

ORDINANCE 9-2016

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie L. Johnson

AN ORDINANCE ANNEXING TO THE CITY OF OWENSBORO CERTAIN UNINCORPORATED TERRITORY IN THE COUNTY OF DAVIESS ADJOINING THE PRESENT BOUNDARY LINE OF THE CITY, BEING PROPERTY LOCATED AT 1480 RIVER ROAD (OWENSBORO RIVERPORT AUTHORITY), CONTAINING 11.209 ACRES, MORE OR LESS.

WHEREAS, the Board of Commissioners for the City of Owensboro, Kentucky, makes the following findings of fact:

(1) The Board of Commissioners has determined that the property described hereinbelow is adjacent or contiguous to the city's boundaries.

(2) That it is deemed desirable and it is hereby proposed to annex to the City of Owensboro by extending the boundary line of the city so as to include within the same, that certain territory which is now embraced within the County of Daviess adjoining the present boundary line of the City of Owensboro, as more particularly described herein. The Board further finds that no part of the area to be annexed is presently within the boundary of any other incorporated city.

(3) That the fee simple owners of record of the territory to be annexed, have previously consented in writing to the annexation proposed, and have otherwise waived all rights under KRS 81A.412, 81A.420 and 81A.425, which consent and waiver is on file with the office of the City Engineer.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:

Section 1. The findings of fact recited in the preamble hereinabove are hereby adopted, affirmed and incorporated by reference as if fully set forth herein.

Section 2. There is hereby annexed to the City of Owensboro, Kentucky, and its boundary line is hereby extended so as to include within the limits of the City of Owensboro that certain territory in the County of Daviess, State of Kentucky, adjoining and being adjacent to the present boundary line of the City of Owensboro, Kentucky, more particularly described as follows:

A tract of land located at 1480 River Road on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the west right of way line of River Road, said point being in the current city limit line; thence following the west right of way line of River Road and the current city limit line as follows: S 04°07'33" E, 386.23 feet to a point; thence S 84°15'12" W, 10.21 feet to a point; thence S 04°15'01" E, 153.46 feet to a point in the west right of way line of River Road, said point being a corner to Robert J. Wimsatt (D.B. 840, Pg. 928); thence following the lines of Wimsatt and the new city limit line as follows: S 86°11'51" W, 548.92 feet to a point; thence S 86°13'51" W, 204.37 feet to a point; thence N 03°45'54" W, 50.03 feet to a point; thence N 48°54'54" W, 283.50 feet to a point; thence N 04°03'44" W, 289.96 feet to a point being the southwest corner to a 2.306 acre tract shown on a plat of record in P.B. 45, Pg. 54, said point also being in the current city limit line; thence following the south line of said tract and the current city limit line N 86°13'20" E, 199.97 feet to a point being the southwest corner to NTN Properties, LLC; thence following the south line of NTN Properties and the current city limit line N 86°12'09" E, 762.29 feet to the point of beginning containing 11.209 Acres as shown on a recorded plat in P.B. 45, at Page 54.

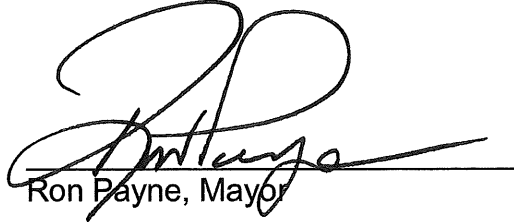
This description was prepared for annexation purposes by Kevin M. Simmons, PLS 3635 with the City of Owensboro. Bearings and distances described herein were taken from a plat of record in Plat Book 45, at Page 54 prepared by HRG, PLLC. Bearings and distances were not verified with a field survey.

Section 3. That the territory annexed herein is zoned Heavy Industrial I-2, as illustrated by the zoning maps attached hereto and incorporated by reference herein.

Section 4. Any dedicated streets, alleys, or easements constituting any portion of the property to be annexed are hereby accepted by the City of Owensboro pursuant to KRS 82.400.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 19th day of April, 2016.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 3rd day of May, 2016.



Ron Payne, Mayor


ATTEST:



Beth Cecil, City Clerk

CERTIFICATION

I, Beth Cecil, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance 9-2016, duly adopted by the Owensboro Board of Commissioners on May 3, 2016, the original of which is on file in the Office of the City Clerk, this the 3rd day of May, 2016.



Beth Cecil, City Clerk

Consent

**CITY OF OWENSBORO
AGENDA REQUEST AND SUMMARY
COVER SHEET**

Item No.

TITLE
REQUEST ANNEXATION FOR 1480 RIVER ROAD (OWENSBORO RIVERPORT AUTHORITY)

MEETING OF CITY COMMISSION ON <i>(State the meeting date April 19, 2016)</i>
BUDGET <i>(State any budget consequences):</i> N/A

SUMMARY AND BACKGROUND <i>(Continue on additional sheet, if necessary):</i>
<p><i>THE PROPOSED ANNEXATION FOR 1480 RIVER ROAD (OWENSBORO RIVERPORT AUTHORITY)</i></p> <p><i>TOTALS = 11.21 ACRES</i></p> <p><i>1480 RIVER ROAD IS AN INDUSTRIAL LOT THAT IS ZONED I-2</i></p> <p><i>THERE WILL BE NO SURETY BOND FOR PUBLIC IMPROVEMENTS, NO PUBLIC INFRASTRUCTURE WILL BE INSTALLED AT THIS TIME FOR THIS DEVELOPMENT</i></p> <p><i>OWENSBORO RIVEPORT AUTHORITY OWNER OF 1480 RIVER ROAD HAS SUBMITTED A SIGNED ANNEXATION REQUEST FORM.</i></p> <p><i>THERE WILL BE NO ANNEXATION INCENTIVE AGREEMENT FOR THIS PROPERTY</i></p>
Check if continued on next page <input type="checkbox"/>

RECOMMENDATION OR ACTION REQUESTED:
<i>(State the action requested or recommended)</i>
APPROVE ANNEXATION

ATTACHMENTS <i>(12 copies for agenda packets)</i>	Check if no attachments <input type="checkbox"/>
THE ANNEXATION REQUEST FORM, LETTER, DESCRIPTION AND PLAT ARE ATTACHED.	

Note: All City Commission Agenda items submitted by staff, including appropriate backup materials, must be approved and submitted to the City Clerk not later than noon Thursdays preceding Tuesday, 6:30 p.m. meetings.

Submitted by	Department Head Approval	City Attorney Approval	City Manager Approval
MICHAEL HAMILTON	KEVIN COLLIGNON	ED RAY	BILL PARRISH



City of Owensboro Kentucky



Engineering Department
Phone (270) 687-8641
Fax (270) 687-8579

101 E. 4th Street
P.O. Box 10003
Owensboro, Ky 42302-9003

March 30, 2016

To: Bill Parrish
City Manager

From: Kevin Collignon, P.E.
City Engineer

Re: Annexation Request for 1480 River Road (Owensboro Riverport Authority Property).

Attached is the information necessary to initiate annexation for 1480 River Road (Owensboro Riverport Authority Property). (See attached). Owensboro Riverport Authority owner of said property has submitted a signed annexation request form for 1480 River Road.

There will be no surety bonds posted for public improvements. No Public Infrastructure will be installed at this time with this development.

There will be no Annexation Incentive Agreement for this property.

A signed Annexation Request Form, property description and related plats are attached. With ordinance preparation, the request is in order for consideration by the City Commission.

Attachment

MH

**c: Mayor Ron Payne
City Commissioners
Steve Mitchell
Ed Ray**

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

1. LOCATION OF PROPERTY TO BE ANNEXED:

1480 River Road - Owensboro Riverport Authority

2. A. LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED:

See Attached

B. SOURCE OF TITLE:

D.B. 894- PG 865

**3. ZONING CLASSIFICATION OF PROPERTY TO BE ANNEXED:
(ATTACH ZONING MAP)**

I-2

4. ACREAGE FEES: N/A

**5. NAME(S) AND ADDRESSES(S) OF RECORD OWNER(S) OF
PROPERTY TO BE ANNEXED:**

Owensboro Riverport Authority

1771 River Rd., Owensboro, KY 42301

6. PHONE NO: 270-926-4238

CONSENT AND WAIVER OF STATUTORY RIGHTS

I (We) solemnly swear and affirm that I am (we are) the fee simple record owner(s) of property located at 1480 River Road in Daviess County, Kentucky. I (We) hereby request, and consent to, annexation of the property more particularly described hereinabove. I (We) further acknowledge and agree, that by executing this instrument, I (We) knowingly and voluntarily waive those rights otherwise afforded me (us) by KRS 81A. 420 and 81A.425, as authorized in KRS 81A.412, on this the 14 day of March, 20 16.

Witness: Stephanie Baehman

Signature (s) of Record Owner (s) of Property:

Brian Ly...

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: N/A

Acreage Fee

Amount: N/A

Received by Finance Department

Date: _____

Initialed By: _____

OHIO RIVER

OWENSBORO RIVERPORT
AUTHORITY

RINALDO RD

RIVER RD

1480 RIVER ROAD
ZONING I-2

KENTRONICS DR

WAREHOUSE RD

IDAHO LN

EWING RD

BOURBON ST

TEXAS AVE

CARTER RD

MARTIN WAY

RAINTREE DR

BENTTREE DR

MAYFLOWER DR

NINA DR

U.S. HIGHWAY 60 W

BOOTH FIELD RD

TURTLE CREEK - DOE RIDGE
HARBOR HILLS - SUBDIVISION

HARBOR HILLS TRCE

MEDLEY

PROPOSED ANNEXATION FOR
1480 RIVER ROAD
IS APPROX. 11.21 ACRES

CITY

COUNTY



1 inch = 1,500 feet

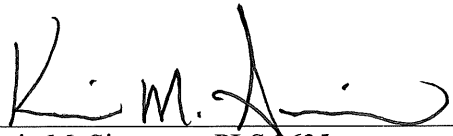
ANNEXATION DESCRIPTION

1480 River Road: 11.209 ACRES


A tract of land located at 1480 River Road on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

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Kevin M. Simmons, PLS 3635
Date 3/22/16



 PROPOSED ANNEXATION FOR

1480 RIVER ROAD
IS APPROX. 11.21 ACRES

 CITY

 COUNTY

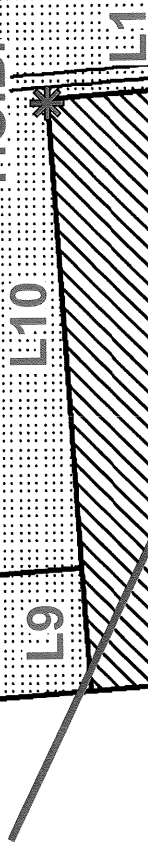


1 inch = 300 feet

1480 RIVER ROAD
ZONING I-2

OWENSBORO RIVERPORT
AUTHORITY

P.O.B.



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 04° 07' 33" E	386.23'
L2	S 84° 15' 12" W	10.21'
L3	S 04° 15' 01" E	153.46'
L4	S 86° 11' 51" W	548.92'
L5	S 86° 13' 51" W	204.37'
L6	N 03° 45' 54" W	50.03'
L7	N 48° 54' 54" W	283.50'
L8	N 04° 03' 44" W	289.96'
L9	N 86° 13' 20" E	199.97'
L10	N 86° 12' 09" E	762.29'

ANNEXATION PLAT
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN
HEREON HAVE BEEN TAKEN FROM A PLAT OF RECORD IN PLAT
BOOK 45, AT PAGE 54 PREPARED BY HRG, PLLC. THIS PLAT HAS BEEN
PREPARED FOR ANNEXATION PURPOSES ONLY. BEARINGS AND
DISTANCES SHOWN HAVE NOT BEEN VERIFIED IN THE FIELD.


KEVIN M. SIMMONS, P.L.S. 3635
DATE 3-23-40

☐ STATE OF KENTUCKY
KEVIN M. SIMMONS
3635
LICENSED PROFESSIONAL
LAND SURVEYOR