

CITY OF MADISONVILLE, KENTUCKY
ORDINANCE NO. 95-24

ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO
THE CITY LIMITS OF MADISONVILLE, KENTUCKY
LOCATED ON PIN OAK LANE, ADJOINING
RIDGEWOOD HEIGHTS SUBDIVISION

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 R-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 Bill, seconded by Councilmember Stone, 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
Philip H. Terry, Mayor

ATTEST:

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



CIVIL & MINING ENGINEERS

ASSOCIATED ENGINEERS, INC.

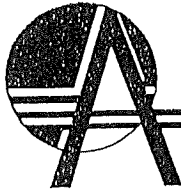
2740 North Main St. • Madisonville, KY 42431
Phone: (502) 821-7732 • Fax: (502) 821-7789

October 2, 1995

SEXTET LAND AND MINERAL
TO CITY OF MADISONVILLE
EXTENSION TO PIN OAK LANE

Beginning at the Southwest corner of Lot No. 17 in Ridgewood Heights Subdivision; said point being the Northwest corner at the end of the existing Pin Oak Lane; thence with the West line of Lot No. 17 North $35^{\circ} 16' 13''$ East-2.17 feet; thence with a new division line North $46^{\circ} 01' 24''$ West-282.40 feet; thence North $41^{\circ} 08' 24''$ West-83.15 feet; thence with a curve to the right having a radius of 20.00 feet, a length of 19.19 feet, and a chord of North $13^{\circ} 38' 46''$ West-18.47 feet; thence with a curve to the left having a radius of 50.00 feet, a length of 165.40 feet, and a chord of North $80^{\circ} 55' 17''$ West-99.65 feet to a point in the North line of Morris Hobgood; thence with said line South $49^{\circ} 19' 24''$ East-36.81 feet; South $41^{\circ} 08' 24''$ East-48.35 feet; South $41^{\circ} 08' 24''$ East-93.46 feet; South $44^{\circ} 42' 55''$ East-274.32 feet; to the Northeast corner of Morris Hobgood; thence South $28^{\circ} 41' 43''$ West-2.17 feet; thence North $57^{\circ} 33' 19''$ East-51.38 feet to the beginning, containing 0.58 acres.

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**ASSOCIATED
ENGINEERS, INC.**

2740 North Main St. • Madisonville, KY 42431
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October 2, 1995

MORRIS HOBGOOD
TO CITY OF MADISONVILLE
EXTENSION TO PIN OAK LANE

Beginning at a point in the North line of Morris Hobgood; said point is located South $58^{\circ} 09'42''$ East-152.98 feet from the Northwest corner of Hobgood; thence with said line South $49^{\circ} 19'24''$ East-36.81 feet; South $41^{\circ} 08'24''$ East-48.35 feet; thence with a curve to the left having a radius of 20.00 feet, a length of 15.57 feet. and a chord of North $63^{\circ} 26'33''$ West-15.18 feet; thence with a curve to the right having a radius of 50.00 feet, a length of 78.59 feet, and a chord of North $40^{\circ} 43'04''$ West-70.74 feet to the beginning, containing 1,033.5 square feet or 0.02 acres.

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THIS DEED OF CONVEYANCE made and entered into by and between ANDREW N. BEAGLE and his wife, PATRICIA K. BEAGLE, and DANIEL W. WHITEHEAD and his wife, DANA L. WHITEHEAD, c/o Jerry A. Atkinson, 123 N.W. 4th Street, Evansville, Indiana 47708, hereinafter termed the "Grantors", and MORRIS W. HOBGOOD and his wife, GALE W. HOBGOOD, or survivor, 3250 Rose Creek Road, Madisonville, Kentucky 42431, hereinafter termed the "Grantees".

WITNESSETH: That for and in consideration of the sum of Fifty-Five Thousand (\$55,000.00) Dollars, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the Grantors do hereby grant, bargain, transfer and convey unto the Grantees and unto the survivor of them, his or her heirs and assigns forever, the following described real estate in Hopkins County, Kentucky, more particularly bounded and described as follows:

RECORDING FEES 12.00
TRANSFER TAX 55.00

A certain tract of land located immediately north of A.R. Whittington's Lake #1 and approximately 800 feet north along the lake dam and private roadway from Ridgewood Subdivision near Madisonville in Hopkins County, and more particularly described as follows:

Beginning at a point in the west right of way of a 50-foot private road across the dam on the east side of A.R. Whittington's Lake #1; thence along the north side of said Lake #1 and with A.R. Whittington as follows N. 64 degrees 08' W. 45.66 feet, North 31 degrees 14' West 26.81 feet, North 58 degrees 27' West 70.56 feet, North 85 degrees 11' West 28.70 feet, South 51 degrees 38' W. 29.50 feet, North 85 degrees 31' West 58.46 feet, North 82 degrees 44' West 76.06 feet, North 79 degrees 29' West 58 degrees 04 feet, North 51 degrees 09' West 49.57 feet, North 6 degrees 23' West 67.28 feet, North 13 degrees 21' West 66.79 feet, North 04 degrees 45' East 63.09 feet; thence leaving said Lake and continuing with A.R. Whittington as follows: North 2 degrees 24' East 178.90 feet to a point in the south right of way of a 50-foot private road; thence with the south right of way of said road as follows South 65 degrees 04' East 110.23 feet, South 52 degrees 45' East 80.32 feet, South 44 degrees 34' East 141.81 feet, South 49 degrees 27' East 272.24 feet to a point in the right of way intersection of east-west and north-south private road; thence with the west right of way line of the north-south road South 27 degrees 52' West 114.09 feet to the beginning, containing

698
2.600 acres by D.M.D. as surveyed by Donan Engineering, Madisonville, KY on October 12, 1978.

The Grantors as a part of this conveyance grant unto the Grantees, their heirs and assigns, for their personal use and for the use of their guests, the right of access being ingress and egress across the 50-foot private roadway leading from Ridgewood Subdivision to the property herein conveyed (now being across the dam on the east side of A.R. Whittington's Lake #1).

Said real estate is subject to the Restrictions and Covenants for Ridgewood Subdivision as shown in Deed Book 352, page 547, et seq., Hopkins County Court Clerk's Office. Also said conveyance is subject to mandatory membership in Ridgewood Homes Associations, Inc., together with annual assessments as reflected in said Restrictions and Covenants.

Minerals in and underlying the above-described real estate are reserved and excepted from this conveyance.

Being the same real estate conveyed by Jack B. Anderson and his wife, Ann E. Anderson, to Andrew N. Beagle et al. by deed dated October 12, 1994, of record in Deed Book ~~538~~, page ~~678~~, Hopkins County Court Clerk's Office.

TO HAVE AND TO HOLD the foregoing described real estate together with all rights, privileges, appurtenances and improvements thereunto belonging unto the Grantees and unto the survivor of them, his or her heirs and assigns forever, with covenant of Special Warranty of Title.

The parties hereto state that the consideration reflected in this Deed is the full consideration paid for the property. The Grantees join in the execution of this Deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of the Grantors and the Grantees on this 7th day of December, 1994.

GRANTORS:

Andrew N. Beagle
ANDREW N. BEAGLE

Patricia K. Beagle
PATRICIA K. BEAGLE

Hopkins County Joint Planning Commission
Application No. M95-09

IN RE: THE MATTER OF THE PROPOSED ANNEXATION BY THE CITY OF MADISONVILLE OF THAT PROPERTY LOCATED NORTH OF RIDGEWOOD HEIGHTS SUBDIVISION, 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 north of Ridgewood Heights Subdivision, 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 Morris Hobgood, which property is located north of Ridgewood Heights Subdivision.
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 R-2.
6. No persons were present expressing any opinions as to the desired zoning of the property.
7. The adjoining property to the south of the subject property is currently

zoned R-2 and the property to the west of zoned R-7.

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 R-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 north of Ridgewood Heights Subdivision, should be zoned R-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 north of Ridgewood Heights Subdivision be zoned R-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 Martha Riddle and seconded by Commissioner Sue Hinton, which motion was to recommend the proposed property being annexed by the City of Madisonville be zoned R-2, and a vote being taken, and by unanimous vote, the commissioners recommended that the proposed property to be annexed be zoned R-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

30

see M:29

11-20-84

M-40

see M:39

