



# CITY OF LEBANON

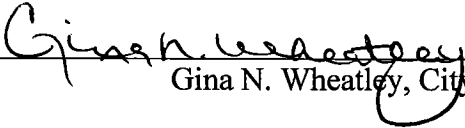
GARY D. CRENSHAW  
MAYOR

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 11 pages of Ordinance 2023-01 are a true, correct, and complete copy duly adopted by the City Council at a duly convened meeting held on January 12, 2023, all as appears in the official records of said City.

WITNESS, my hand and the City Seal of Lebanon, Kentucky, this 27<sup>th</sup> day of January, 2023.

  
Gina N. Wheatley, City Clerk

RECEIVED AND FILED  
DATE January 30, 2023

MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adams

ORDINANCE NO. 2023-01

AN ORDINANCE FINALLY ANNEXING TERRITORY LOCATED  
AT 2015 CAMPBELLSVILLE ROAD

WHEREAS the territory intended to be annexed by this Final Annexation Ordinance consists of a certain tract of land presently identified at an address of 2015 Campbellsville Road, Lebanon, Kentucky 40033 and being also identified as Parcel Number 048-009-01A in the records of the Marion County PVA; and being more particularly described and depicted in a metes/bounds description and Annexation Plat attached hereto and incorporated by reference as Exhibit A; and

WHEREAS, said territory is contiguous to the City of Lebanon along the territory's generally northern and generally eastern boundary; and,

WHEREAS, said territory is approximately 1.12 acres and its generally southern boundary is the right of way of Campbellsville Road/Campbellsville Highway a/k/a Highway 68; and,

WHEREAS the territory intended to be annexed is either urban in character or suitable for urban development without unreasonable delay; and,

WHEREAS the urban in character nature or suitability for urban development of the territory is evidenced by a residential development in the vicinity to the north along Scenic Hill Drive and a big box Walmart store in the vicinity to the south; and,

WHEREAS, utility services necessary for typical commercial development are available to the territory proposed for annexation; and,

WHEREAS the proposed territory to be annexed is all situated within the County of Marion, Kentucky, and not within another incorporated city or in the process of being incorporated, nor within an agricultural district; and,

WHEREAS, the proposed territory to be annexed does not contain utility infrastructure of another city; and

WHEREAS the real property owner of the territory proposed to be annexed, Bob R. Gaddie, has given his written consent to be annexed by an Irrevocable Request for Annexation dated November 14, 2022 and has requested that the annexation proceed simultaneously with the application for zone change pursuant to KRS §100.209; and,

WHEREAS the City previously passed by first and second reading its Intent to Annex Ordinance No. 2022-12 for the territory referenced herein and described in such Ordinance; and

WHEREAS, the City considered the administrative record of the City of Lebanon Planning & Zoning Commission (hereinafter "Planning Commission") resulting from its public hearing of December 27, 2022 and, prior to First Reading of this Final Annexation Ordinance, has approved the Planning Commission's recommendation to assign the annexed territory to the GENERAL BUSINESS (B-2) ZONE CLASSIFICATION.

WHEREAS the City declares it desirable to annex that certain tract of land presently identified as 2015 Campbellsville Road, Lebanon, Kentucky 40033, further and more particularly described and depicted in this ordinance and its attached **Exhibit A**, for purposes of economic growth and development of the City and to accomplish provision of services throughout the annexed territory.

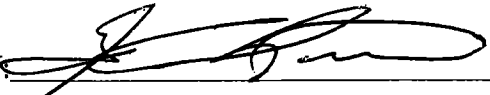
**NOW, THEREFORE, BE IT ORDAINED** by the City of Lebanon, as follows:

1. That the property described and depicted on **Exhibit A**, which property is embraced within the County of Marion and which is located at 2015 Campbellsville Road and contiguous to portions of the City's boundary shall be, and the same hereby is, annexed into and included within the boundaries of the City of Lebanon, Kentucky.
2. That this annexation is made at the request of Bob R. Gaddie, who is the owner of said property and having filed their written consent, pursuant to KRS 81A.412, the 60-day waiting period and the notice requirements have been waived.
3. The recommendation of the City of Lebanon Planning & Zoning Commission is hereby approved based upon the administrative record of its December 27, 2022 public hearing.
4. That the City's Finding of Facts adopting the Recommendation of the Planning Commission and Assigning General Business (B-2) Zone Classification are incorporated herein by reference as though fully set forth and attached hereto as **Exhibit B** and the City does hereby assign a zoning classification of General Business (B-2), thereby changing the zone classification and map for this property from unzoned territory to General Business (B-2).
5. The City Attorney is hereby authorized and directed, if she has not already done so, to prepare an Ordinance for First and Second Reading before the City Council amending the

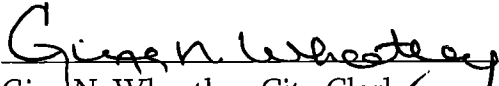
Zoning Map of Lebanon to include the Subject Property as property assigned to the General Business (B-2). Such Ordinance shall become effective on passage on second reading; passage on second reading of this Final Annexation Ordinance annexing the territory; and upon compliance with any publication requirements for such Ordinance pursuant to applicable law.

6. Consistent with KRS 100.209, prior to Second Reading of this Ordinance, a Map is to be attached hereto as **Exhibit C** and incorporated in this Ordinance by reference as fully as though set forth herein, showing the Zone Classification of the annexed territory as approved by the City Council after approving the recommendation of the Planning Commission by majority of a quorum of the City Council. The newly annexed territory described at **Exhibit A** shall be shown on said Map in the General Business (B-2) Zone Classification.
7. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed, but only to the extent of such conflict.
8. 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 Final Annexation Ordinance.
9. This Final Annexation Ordinance is adopted pursuant to KRS §83A.060 in that it was introduced for First Reading on January 9, 2023, and given Second reading on January 12, 2023, and said Final Annexation Ordinance shall be in full force and effect upon signature, recordation and publication in accordance with KRS Chapter 81A and KRS Chapter 424.

CITY OF LEBANON, KENTUCKY

BY:   
GARY D. CRENSHAW, Mayor

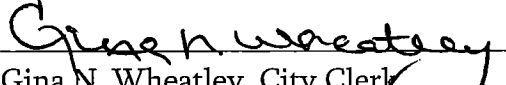
Attest:

  
Gina N. Wheatley, City Clerk

First Reading given January 9, 2023.

Second Reading given January 12, 2023.

Publication made in The Lebanon Enterprise on January 18, 2023.

  
Gina N. Wheatley, City Clerk

**CITY COUNCIL OF CITY OF LEBANON, KENTUCKY**

**FINDINGS OF FACT ADOPTING FAVORABLE RECOMMENDATION OF  
GENERAL BUSINESS (B-2) ZONING CLASSIFICATION OF PROPERTY SUBJECT  
TO INTENT TO ANNEX ORDINANCE #2022-12 (“FINDINGS”)  
(AN AREA OF PROPERTY TO THE NORTH OF U.S. HIGHWAY 68 BETWEEN  
HIGHWAY KY 426 AND KENTUCKY HIGHWAY 208)**

**WHEREAS**, on Thursday December 15, 2022, on second reading, the City of Lebanon, KY City Council (“Council) passed an Intent to Annex ordinance designated Ordinance No. 2022-12 (the “Annexation Ordinance”) regarding real property described therein (the “Subject Property”). Said Annexation Ordinance and the description of the Subject Property are incorporated herein by reference. Said Subject property is also described and depicted by the Metes and Bounds Description and Annexation Plat attached hereto and incorporated by reference as **Exhibit A**.

**WHEREAS**, the Subject Property is owned by Bob R. Gaddie and has an address of 2015 Campbellsville Road a/k/a Campbellsville Highway a/k/a Highway 68 and constitutes 1.12 acres more or less according to Exhibit A.

**WHEREAS**, the Lebanon Planning and Zoning Commission held a Public Hearing on December 27, 2022 to consider Comprehensive Plan Amendment for the Subject Property to identify it for BUSINESS USE on the Current and Future Land Use Map and to assign Zone Classification to the GENERAL BUSINESS ZONE CLASSIFICATION (B-2).

**WHEREAS** the Planning Commission, by duly authorized vote of a quorum of members attending on December 27, 2022, approved such BUSINESS USE identification and recommended assignment of the Subject Property to the GENERAL BUSINESS ZONE CLASSIFICATION (B-2). The City Council has received the Findings of Fact adopted by the Planning Commission in support of such recommendation.

**WHEREAS**, the Comprehensive Plan Amendment was within the final authority of the Planning Commission and the City Council has not noticed or scheduled any additional public hearing on the Zone Classification proposal in that it is not required to do so by any applicable law and may review the Planning Commission recommendation on the record developed before the Planning Commission.

**WHEREAS**, the City Council is proceeding pursuant to KRS 100.209 and recognizes that, pursuant to the said statute, that it will need to subsequently adopt a Final Annexation Ordinance to bring the Subject Property into the corporate boundary of the City of Lebanon with the Zone Classification approved by the City Council; and

**WHEREAS**, the City Council has considered the Intent to Annex Ordinance, the written administrative record before the Planning Commission, and the testimony and any other evidence submitted into the record at the Dec. 27, 2022 Public Hearing (collectively the "Administrative Record"), KRS Chapter 100, the Lebanon Zoning Ordinance and Lebanon Comprehensive Plan in relation to the Subject Property.

**NOW THEREFORE**, after opportunity for Council deliberation on the proposed Zone Classification, the Mayor shall entertain any Motion and Second from Council Members on the Zone Classification.

### **ZONE CLASSIFICATION DECISION**

The City Council, having considered the RECOMMENDATION of the Planning Commission, its adopted FINDINGS OF FACT, and the complete Administrative Record, by MOTION made by Councilwoman Kate Palagi and seconded by Councilman John Mattingly and approved by a majority vote of the City Council at a duly noticed and authorized Council meeting on January 9, 2023. hereby:

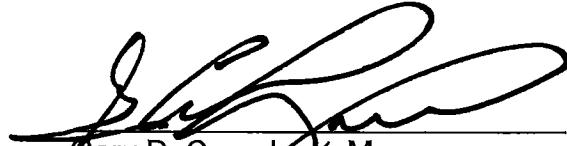
- (a) Adopts and incorporates by reference the December 27, 2022 Findings of Fact of the Planning Commission as its own and instructs the City Clerk to include them as an exhibit to the Minutes of the aforementioned City Council Meeting;
- (b) Designates the Subject Property identified by the Annexation Ordinance to the **GENERAL BUSINESS ZONE CLASSIFICATION (B-2)** as such term is used in the Zoning Ordinance;
- (c) Authorizes and directs the City Attorney or Interim Special Counsel to the City, if not already having done so, to prepare an Ordinance for First and Second Reading before the City Council amending the Zoning Map of Lebanon to include the Subject Property as property assigned to the General Business Zone Classification (B-2). (Said Zone Classification Ordinance shall become effective on passage on second reading of a Final Annexation Ordinance annexing the Subject Property; and upon compliance with any publication requirements for such Zone Classification Ordinance pursuant to applicable law.)

(d) The following City Council Members voted in favor of the foregoing Motion:

Jerry Abell, John Mattingly, Ricky Mattingly, Kate Palagi, Darin Spalding, and Jonathan Spalding

and the following City Council Members, if any, voted against the foregoing Motion:

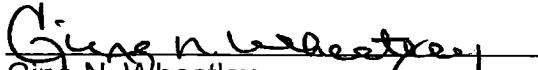
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Gary D. Crenshaw, Mayor  
City of Lebanon, Kentucky

Date: January 9, 2023

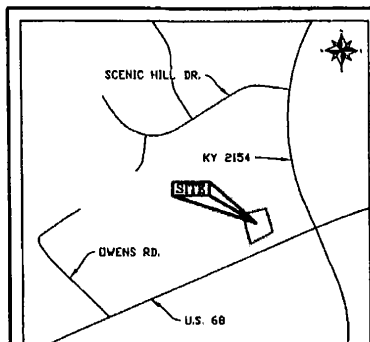
ATTEST TO SIGNATURE OF CHAIRPERSON:



Gina N. Wheatley  
City Clerk/Treasurer of the City of Lebanon, Kentucky

Date: January 9, 2023

**EXHIBIT C**  
**NOTE ADDED BY CITY: TRACT 1 BELOW TO BE SHOWN ON CITY OF LEBANON ZONING MAP AS**  
**GENERAL BUSINESS (B-2)**



**VICINITY MAP** N.T.S.

**ANNEXATION PLAT:**  
**THIS IS NOT A BOUNDARY SURVEY**

CITY OF LEBANON  
 ORDINANCE 08-18  
 HILPP'S INDUSTRIAL PROPERTIES, LLC.  
 DB 340; PG 781  
 CAB. 1; SLIDE 36 & CAB. 4; SLIDE 809

CITY OF LEBANON  
 ORDINANCE 08-16  
 HILPP'S INDUSTRIAL PROPERTIES, LLC.  
 DB 340; PG 781  
 CAB. 1; SLIDE 36 & CAB. 4; SLIDE 809

**TRACT 1**  
 1.12± Ac.

UNINCORPORATED AREA  
 OF MARION COUNTY  
 JOSEPH & MARGARET HUGHES  
 DB 119; PG 676

P.O.B.  
 N:3,726,405.01  
 E:5,056,284.40



**SURVEYORS CERTIFICATE**

I HEREBY CERTIFY THAT THE ANNEXATION MAP SHOWN HEREON IS A CORRECT DELINEATION OF THE PARCELS TO BE ANNEXED AND THAT THESE PARCELS ARE CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF LEBANON, KENTUCKY AS PROVIDED BY INFORMATION SUPPLIED BY THE OFFICE OF THE SECRETARY OF STATE. I FURTHER CERTIFY THAT THIS MAP WAS PREPARED BY ME OR BY PERSONS UNDER MY DIRECT PERSONAL SUPERVISION. THIS IS NOT A BOUNDARY SURVEY AND THE APPROXIMATE BOUNDARY LINES SHOWN HEREON WERE DERIVED BY A COMBINATION OF FIELD WORK, DEEDS OF RECORD, CURRENT AND HISTORICAL AERIAL IMAGES AND KYTC HIGHWAY PLANS

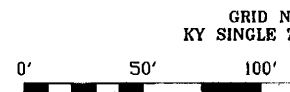
*Nathan King* 12-9-22  
 NATHAN KING PL# 3821 DATE

**NOTE:**  
 The Purpose of this Annexation Ordinance is to Annex the following tract:

Tract 1: 1.12 Ac± - All of the same property described in the Deed to Bob Gaddie, as recorded in Deed Book 160705.

**SURVEY LEGEND**

- ☒ = ANNEX CORNER POINTS
- = PROPOSED ANNEXATION LIMITS
- = EXISTING CITY LIMITS (SOLID)



PLAT DEPICTING ANNEXATION  
 BOB GADDIE PROPERTY  
 CITY OF LEBANON

CLIENT  
 BOB GADDIE  
 100 LOCUST RD.  
 CAMPBELLSVILLE, KY 42716

MARION COUNTY, KY



NATHAN ALLAN KING  
 P.E. #24283 P.L.S. #3821  
 335 N. WOODMAN AVE., LEBANON, KY  
 BUSINESS (270) 692-2000  
 HOME (270) 990-1400  
 nathan@nykwnet.net

PROJECT: MARION CO/2022/GADDIE_BOB/0301		
SCALE	TOTAL AREA	DATE
1" = 50'	1.12	12-9, 2022
INCH=FEET	AC +/-	

Exhibit A

METES AND BOUNDS DESCRIPTION AND ANNEXATION PLAT  
ATTACHED HERETO AND INCORPORATED BY REFERENCE.

# KWM

## ENGINEERING & SURVEYING, LLC

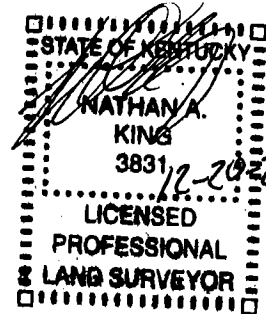
335 N. WOODLAWN AVE., LEBANON, KY 40033  
BUSINESS: (270) 692-0089  
MOBILE: (270) 590-4603  
nathan@mykwm.net

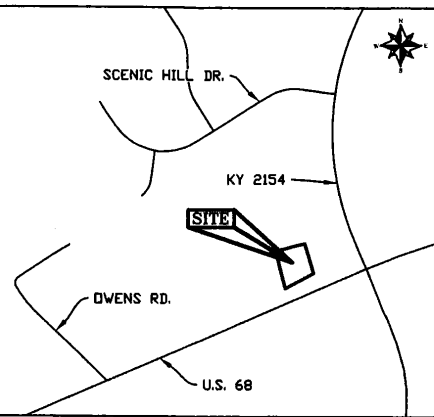
### Annexation of Tract 1 of the Bob Gaddie Property City of Lebanon

A description of a **1.12 Ac.** parcel of land lying on the northwest side of U.S. Hwy 68, near its intersection with KY Hwy 2154, State of Kentucky, County of Marion. This Description is the same property of Bob Gaddie (DB 160, PG 705) and is also shown as Tract 1 on the plat titled "Plat Depicting Annexation of Bob Gaddie Property, City of Lebanon".

The bearings and distances stated herein are referenced to Grid North, Kentucky Single Zone (KY1600) as determined by GPS observations.

BEGINNING at a point approximately 90' northwesterly of the centerline of U.S. Hwy 68, approximately 330' southwesterly of its intersection with KY Hwy 2154, said point having the Kentucky State Plane Coordinates per KY Single Zone (KY 1600) of N: 3,726,405.01 & E: 5,056,284.40, said point being a corner common to Hilpp's Industrial Properties (DB 340; PG 761) and the City of Lebanon City Limits (Ordinance 08-16); THENCE with the R/W of said U.S. Hwy 68, an unincorporated area of Marion County, S61°58'09"W, 216.30' to a point, a corner common to Joseph & Margaret Hughes (DB 119; PG 676); THENCE with the Hughes property, an unincorporated area of Marion County, N14°43'11"W, 260.21' to a point, a corner common to said Hilpp's industrial property and The City of Lebanon; THENCE with the Hilpp's Industrial property and the existing City Limits of Lebanon, N75°07'45"E, 202.33' to a point; THENCE with same, S16°56'07"E, 211.10' to the POINT OF BEGINNING and Containing 1.12 acres more or less, and being Tract 1 as shown on plat by Nathan King, PLS #3831, with KWM Engineering & Land Surveying, on December 9, 2022 and titled "Plat Depicting Annexation of the Bob Gaddie property, City of Lebanon".





VICINITY MAP N.T.S.

# ANNEXATION PLAT: THIS IS NOT A BOUNDARY SURVEY

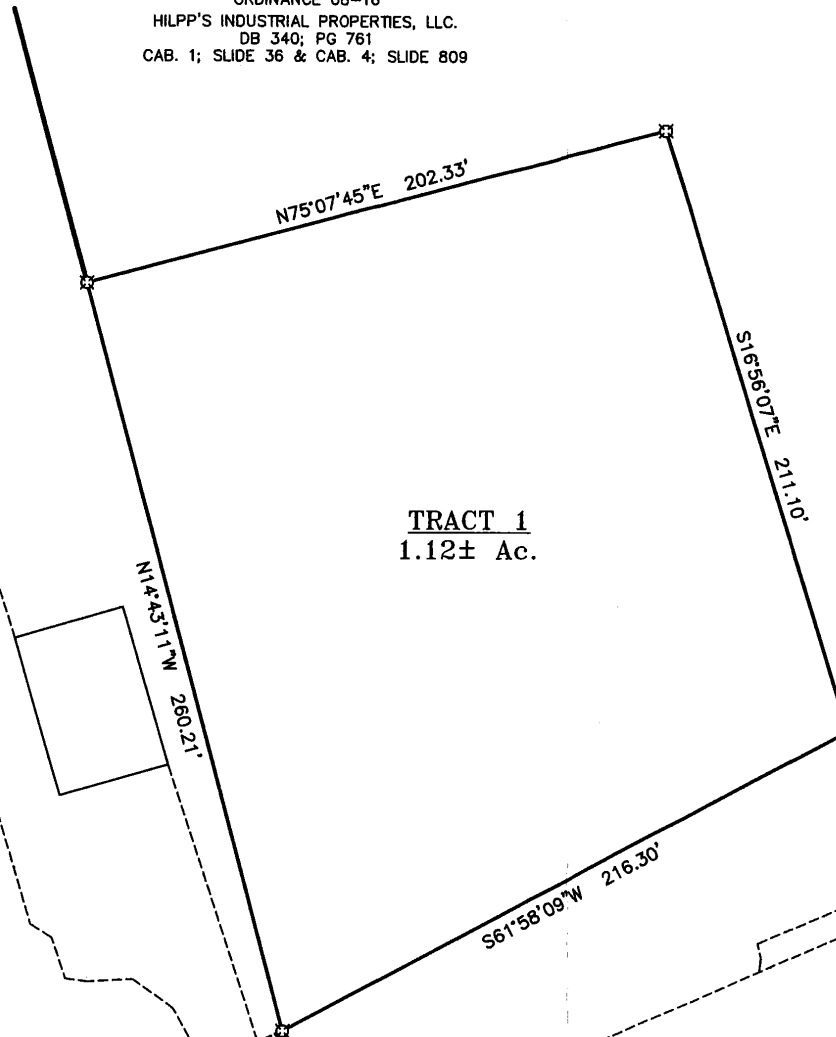
CITY OF LEBANON  
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DB 340; PG 761  
CAB. 1; SLIDE 36 & CAB. 4; SLIDE 809

CITY OF LEBANON  
ORDINANCE 08-16  
HILPP'S INDUSTRIAL PROPERTIES, LLC.  
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TRACT 1  
1.12± Ac.

UNINCORPORATED AREA  
OF MARION COUNTY  
JOSEPH & MARGARET HUGHES  
DB 119; PG. 876

P.O.B.  
N:3,726,405.01  
E:5,056,284.40



U.S. HWY 68 - VAR. R/W

The Purpose of this A...  
is to Annex the follow...  
Tract 1: 1.12 Ac± -  
property described in  
Gaddie, as recorded in  
705.

SURVEY LEGEND

- ☒ = ANNEX CORNER POINTS
- = PR
- = EXI

STATE OF KENTUCKY  
NATHAN A. KING  
3831  
LICENSED PROFESSIONAL LAND SURVEYOR

SURVEYORS CERTIFICATE

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NATHAN KING PLS 3831 DATE



PLAT DE...  
B...  
C...  
CA...  
MAR...  
**K**  
LAND  
SURVEY...  
LEBANON OFFICE: 335...  
PROJECT: MARION  
SCALE 1" = 50'  
INCH=FEET