



CITY OF LEBANON

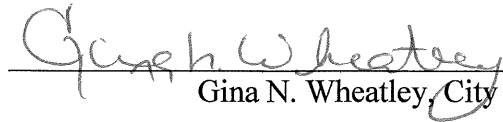
GARY D. CRENSHAW
MAYOR

P.O. BOX 840
LEBANON, KY 40033
TEL. (270) 692-6272
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CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Lebanon, Kentucky, and the following 7 pages of Ordinance 00-04 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on January 8, 2001, all as appears in the official records of said City.

WITNESS, my hand and the City Seal of Lebanon, Kentucky, this 15th day of February, 2019.



Gina N. Wheatley, City Clerk

RECEIVED AND FILED
DATE February 18, 2019

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkinson

ORDINANCE NO. 00-04

AN ORDINANCE ANNEXING TO THE CITY OF LEBANON, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY BELONGING TO JOSEPH GERALD HAMILTON, LYING ON AND CONTIGUOUS TO PORTIONS OF THE CITY'S NORTHERLY BOUNDARY AND ON THE SOUTH SIDE OF KENTUCKY HIGHWAY 49 (THE LORETTO ROAD), DEFINING THE BOUNDARIES OF THE TERRITORY TO BE ANNEXED AND DECLARING SUCH ANNEXATION TO BE DESIRABLE.

WHEREAS, the City of Lebanon has been presented with a written request pursuant to KRS 81A.412, by Joseph Gerald Hamilton, owner of record of the parcel of land described below, to annex into the City all of his property located along and contiguous to portions of the City's northerly boundary and on the south side of Kentucky Highway 49 (the Loretto Road), which land qualifies for annexation pursuant to KRS 81A.410, and

WHEREAS, the City Council deems it desirable to annex said land and declares same to be urban in character or subject to governmental use and suitable for urban purposes without unreasonable delay, and

WHEREAS, no part of said property proposed to be annexed lies within the boundary of any other incorporated City,

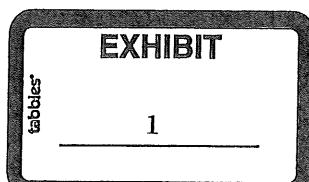
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEBANON, KENTUCKY:

SECTION I

That the property described on Exhibit A, which property is embraced within the County of Marion and which is located on the south side of Kentucky Highway 49 (the Loretto Road) and contiguous to portions of the City's northerly boundary shall be, and the same hereby is, annexed to and included within the boundaries of the City of Lebanon, Kentucky.

Being all the remaining property acquired by Joseph Gerald Hamilton and Mollie Kay Hamilton by survivorship Deed dated August 17, 1966, and recorded in Deed Book 84, Page 632, in the Marion County Clerk's office. Mollie Kay Hamilton, a/k/a Mollie



Campbell Hamilton, died on November 21, 1996, a citizen and resident of Marion County, Kentucky, see Will of record in Will Book 19, Page 421, in the aforesaid Clerk's office. Pursuant to the survivorship Deed, title vested in Joseph Gerald Hamilton.

SECTION II

That this annexation is made at the request of Joseph Gerald Hamilton, the owner of said property and, pursuant to KRS 81A.412, the 60-day waiting period and the notice requirements have been waived.

SECTION III

That the City Clerk and/or other City officials are hereby authorized and directed to take such action as shall be necessary in order to amend the City map, post speed limits and other requires signs, and such other action as may be necessary and desirable as a result of this annexation.

SECTION IV

That appropriate zoning for the property hereby annexed shall be established in accordance with the applicable statutes and ordinances.

SECTION V

All Ordinances or parts of Ordinances in conflict herewith are expressly repealed, but only to the extent of such conflict.


SECTION VI

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION VII

This Ordinance shall become effective upon its second reading, passage and publication.

CITY OF LEBANON, KENTUCKY

By 
GARY D. CRENSHAW, Mayor

ATTEST:

By Joyce A. Ford
JOYCE A. FORD, City Clerk

First Reading given December 11, 2000

Second Reading given January 08, 2001

Published in The Lebanon Enterprise on January 17, 2001

Joyce A. Ford
JOYCE A. FORD, City Clerk

A certain tract of land adjoining the Lebanon and St. Mary pike in Marion County, Kentucky, and near the city limits of Lebanon, Kentucky, and thus described: BEGINNING at a stake in the center of Lebanon and St. Mary turnpike, corner to Clerk, thence with the center of said pike N. 85 1/4 E. 49.62 poles, N. 80 E. 91.33 poles to a stake in said road corner to Lot No. 2; thence with a line of lot no. 2, thence with a line of lot no. 2, S. 4 1/2 W. 158.06 poles to a post on the north side of the L & N RR corner to lot no. 2, thence with a line on the north side of railroad right of way, S. 72 1/2 W. 16.06 poles S. 83 3/4 W. 15.45 poles S. 88 W. 16.42 poles, N. 85 1/2 W. 13.09 poles, N. 81 1/4 W. 65.64 poles to a post on the north side of said railroad right of way, corner to Clark, thence leaving the railroad with his lines N. 11 3/4 E. 36.72 poles to a post, thence N. 7 3/4 W. 36.72 poles to a post near a large black walnut tree, thence N. 4 W. 59.94 poles to the beginning containing 118.849 acres.

THERE IS EXCEPTED AND NOT CONVEYED THEREIN the following described property:

EXCEPTION 1: BEGINNING at a point on the St. Mary's Highway right of way corner of property owned by first and second parties, thence with the St. Mary's Highway a distance of 50 feet to an iron pipe in said right of way and corner to property retained by first parties; thence with land retained by first parties a distance of 245 feet and 4 inches to an iron pipe; thence a distance of 70 feet 8 inches to a point in the corner of property owned by second parties; thence with the line of second parties, a distance of 295 feet 6 inches, to the point of beginning.

EXCEPTION 2: Located in Marion County, Kentucky, near the City of Lebanon, on the Lebanon and Loretto Highway, No. 49, and BEGINNING at an iron stake on the edge of the right of way of said Highway No. 49 at a corner to the land sold to the Lebanon Christian Church, thence with the edge of the said right of way N. 88 E. 48 feet to a post on the edge of the right of way at a corner to Robert F. Curran, thence with the line of Curran leaving the highway S. 6 W. 247 feet to a post, S. 40 1/2 E. 71 feet to a post, S. 6 W. 57 feet to a stake, thence leaving line of Curran with a new line over the lands of Gerald Hamilton N. 88 W. 100 feet to an iron stake at a corner to the lands sold to the Lebanon Christian Church, thence with the line of the church Lot N. 6 E. 366.6 feet to the point of beginning, containing 0.499 acre, more or less, as per survey of James Goatley, Registered Land Surveyor No. 1119, dated September 1, 1978.

EXCEPTION 3: Located in Marion County, Kentucky, near the City of Lebanon, on the Lebanon and Loretto Highway No. 49, and BEGINNING at an iron stake on the edge of the said Highway No. 49 at a corner to the land sold to Robert F. Curran, thence with the edge of the right of way of the said highway S. 83 W. 269 feet to a post, thence S. 77 W. 115 feet to an iron stake on the edge of the right of way of the highway, thence with a new line leaving the highway over the lands of Gerald Hamilton, S. 1/2 E. 357 feet to an iron stake, thence N. 81 1/2 E. 341 feet to an iron stake at a corner to Hamilton and the land sold to Robert F. Curran, thence with the line of Curran N. 6 E. 366.6 feet to the point of beginning, containing 3 acres, more or less, as per survey of James Goatley, Registered Land Surveyor No. 1119, dated August 31, 1978.

EXCEPTION 4: Located in Marion County, Kentucky, about 1/4 miles West of Lebanon on the Lebanon and Loretto Highway #49 and BEGINNING at a post on the edge of the right of way of the Lebanon and Loretto Highway near the end of the guard rail. Thence with the edge of the said right of way S. 85 W. 210 feet to stake. Thence leaving the highway with a new line over the lands of Hamilton S. 5 E. 210 feet to stake. Thence N. 85 E. 210 feet to stake. Thence N. 5 W. 210 feet to the point of beginning, containing 1.01 acres, more or less, as per survey of James Goatley, Registered Land Surveyor No. 1119, dated November 22, 1988.

EXCEPTION 5: Located in Marion County, Kentucky, about 1/4 miles West of Lebanon, on the Lebanon and Loretto Highway #49. BEGINNING at a stake on the edge of the right of way of the said highway, which point is as measured along the highway 915 feet from a corner to the Phillip George Estate. Thence with the edge of the said right of way N. 88 deg. 30' E. 200 feet to stake. Thence leaving the highway with a new line S. 1 deg. E. 217.8 feet to a stake. Thence N. 88 deg. 30' W. 200 feet to a stake. Thence N. 1 W. 217.8 feet to the point of beginning, containing 1 acre as per survey of James Goatley, Registered Land Surveyor No. 1119, dated April 12, 1988.

EXCEPTION 6: Located in Marion County, Kentucky, about one-half mile west of Lebanon on the Lebanon and Loretto Highway #49 and described as follows: BEGINNING at an iron pin on the edge of the right of way of the said highway at a corner to Allan Courtwright, as recorded in Deed Book 149, Page 417. Thence leaving the highway with line of Courtwright S. 5 deg. E. 210 feet to an iron pin. Thence with a new line over the lands of Gerald Hamilton S. 83 deg. 45 min. W. 260 feet to an iron stob at a corner to Loyd Arnold. Thence with line of Arnold N. 1 deg. E. 217.8 feet to an iron stob on the edge of the right of way of the highway. Thence with the edge of the right of way of the highway N. 85 deg. 30 min. E. 236 feet to the point of beginning, containing 1.18 acres, more or less, as per the attached survey of James Goatley, Registered Land Surveyor No. 1119, dated October 11, 1989, and revised April 24, 1990.

EXCEPTION 7: BEGINNING at a stake on the southwest corner of the lot purchased by Loyd Arnold as shown in Deed Book 150, Page 694. Thence with a new line S. 1 W. 20 feet to stake, N. 88 deg. 30' E. 215 feet to stake, thence N. 1 W. 20 feet to iron pin at a corner to the present lot of Loyd Arnold. Thence with line of Arnold S. 88 deg. 30' W. 215 feet to the point of beginning. Containing 4300 square feet.

EXCEPTION 8: Located in Marion County, Kentucky, about 1/4 mile west of Lebanon, on the Lebanon and Loretto Highway #49. Said land is an addition to the present lot of Gardner and Rucker located at 890 Loretto Road and is a part of the land described in Deed Book 84, Page 632. BEGINNING at an iron pin as found in a corner to Allan Courtwright and the southeast corner of the lot now owned by Gardner and Rucker. Thence with line of Gardner and Rucker S. 83 deg. 45' W. 260 feet to iron post in line of Loyd Arnold. Thence with line of Arnold S. 1 W. 20 feet to a post at a corner to Arnold and Hamilton. Thence with a new line over the lands of Hamilton N. 83 deg. 45' E. 261 feet to a stake. Thence N. 5 W. 20 feet to the point of beginning, containing 5210 square feet by survey of James Goatley, Registered Land Surveyor No. 1119, dated February 8, 1993.

EXCEPTION 9: A certain parcel of land located in Marion County, Kentucky, on the south side of Loretto Road - KY 49 approximately 800 feet east of the intersection of KY 49 and KY 84 and more particularly described as follows: BEGINNING at a fence post in the south right of way of Loretto Road - KY 49, fifty six (56) feet from the centerline and agreed corner with Phillip George, Sr., and Margaret George (DB 84 PG 142); thence leaving the George corner and running with the fenced Loretto Road right of way N. 87 deg. 12' 15" E. 246.28 feet to a fence post; thence N. 83 deg. 41' 43" E. 116.27 feet to a steel pin in the south Loretto Road right of way, forty-six (46) feet from the centerline and also located S. 83 deg. 33' 54" W. 50.26 feet from a fence post corner of Loyd Arnold (DB 150 PG 694; DB 154 PG 397); thence leaving the Highway right of way and running with a new division line, parallel of and fifty (50) feet from the Arnold line S. 00 deg. 37' 35" E. 217.80 feet to a steel pin; thence continuing with the new division line but leaving the proximity to the Arnold line S. 86 deg. 03' 05" W. 358.94 feet to a steel pin in the agreed fenced George line; thence leaving the new division line and running with the agreed fenced George line N. 01 deg. 32' 20" W. 217.80 feet to the point of beginning containing 1.78 acres by survey of Sam S. Anzelmo, LS# 2688, dated November 1, 1993.

BEING part of the same property acquired by Joseph Gerald Hamilton and Mollie Kay Hamilton, his wife, by Deed dated August 16, 1966, and recorded in Deed Book 84, Page 632, in the Marion County Court Clerk's office. The above-described property is subject to a Boundary Line Agreement recorded in Deed Book 171, Page 412, in the Marion County Court Clerk's office.

EXCEPTION 10:

BEGINNING at a fence post in the north line of the City of Lebanon (formerly CSX railroad right of way) and corner to James R. Moraja, Sr. and Betty Moraja (D.B. 172, Pg. 173); thence leaving the Moraja corner and running with the fenced right of way of the City of Lebanon S 83° 28' 02" W 23.43 feet to a fence post; thence S 86° 24' 10" W 89.24 feet to a fence post; thence S 88° 14' 11" W 99.85 feet to a fence post; thence N 89° 51' 59" W 117.57 feet to a fence post; thence N 87° 14' 31" W 98.97 feet to a fence post; thence N 85° 21' 06" W 96.19 feet to a fence post; thence N 83° 36' 11" W 86.50 feet to a steel pin; thence leaving the City of Lebanon line and running with a new division line N 07° 46' 28" E 336.19 feet to a steel pin; thence S 89° 27' 36" E 646.97 feet to a steel pin in the fenced line of Moraja; thence running with the fenced Moraja line S 13° 39' 53" W 51.34 feet to a fence post; thence S 13° 53' 57" W 126.69 feet to a fence post; thence S 13° 44' 23" W 160.05 feet to a fence post; thence S 08° 22' 17" W 9.90 feet to the point of beginning, containing 5.0 acres by survey of Sam S. Anzelmo, LS #2688, dated December 4, 1995, and recorded in Plat Cabinet 1, Slide __, in the Marion County Court Clerk's office.

Also conveyed herein is a permanent fifteen (15) foot wide by approximately one hundred and seventy six (176) foot long water line easement as depicted in the above referenced plat.

EXCEPTION #1:

A certain parcel of land located in Marion County, Kentucky, approximately 1800 feet east of the intersection of KY 49 and KY 84 and 210 feet south of KY 49 and more particularly described as follows:

Beginning at a found steel pin at the southwest corner to Allan and Betty Courtwright (DB: 149, PG. 417) and also in the line of Jill Gardner and Steven A. Rucker (DB. 164, PG. 334 and DB. 168, PG. 344); thence leaving the Gardner/Rucker line and running with the Courtwright line N 82 degrees 54'50" E. 209.56 feet to a found steel pin; thence leaving the Courtwright line and running with a new division line S. 06 degrees 57'54" E. 20.00 feet to a set steel pin; thence S. 82 degrees 54'50" W. 209.51 feet to a set steel pin and corner to Gardner/Rucker; thence leaving the new division line and running with the Gardner/Rucker line N. 07 degrees 05'10" W. 20.00 feet to the point of beginning, containing 4.190 square feet by survey of Sam S. Anzelmo, Jr., LS #2688 dated October 14, 1996, attached and made a part herein.