

RECEIVED

ORDINANCE NO. 05-2001

MAR 5 2001

RECEIVED
COMMONWEALTH OF

**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 964.663 acres +/-, between 68E and Pembroke Road, northwest of Martin Luther King Way, 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Any and all existing ordinances inconsistent with this ordinance are repealed.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. 05-2001

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

+9ACCURATE ENGINEERING & SURVEYING
WILLIAM J. CHAUDOIN, PE-PLS
12990 HERNDON-OAK GROVE ROAD
HERNDON, KENTUCKY 42236

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

City of Hopkinsville Enterprise Zone Annexation --- Phase III northwest of KY Hwy 68-B (Dr. Martin Luther King, Jr. Way Bypass), south of US Hwy 68-80 (Russellville Road), south of the South Fork of the Little River, northeast of US Hwy 41 (Pembroke Road), more fully described as follows:

Commencing at a 1/2" diameter iron pin found at the south corner of the Sominco Farms, Inc. (DB 469, P 387), being approximately 730 ft. \pm north-northeast of the centerline of KY Hwy 68-B at approximate centerline station 276+80 \pm , and being the point-of-beginning. Thence the next seven (7) calls to points offset 600.00 ft. northwest and west of the centerline of KY Hwy 68-B, crossing from said Sominco property to Ralph L Collins property (DB 513, P 164) to Russell K. Heltsley, Jr. property (DB 290, P 356): N48°49'47"E, 958.080 ft.; N49°41'32"E, 1249.730 ft.; N58°10'27"E, 1611.550 ft.; N40°07'57"E, 1115.810 ft.; N22°05'45"E, 1697.930 ft.; N23°04'51"E, 817.310 ft.; N24°05'34"E, 1435.540 to a point on the south right-of-way (r.o.w.) of US Hwy 68-80, being in the north line of said Heltsley, thence the next seven (7) calls with said Heltsley line to points in the south r.o.w. of said highway: N65°00'33"W, 135.010 ft., N67°56'59"W, 698.980 ft., N65°55'46"W, 701.439 ft., N38°08'00"W, 85.000 ft., N66°23'56"W, 607.703 ft. to a point in said r.o.w. at the beginning of a curve, thence along the arc of said r.o.w. curve, a distance of 239.01 ft. to a point in said r.o.w. with a chord of N70°05'14"W, 238.933 ft. and a radius of 2770.00 ft., crossing a corner with aforementioned Heltsley and another Heltsley property (DB 438, P 221), thence continuing with said r.o.w. and Heltsley line N72°20'06"W, 1153.407 ft. to point in said r.o.w., being the northeast corner of the Suburban Propane lot, thence departing said highway r.o.w. with the Heltsley/Suburban Propane line S21°37'01"W, 347.648 ft. along a chain-link fence to a steel fence corner post, thence continuing with said chain-link fence N72°27'41"W, 317.618 ft. with the Heltsley/Suburban Propane line, crossing over a corner to Heltsley/Suburban Propane, thence continuing on the same bearing across a portion of said Heltsley property to the Heltsley /Mark Withers (DB 430, P 074) property line, thence S38°01'56"W, 528.531 ft. with the Heltsley/Withers line to a Heltsley/Withers corner, thence N71°58'04"W, 145.000 ft. to another Heltsley/Withers corner, thence S21°58'56"W, 1841.265 ft. with said Heltsley line to the center of the South Fork of the Little River, thence the next twenty-six (26) calls downstream with the centerline of said river, bordering the aforementioned Sominco Farms, Inc. property: S68°44'28"W, 590.000 ft.; S64°02'28"W, 369.000 ft.; S89°25'28"W, 162.000 ft.; N48°33'32"W, 111.000 ft.; N02°31'28"E, 239.000 ft.; N32°23'32"W, 160.000 ft.; N75°03'32"W, 211.000 ft.; N76°13'32"W, 110.000 ft.; N41°34'32"W, 135.970 ft.; N30°22'32"W, 290.830 ft.; S79°34'28"W, 238.840 ft.; S31°48'28"W, 182.440 ft.; S45°18'28"W, 134.700 ft.; S54°17'28"W, 93.040 ft.; S78°15'28"W, 624.820 ft.; N74°00'32"W, 500.880 ft.; S54°41'28"W, 104.160 ft.; S29°00'28"W, 192.330 ft.; S24°07'28"W, 156.740 ft.; S62°30'28"W, 402.160 ft.; S57°22'28"W, 92.230 ft.; S06°03'28"W, 143.460 ft.; S28°19'02"E, 217.370 ft.; S20°33'02"E, 227.870 ft.; S16°52'32"E, 257.550 ft.; S01°05'28"W, 167.630 ft., thence departing said river centerline S18°55'41"E to a point on said river bank, being the northwest corner of aforementioned Sominco Farms, Inc. property, thence continuing on the same bearing with an old fenceline a total distance of 3406.297 ft. to an iron pin found, thence continuing along said Sominco property line S19°45'44"E, crossing another iron pin found at 1034.156 ft., a total distance of 1329.619 ft. to a point, being the southwest corner of said Sominco property, thence continuing along said Sominco property line N85°10'33"E, 1400.947 ft. to a deflection point in said line, thence S82°09'05"E, 456.966 ft. to the point-of-beginning, containing 964.663 acres \pm .

(continued)

EXHIBIT A

Note No. 1: Source of Title⇒ This 964.663 acre ± tract consists of most of the Sominco Farms, Inc. property (DB 469, P 387), the Russell K. Heltsley property (DB 438, P 221), the Russell K. Heltsley, Jr. property (DB 290, P 356) and a small part of the Ralph L. Collins property (DB 513, P 164), all recorded in the Christian County Clerk's Office, Christian County Courthouse, Hopkinsville, Kentucky.

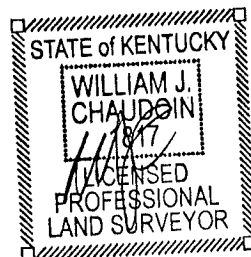
Note No. 2: Unless otherwise stated, all monuments referred to herein as a "c.i.p. set" or "capped iron pin set" are ½ inch diameter, #4 steel reinforcing bars, 18 inches long with a red plastic cap stamped "CHAUDOIN, PLS #1817" set during this survey at the location indicated. Those capped iron pins 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 HCCPC Kentucky State Plane Coordinate Monuments No. LR-13 and LR-14, being N21°50'43"W as derived from the HCCPC Control Monument Information Sheets and as surveyed in the field. Said monuments are located in the east r.o.w. of KY Hwy 68-B between the South Fork of the Little River bridge and US Hwy 68-80.

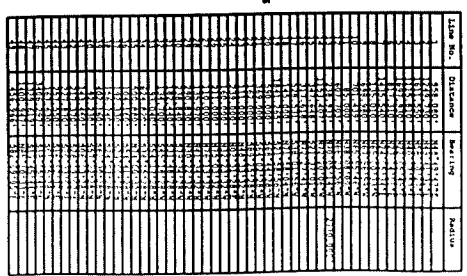
Note No. 4: This 964.663 acre ± tract was surveyed in Kentucky State Plane Coordinates. The error of closure was 1: 24,919 which meets the requirements of a Class A or Class B survey in accordance with 201 KAR 18.150 and was not adjusted.

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 December, 2000 and January 2001 with the property description and plat prepared on January 12, 2001 by William J. Chaudoin, KY PLS #1817.



William J. Chaudoin
William J. Chaudoin
KY PLS #1817



SURVEY NOTES		COMMISSIONER'S CERTIFICATION		CERTIFICATE OF ACCURACY		OWNER'S CERTIFICATION		FLOOD CERTIFICATION		LEGEND		PRELIMINARY SURVEYOR'S CERTIFICATE		ACCURATE			
1. This map was prepared by the Surveyor of the County of _____ State of _____ 2. The Surveyor has examined the original field notes and has found them to be correct and reliable. 3. The Surveyor has also examined the original maps and has found them to be correct and reliable. 4. The Surveyor has also examined the original records and has found them to be correct and reliable. 5. The Surveyor has also examined the original documents and has found them to be correct and reliable. 6. The Surveyor has also examined the original instruments and has found them to be correct and reliable. 7. The Surveyor has also examined the original plans and has found them to be correct and reliable. 8. The Surveyor has also examined the original drawings and has found them to be correct and reliable. 9. The Surveyor has also examined the original photographs and has found them to be correct and reliable. 10. The Surveyor has also examined the original maps and has found them to be correct and reliable.		I, the Commissioner of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Surveyor of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Owner of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Flood Commissioner of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Surveyor of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Surveyor of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Surveyor of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____		I, the Surveyor of the County of _____ State of _____ do hereby certify that the above is a true and correct copy of the original field notes and maps as filed in my office. Witness my hand and the seal of the County of _____ State of _____ this _____ day of _____ 19____	
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FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION		TOTAL FLOOD CERTIFICATION			
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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:

Russell K. Heltsley
207 James Drive
Hopkinsville KY 42240

Russell Heltsley
207 James Drive
Hopkinsville KY 42240

Sominco Farms Inc.
By Martha B. Schlegel, President
2130 Pembroke Road
Hopkinsville KY 42240

Ralph L. Collins and Janet S. Collins
Pembroke Road
Hopkinsville KY 42240

Ordinance 05-2001
Phase III



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 05-2001, 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)