



CITY OF LEBANON

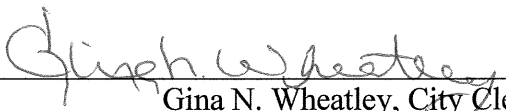
GARY D. CRENSHAW
MAYOR

P.O. BOX 840
LEBANON, KY 40033
TEL. (270) 692-6272
FAX (270) 692-4638

CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Lebanon, Kentucky, and the following 8 pages of Ordinance 01-02 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on May 7, 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 Kandice Addison

ORDINANCE NO. 01-02

AN ORDINANCE ANNEXING TO THE CITY OF LEBANON, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY BELONGING TO THE MARION COUNTY INDUSTRIAL FOUNDATION AND TO WILLIAM L. AND NANCY J. TATUM, LYING ON AND CONTIGUOUS TO PORTIONS OF THE CITY'S NORTHERLY BOUNDARY AND ADJACENT TO 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 written requests pursuant to KRS 81A.412, by the Marion County Industrial Foundation and William L. and Nancy J. Tatum, owners of record of the parcels of land described below, to annex into the City all of their respective properties located along and contiguous to portions of the City's northerly boundary and adjacent to Kentucky Highway 49 (the Loretto Road), which lands qualify for annexation pursuant to KRS 81A.410, and

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

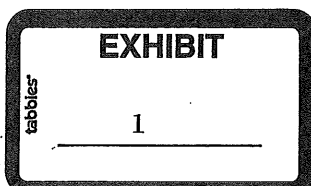
WHEREAS, no part of said properties proposed to be annexed lies within the boundary of any other incorporated City,

NOW, THEREFORE,

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

SECTION I

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



SECTION II

That this annexation is made at the requests of the Marion County Industrial Foundation and William L. and Nancy J. Tatum, the owners of said properties 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 properties 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.

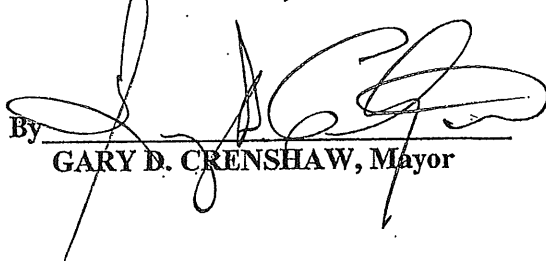
SECTION VI

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 January 8, 2001

Second Reading given May 07, 2001.

Published in The Lebanon Enterprise on May 16, 2001.

Joyce A. Ford
JOYCE A. FORD, City Clerk

Located about one mile west of Lebanon, Kentucky on the Cissell River Pike and the Lebanon and St. Mary Pike, corner to E. A. Lee (formerly O'Daniel), thence N. 9 W. 266.80 poles to a stake, Beaver's (formerly Mahan's) corner, thence S. $82\frac{3}{4}$ W 48 poles to a stake, Beaver's (formerly Mahan's) corner, thence S. $49\frac{1}{4}$ W. 64-60 poles to a stake, Bowle's (formerly Christie's) corner, thence N. $73\frac{3}{4}$ W. 38.80 poles to a stake, (Christie's formerly) Bowle's corner, thence N. $86\frac{1}{2}$ W. 73.20 poles to a stone Beaver's (formerly McGee's) corner, thence S. $2\frac{1}{2}$ E. 63 poles to center of Cissell River Pike, and with same S $33\frac{1}{2}$ E. 5.60 poles, S. $19\frac{1}{2}$ E. 161 poles to the center of St. Mary Pike, thence with same N. $82\frac{1}{2}$ E. 84.40 poles, N. $78\frac{1}{4}$ E. 94 poles to the beginning, containing 268.35 acres, more or less.

THERE IS EXCEPTED HEREFROM AND NOT CONVEYED HEREBY the property conveyed to C. C. Sims and J. W. Gootee by Deed recorded in Deed Book 65, Page 394, in the Marion County Clerk's office and described as follows:

BEGINNING at a fence corner located near the ford outdoor sign situated on the east side of the Lebanon-Loretto Highway, and running thence $76\frac{1}{2}$ W. 466 $\frac{1}{2}$ feet, thence east 466 $\frac{1}{2}$ feet on the Lebanon-Loretto Highway to the point of beginning, containing 5 acres, more or less.

THERE IS FURTHER EXCEPTED HEREFROM AND NOT CONVEYED HEREBY the property conveyed to Philip S. George, Jr. and Karol A. George, his wife, by deed recorded in Deed Book 142, Page 647, and described as follows:

A 0.65 acre tract, being on the East right of way of Hwy. #52 & 49, 2400 feet, more or less, of Hwy. #84, Intersection with Hwy. #52 & 49, Northwest of Lebanon, Marion County, KY, (88.3 feet South of Elmer Hansel Tr.).

BEGINNING at fence post (29 feet to centerline of roadway) in East R.O.W. of Hwy. #52 & 49, then with said R.O.W. (no fence) North 20 degrees 32 minutes 16 seconds West 125.00 feet to fence post (25.8 feet to centerline of roadway). Then leaving said R.O.W. and with New Division Lines and Existing fence lines, North 83 degrees 56 minutes 12 seconds East 244.04 feet to post, South 5 degrees 13 minutes 22 seconds East 127.25 feet to post South 85 degrees 37 minutes 15 seconds west 211.02 feet to the Point of Beginning, containing 28,193 square feet or 0.65 acre. See Plat of F. Keith Sanford, RLS #2034, dated October 21, 1986, of record in Deed Book 142, Page 653, in the Marion County Clerk's office.

THERE IS ALSO EXCEPTED HEREFROM AND NOT CONVEYED HEREBY the property conveyed to the Kentucky Highway Department as depicted on the map recorded in Deed Book 202, Page 317, in the Marion County Clerk's office, and described as follows:

Two small pieces of land created by road improvements to Kentucky 84 and Kentucky 49 and 52 and being more particularly described as follows:

Two small tracts of land located on the North and South of Kentucky Highway 84 as it intersects the West side of Kentucky Highway 49 and Kentucky Highway 52.

Being the same property acquired by Marion County Industrial Foundation, Inc., by Deed dated December 15, 1999 and recorded in Deed Book 212, Page 16, in the Marion County Clerk's office.

EXHIBIT A

Three parcels of land located in Marion County, Kentucky on the north side of KY 49 - Loretto road, adjacent to the City limits of Lebanon and approximately 250 feet west of John F. Kennedy Drive and being tracts 1, 2, and 3 of the E. A. Lee St. Rose Pike/Lee Avenue Farm Division as per plat of record in Plat Cabinet 1, Slide 18 in the Marion County Court Clerk's Office and more particularly described as follows:

TRACT 1:

BEGINNING at a steel pin in the north fenced right of way of KY 49 and corner with tract 3 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division also located N 77° 05'43" W 52.76 feet to a corner post with Philip George Sr.,; thence leaving the KY 49 right of way and running with a new division line and tract 3 line N 05° 41'51" W 1166.17 feet to a steel pin; thence S 67° 25'41" E 631.64 feet to a post corner with tract 3, tract 2 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division and Joe Paul Daugherty; thence leaving the new division line and tract 3, tract 2 corner and running with the fenced Daugherty line and joining the fenced Malan Acres Subdivision line (plat: DB. 85, PG. 586, etc.) S 18° 34'30" W 515.63 feet to a post; thence S 01° 59'27" W 4.76 feet to a post; thence S 19° 17'12" W 73.44 feet to a post; thence S 18° 41'06" W 321.52 feet to a post; thence S 03° 59'06" E 10.62 feet to a post; thence S 20° 50'08" W 79.29 feet to a post in the north right of way of KY 49/Loretto road; thence leaving the fenced Malan Acres Subdivision line and running with the fenced KY 49/Loretto Road right of way N 77° 00'23" W 108.86 feet to a post; thence N 77° 05'43" W 43.36 feet to the point of beginning, containing 9.19 acres by survey of Sam S. Anzelmo, LS #2688, dated 7/5/1993.

TRACT 2:

BEGINNING at a steel pin in the west right of way of Lee Avenue and corner with Malan Acres Subdivision (plat: DB. 85, PG. 586, etc.); thence leaving the Lee Avenue right of way and running with the Malan Acres Subdivision line N 66° 30'09" W 143.27 feet to a post; thence running with the Malan Acres Subdivision line and joining the fenced line of Joe Paul Daugherty N 67° 25'41" W 432.08 feet to a post; thence N 72° 37'05" W 54.11 feet to a post corner with tract 1 and tract 3 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division; thence leaving the Joe Paul Daugherty and tract 1 corner and running with a new division line and tract 3 line N 10° 36'09" E 981.99 feet to a steel pin and corner with tract 3 and in the line of tract 5 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division; thence leaving the tract 3 line and running with the new division line and tract 5 line S 67° 34'29" E 630.00 feet to a post in the Fenced line of the E. A. Lee Subdivision No. 3 (plat: DB. 109, PG. 101); thence leaving the tract 5 line and running with the fenced E. A. Lee Subdivision No. 3 S 20° 10'26" W 516.62 feet to a post; thence S 60° 53'24" E 18.43 feet to a post and corner with E.A. Lee Subdivision No. 2 (Plat 105, PG. 691); thence leaving the E.A. Lee Subdivision No. 3 line and running with the fenced E. A. Lee Subdivision No. 2 fenced line S 17° 59'56" W 78.62 feet to a post; thence S 20° 16'39" W 159.70 feet to a post; thence S 20° 37'09" W 161.75 feet to a steel pin; thence S 66° 29'50" E 143.00 feet to a steel pin in the west right of way of Lee Avenue; thence leaving the E. A. Lee Subdivision No 2 line and running with the west right of way of Lee Avenue S 19° 58'04" W 39.53 feet to the point of beginning, containing 12.39 acres by survey of Sam S. Anzelmo Jr., LS #2688, dated 7/5/1993.

TRACT 3:

BEGINNING at a fence post in the north right of way of KY 49/Loretto road and corner with Philip S. George Sr.; thence leaving the KY 49/Loretto Road right of way and running with the fenced George line N 05° 41'51" W 1240.75 feet to a post; thence N 05° 52'59" W 1025.09 feet to a steel pin and corner with tract 5 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division; thence leaving the George line and running a new division line and tract 5 line S 67° 34'29" E 1003.74 feet to a steel pin and corner with tract 2 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division; thence leaving the tract 5 line and running with the new division line and tract 2 line S 10° 36'09" W 981.99 feet to a post and corner with Joe Paul Daugherty and Tract 1 of the aforesaid E.A. Lee St. Rose Pike/ Lee Avenue Farm Division; thence leaving the tract 2 line and Daugherty corner and running with the new division line and tract 1 line N 67° 25'41" W 631.64 feet to a steel pin; thence S 05° 41'51" E 1166.17 feet to a steel pin in the north right of way KY 49/ Loretto Road; thence leaving the new division line and tract 1 line and running with the fenced right of way of KY 49/Loretto Road N 77° 05'43" W 52.76 feet to the point of beginning, containing 19.98 acres by survey of Sam S. Anzelmo Jr., LS #2688 dated 7/5/1993.

The tracts described above are subject to all recorded and/or unrecorded utility easements, recorded building setback requirements and Lebanon Planning commission stipulations of record.

Being the same property acquired by William L. Tatum and Nancy J. Tatum by Deed dated October 8, 1993, and recorded in Deed Book 171, Page 41, in the Marion County Clerk's office.

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CONSENT TO ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF LEBANON:

The undersigned, the owner of record of the real property hereinafter referred to does, pursuant to KRS 81A.412, hereby request and consent to the annexation of all property acquired from the E. A. Lee Estate by the City of Lebanon, does hereby waive the 60-day waiting period required by KRS 81.420, and does further consent to any zoning classification recommended therefor by the Lebanon Planning & Zoning Commission and established by the City.

The property which I request the City to annex lies west of and contiguous to portions of the present boundary of the City, is urban in character and is suitable for urban purposes without unreasonable delay. My title to said property was acquired by Deed dated October 8, 1993, and recorded in Deed Book 171, Page 41, in the Marion County Clerk's office.


WILLIAM L. TATUM


NANCY J. TATUM

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LEBANON/MARION COUNTY INDUSTRIAL FOUNDATION

131 West Main Street
P.O. Box 993
Lebanon, KY 40033
email: mcecodev@kih.net

270-692-6002
877-692-6002
Fax 270-692-0510
www.ltadd.org/lebanon

December 7, 2000

Mr. John Thomas
City Hall
P O Box 840
Lebanon, KY 40033

Dear John:

In their November meeting the board of directors of the Marion County Industrial Foundation voted unanimously to ask the City of Lebanon to annex their property on Highway 49 formerly known as the J. P. Reid property.

I have enclosed a legal description of the property for your information. If you should need any additional information please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Lund", is written over a horizontal line. The signature is fluid and cursive.

Tom Lund
Executive Director