



CITY OF LEBANON

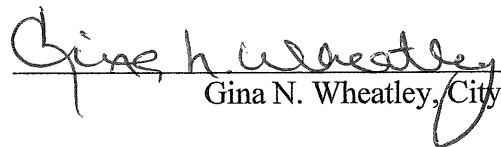
GARY D. CRENSHAW
MAYOR

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 5 pages of Ordinance 2011-03 are a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on May 9, 2011, all as appears in the official records of said City.

WITNESS, my hand and the City Seal of Lebanon, Kentucky, this 8th day of October, 2019.



Gina N. Wheatley, City Clerk

RECEIVED AND FILED
DATE October 9, 2019

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Gardie Adkins

**AN ORDINANCE ANNEXING TERRITORY LOCATED ALONG THE CITY'S
WESTERN BOUNDARY AND PRESENTLY IDENTIFIED AS 1795
CAMPBELLSVILLE HIGHWAY, LEBANON, KENTUCKY
AND APPROVING ZONING CLASSIFICATION AS B-2
(GENERAL BUSINESS).**

WHEREAS the territory annexed, consisting of a certain tract of land and the ingress/egress easement thereto presently identified as 1795 Campbellsville Highway, Lebanon, Kentucky and presently owned by Doren and Kim Holgate, is contiguous to the City of Lebanon and of urban character or suitable for urban development without unreasonable delay; and,

WHEREAS after introduction on February 02, 2011, on March 07, 2011, the City of Lebanon City Council enacted Ordinance 2011-02, declaring the desirability of this annexation and the City of Lebanon's intent to annex the below described territory pursuant to KRS §81A.420 and KRS §100.209 which was then published on March 16, 2011; and,

WHEREAS the City of Lebanon confirmed that all persons having standing to protest the annexation consented to same and signed written consent thereto, thereby negating the need to wait the sixty-day period for petition to be filed; and,

WHEREAS the City of Lebanon Planning and Zoning Commission approved the assignment of a zone classification/change from unzoned territory to B-2 (General Business) on February 28, 2011, and the City has properly advertised and herein considers on the record the findings so made by the Planning & Zoning Commission with respect to the property described below;

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, as follows:

1. The territory described below, a map of which is attached to this ordinance as Exhibit A and is fully incorporated into this ordinance, is hereby annexed into the City of Lebanon:

Exhibit A

2. The recommendation of the City of Lebanon Planning & Zoning Commission is hereby adopted based upon the record therein and the zoning classification assigned this property is hereby changed from unzoned territory to B-2 (General Business).

3. The provisions of this Ordinance are hereby declared to be severable and, if any section, phrase or provision shall for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.
4. All prior Municipal Orders or Ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.
5. The Ordinance is adopted pursuant to KRS §83A.060 in that it was introduced on April 11, 2011, and given final reading on May 9, 2011, and said Ordinance shall be in full force and effect upon signature, recordation and publication in accordance with KRS §81A.060, KRS §100.209 and KRS Chapter 424.

CITY OF LEBANON, KENTUCKY

BY: 

GARY D. CRENSHAW, Mayor

Attest:

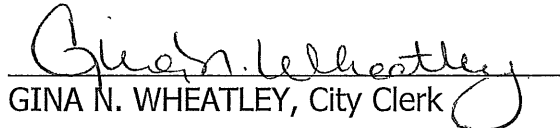

GINA N. WHEATLEY, City Clerk

EXHIBIT A

LOCATED IN Marion County, Kentucky, and BEGINNING at the northern edge of U.S., Highway #68, corner and at Western edge of a lane which leads back to the old Wathen farm; thence with the Western edge of said lane in a Northern direction 191 feet to a stake; thence in a Western direction 179 feet to a stake; thence in a Southern direction 191 feet to a stake at the edge of U.S. Highway 68; thence in an Eastern direction with the North side of U.S. Highway 68 a distance of 179 feet to the point of beginning, being in the Southeastern corner to the tract of land acquired by First Party.

TOGETHER WITH the Smith's prescriptive easement, which has been in use since 1967, for purposes of ingress and egress. Said easement being 24.75' wide and 185' in length from US 68 to Gilbert Cohan line.

THERE IS EXCEPTED FROM THE FOREGOING AND NOT CONVEYED HEREBY that portion of the above-described property conveyed to the Commonwealth of Kentucky for the use and benefit of the Department of Transportation, in a Deed of Conveyance dated May 11, 1979, and recorded in Deed Book 118, Page 705, in the Marion County Clerk's office, and more particularly described as follows:

(a) All that part of said tract or tracts of land which lies on the left (north) side of the centerline of the existing public road, within a distance of 50 feet left (north) of the centerline of the proposed public road and between the west property line approximate Station 991+55 and the east property line approximate Station 993+30.

Also, the following parcel of land lying immediately adjacent to the above described parcel on the side, to the width and between the Stations shown below.

PARCEL	FROM	WIDTH	TO	WIDTH	SIDE
(b)	W.P.L.	10'	E.P.L.	10'	LT.

Parcel (a) is for the purpose of permanent right-of-way and consists of 0.26 acres more or less, 0.16 acres of which is new right of way and 0.10 acres of existing right of way.

Parcel (b) is a construction easement for the purpose of construction.

It is the specific intention of the grantors herein to convey, in fee simple Parcel 30, the Right of Way to be acquired (0.26 acres).

This acquisition of the right of way of this project was authorized by the Kentucky Bureau of Highway Official Order No. 83570. The control access on this project and access to the remaining property of the first party shall be by permit, as required to be set forth in Section 5. of the Kentucky Administrative Regulations, (603 KAR 5:010).

The proposed public road extends from Campbellsville to Lebanon (SP 78-102-7R3), (Fed. No. CF 55-1 (7) the plans for which are on file in the office of the Department of Transportation in Frankfort, Kentucky.

AND BEING the same property conveyed to Doren Holgate and Kim Holgate, husband and wife, by deed dated the 17th day of January, 2006, of record in Deed Book 255, Page 435, in the Marion County Court Clerk's Office.

Legend:

- P.I.B. - Point of Beginning
- Point
- P.L. - Property Line

The purpose of this survey is to annex the Doren and Karen Holgate property (D.B. 255/Pg. 435) into the city limits of Lebanon, Ky.

Charles T. Moore
Mabel A. Moore
D.B. 252/Pg. 035

S 75°43'49" W
179.00'

Tract I
Doren Holgate &
Karen Holgate
D.B. 255/Pg. 435
26,960 SQ. FT.
0.62 ACRES

1795 Campbellsville Hwy
(Hwy 68/55)
Lebanon, Ky 40033

Asphalt Parking Lot

N 75°43'49" E
179.00'

Commonwealth of Ky
D.B. 118/Pg. 705

Campbellsville Hwy
(Hwy 68/55)

Marion Co. Water District
D.B. 262/Pg. 263

George Evans
D.B. 136/Pg. 438

Cloyd Brady Lane
Cloyd Brady
D.B. 76/Pg. 148
Existing City Limits

S 10°10'39" E
151.00'

N 10°10'39" W
151.00'

Asphalt Driveway

S 75°43'49" W
24.81'

P.I.B.

Existing City Limits

Certificate of Ownership and Dedication

I (we) hereby certify that I (or we) the owner(s) of the property shown (D.B. 255/Pg. 435 - Tract I displayed above) and described herein and that I (we) hereby accept this plan of annexation into the city limits of Lebanon, Ky.

Owner _____

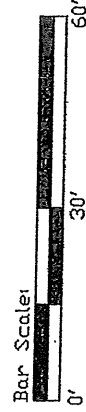
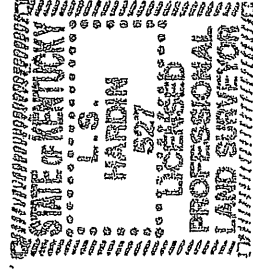
Date _____

Owner _____

Date _____

Land Surveyor's Certificate
I hereby certify that this plat depicts a survey made by me or under my supervision. Bearings and distance shown herein have not been adjusted for closure. Bearings shown herein are magnetic and were taken from the first line of the traverse.

L.S. Hardin, P.L.S. 527 Date *2-26-11*



Client: City of Lebanon
118 S. Proctor Knott
Lebanon, Ky 40033

Property Owners:
Doren Holgate &
Karen Holgate
1070 Scuffle Road
Bradfordsville, Ky 40009
D.B. 255/Pg. 435

Survey Performed: January 28, 2011
Drawn By: CWM Scale: 1" = 30'