

CITY OF MADISONVILLE, KENTUCKY
ORDINANCE NO. 95-20

RECEIVED

JAN 2 1996

ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO
THE CITY LIMITS OF MADISONVILLE, KENTUCKY
LOCATED SOUTH OF ISLAND FORD ROAD ADJOINING
THE YORK INTERNATIONAL CORPORATION-BORG
WARNER CORPORATION PROPERTY

SECRETARY OF STATE
COMMONWEALTH OF KY

BE IT ORDAINED BY THE CITY OF MADISONVILLE, KENTUCKY, AS FOLLOWS:

Section 1. The City of Madisonville, Kentucky, pursuant to KRS 81A.400, does hereby annex certain unincorporated territory into the city limits of Madisonville. The unincorporated territory hereby annexed is more particularly described on Exhibit A attached hereto and incorporated herein by reference.

Section 2. The area hereby annexed is adjacent or contiguous to the City's boundaries and, by reason of population density, commercial, industrial, institutional or governmental use of land or subdivision of land, is urban in character and suitable for development for urban purposes without unreasonable delay.

Section 3: No portion of the area hereby annexed is included within the boundary of another incorporated city.

Section 4: The City of Madisonville hereby finds it to be desirable to annex the unincorporated territory described in Exhibit A.

Section 5: The unincorporated territory hereby annexed has been assigned a zoning classification of M-2 in accordance with the recommendations adopted by the Hopkins County Joint Planning Commission on October 26, 1995. A map reflecting the area hereby annexed and the zoning classification relating thereto is attached hereto as Exhibit B as required by KRS 81A.412 and is further identified as set forth on the official zoning map on file in the Office of the Madisonville City Clerk which map is also incorporated herein by reference.

The following Ordinance was read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 4th day of December, 1995, and the second reading on the 18th day of December, 1995. Motion was made by Councilmember Stone, seconded by Councilmember Coleman, that the Ordinance be adopted as the law of the City of Madisonville, Kentucky, to be effective after publication thereof, as required by law.

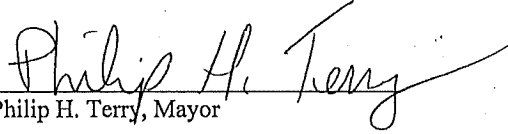
Upon vote being taken thereon, the votes were cast as follows:

COUNCILMEMBER	YEA	NAY
James L. Gill, Jr.	<u>✓</u>	—
Rudy Stone	<u>✓</u>	—
Vickie Nance	<u>✓</u>	—
Karen Cunningham	<u>✓</u>	—
Bruce Coleson	<u>✓</u>	—
D.W. Riley	<u>✓</u>	—

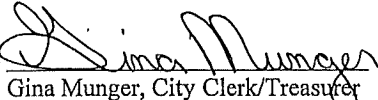
It appearing that 6 Councilmember(s) voted for the Motion and 0 Councilmember(s) voted against it, the Mayor announced that the Motion was passed and that the above Ordinance would be published as required by law and would be effective as a new Ordinance of the City of Madisonville, Kentucky, on the ___ day of _____, 1995.

Dated this the 18 day of December, 1995.

CITY OF MADISONVILLE


Philip H. Terry, Mayor

ATTEST:


Gina Munger, City Clerk/Treasurer
City of Madisonville, Kentucky

ANNEXATION DESCRIPTION FOR
CITY OF MADISONVILLE, KENTUCKY
DEED BOOK 511, PAGE 100

Beginning at a point, said point being the Northwest corner of property owned by the City of Madisonville, Deed Book 511 Page 100 which is located in the existing City limits, and also being located approximately 1,800 feet Southeast of the South right-of-way of Island Ford Road (Ky. 281) and East of York-Borg Warner property, thence running in a Southeasterly direction with the existing City limits line and West property line of York-Borg Warner for an approximate distance of 1,120 feet to a point, said point being the Southeast property corner of said City of Madisonville ten (10) acre tract, thence leaving the existing City limits line and running in a Northeasterly direction with the East property line of said City of Madisonville ten (10) acre tract for an approximate distance of 980 feet to a point, said point being the Northeast property corner of said City of Madisonville property, thence running in a Northwesterly direction with the North property line of said City of Madisonville ten (10) acre tract for an approximate distance of 934 feet to the point of beginning.

This description was prepared by Ronald Johnson & Associates and is true and correct to the best of our knowledge and belief.

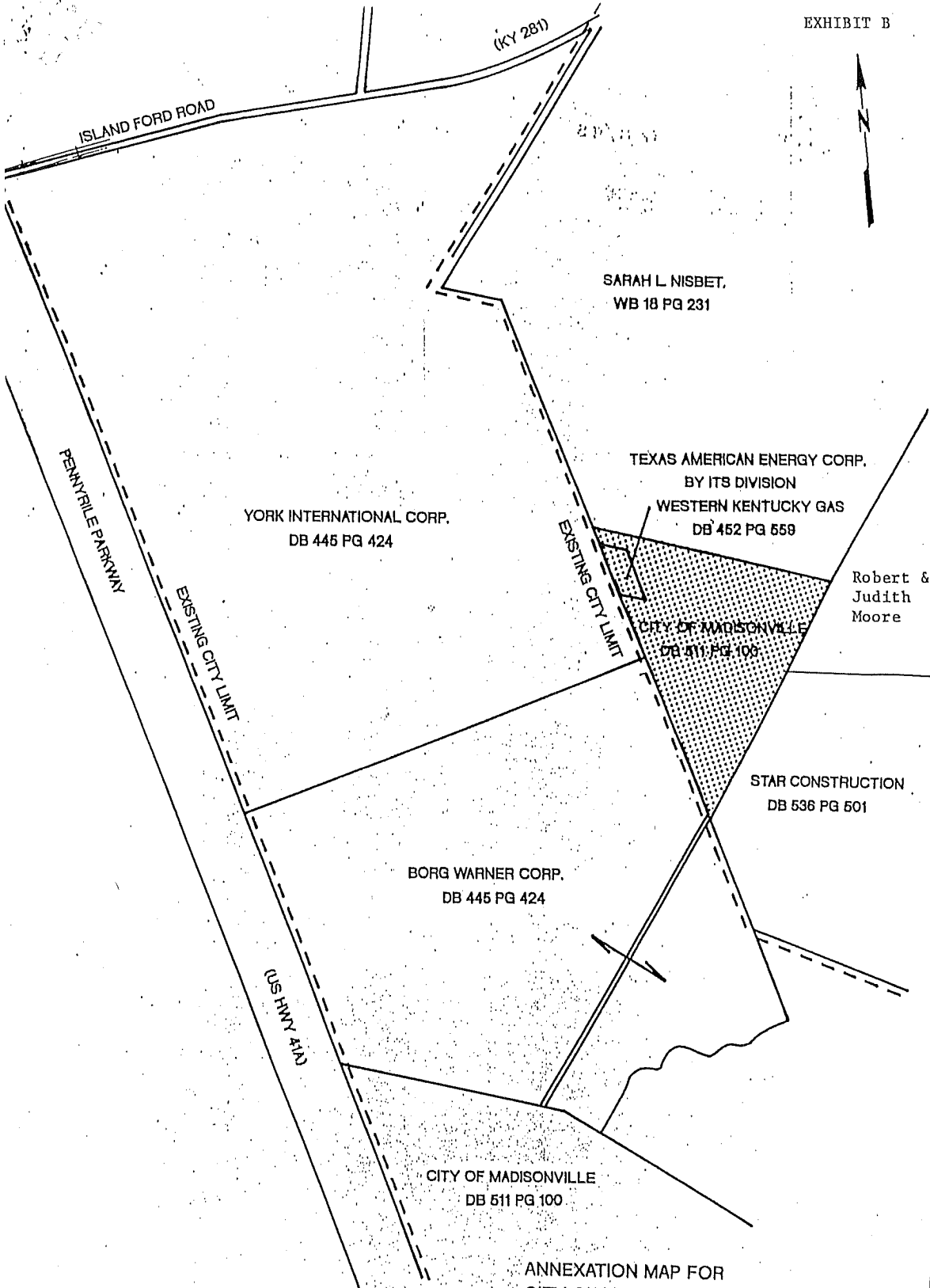
This description was prepared for the exclusive use of the person, persons or entity named in the certificate hereon. Said certificate does not extend to any unnamed person without an express recertification by the surveyor naming said person.

All reference to "North" is meant to be "Magnetic North".

Ronald R. Johnson, P.E.

R.P.E. # 5502
R.L.S. # 1052

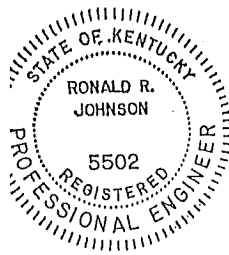
June 29, 1995



ANNEXATION MAP FOR
CITY OF MADISONVILLE, KENTUCKY

CITY OF MADISONVILLE/
WESTERN KY GAS PROPERTIES
ADJOINING YORK INTERNATIONAL

DATE: JUNE 29, 1995
SCALE: NOT TO SCALE



I CERTIFY THAT
THIS SURVEY WAS
CONDUCTED UNDER
MY SUPERVISION
AND THIS PLAT IS
TRUE AND CORRECT
TO THE BEST OF MY
KNOWLEDGE AND
BELIEF.
Ronald R. Johnson

RONALD R. JOHNSON & ASSOCIATES
CONSULTING ENGINEERS

24 WEST CENTER STREET ---- P.O. BOX 68
MADISONVILLE, KY 42431-0068
PHONE: (502) 821-6392 FAX: (502) 821-6619

KJF
RRJ
PROJECT NO. 95-28
FOLDER

Hopkins County Joint Planning Commission
Application No. M95-07

IN RE: THE MATTER OF THE PROPOSED ANNEXATION BY THE CITY OF MADISONVILLE OF THAT PROPERTY LOCATED EAST OF THE OLD YORK INTERNATIONAL PROPERTY AND THE BORG WARNER CORPORATION PROPERTY, IN HOPKINS COUNTY, KENTUCKY.

Findings of Fact, Conclusions of Law, and Recommendation

This matter came on for a regular public hearing on October 26, 1995 upon the request of the City of Madisonville to recommend zoning classification for that certain tract or parcel of land located east of the old York International property and the Borg Warner Corporation property, in Hopkins County, Kentucky; and a quorum of the Hopkins County Joint City-County Planning Commission being present, and the commission proceeding to hear the evidence and arguments of all interested parties and the commissioners, makes the following Findings of Fact, Conclusions of Law, and Recommendation.

Findings of Fact

1. A quorum of the Hopkins County Joint City-County Planning Commission was present
2. All legal requirements of public notice and advertisement of the hearing had been given per a letter submitted by Debbie Lutz, City of Madisonville Zoning Administrator.
3. Debbie Lutz, Zoning Administrator for the City of Madisonville, had, by letter of request dated October 5, 1995, requested that the Hopkins County Joint Planning Commission conduct a public hearing for a zoning recommendation on that property owned by the City of Madisonville & Western Kentucky Gas, which property is located behind the old York International property and the Borg Warner Corporation property.
4. A map of the area to be annexed had previously been sent to the commissioners and the proposed area to be annexed was discussed by the chairman.
5. In the letter from Debbie Lutz, Zoning Administrator for the City of Madisonville, dated October 5, 1995, she indicated her recommendation for the property M-2.
6. No persons were present expressing any opinions as to the desired zoning of the property.

7. The adjoining property to the west of the proposed property is presently zoned M-2

8. The commissioners discussed the use of the property and adjoining properties and the anticipated future use of the property.

9. The Chairman and other commissioners discussed the various zoning classifications and requirements of each.

10. The commissioners discussed the various zoning classifications in the area and the goals and objectives of the original land use plan were discussed, along with the existing use of the property to be annexed.

11. It appeared appropriate for the zoning classification of M-2 to be assigned to the property to be annexed to the City of Madisonville.

Conclusions of Law

1. That the proposed property to be annexed to the City of Madisonville, which is located behind the old York International Property and the Borg Warner Corporation property, should be zoned M-2 as outlined on the working map used at the hearing and as outlined herein above.

Recommendation

It is the recommendation of the Hopkins County Joint Planning Commission that the proposed property to be taken into the City of Madisonville which is located behind the old York International Property and the Borg Warner Corporation property be zoned M-2.

This the ____ day of November, 1995.

Joe Bishop, Hearing Officer

The Hopkins County Joint Planning Commission at a regularly scheduled meeting on Thursday, October 26, 1995, and upon motion by Commissioner Tom Batsel and seconded by Commissioner Ray Bochert, which motion was to recommend the proposed property being annexed by the City of Madisonville be zoned M-2, and a vote being taken, and by unanimous vote, the commissioners recommended that the proposed property to be annexed be zoned M-2, and that appropriate Findings of Fact, Conclusions of Law, and Recommendation be drafted as the recommendation of the Hopkins County Joint Planning Commission.

This the ____ day of November, 1995.

Hopkins County Joint Planning Commission

By: _____
Joe Bishop, Chairman

The secretary announced that the foregoing Findings of Fact, Conclusions of Law, and Recommendation had been sent to the members prior to the November 21, 1995 meeting, and the secretary read to the meeting the foregoing actions of the Hopkins County Joint Planning Commission; and upon motion duly made, seconded, and adopted by the affirmative vote, the Hopkins County Joint Planning Commission authorized the Hearing Officer of said commission, Joe Bishop, to sign said Findings of Fact, Conclusions of Law, and Recommendation and that the same be sent to the City of Madisonville as the recommendation of the Hopkins County Joint Planning Commission.

Hopkins County Joint Planning Commission

By: _____
Mike Miller, Secretary