledge and belief.

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Consent to Annexation, Release and Restrictive Covenant for the following property owners are on file at the Christian County Courthouse, Hopkinsville, Kentucky:

Philip Garnett
3501 Bradshaw Road
Hopkinsville KY 42240

Kyle K. Bruce and Nell Bruce
4190 Lafayette Road
Hopkinsville KY 42240

Barbara Land
800 Redfield Pkwy, Apt. 132
Reno, NV 89509

Hazel C. Parker and Voris W. Parker
1388 Millers Mill Road
Oak Grove, KY 42262




CITY ADMINISTRATIVE
OFFICER/CITY CLERK

CITY OF HOPKINSVILLE
KENTUCKY
42240

101 N. MAIN STREET
270/890-0210
FAX - 270/890-0213
TDD - 270/887-4287

February 27, 2001

Pursuant to KRS 81A.475 I hereby certify there are no property owners and registered voters who reside in the area being annexed.




T. Mark Withers, II
CAO/City Clerk

I, T. Mark Withers, II, City Clerk of the City of Hopkinsville, hereby certify that the foregoing is a true and accurate copy of Ordinance 03-2001, of the City of Hopkinsville, and I am the custodian of the original, which is maintained at the Lackey Municipal Building, 101 N. Main Street, Hopkinsville, Kentucky 42240.

Feb. 27, 2001

Date



T. Mark Withers, II
CAO/City Clerk

(Seal)