

**ORDINANCE 29-2016**

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE

**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 3277  
WAREHOUSE ROAD, CONTAINING 1.25 ACRES,  
MORE OR LESS.**

COMMONWEALTH OF KENTUCKY  
BY Eugene Handley Robinson

**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 3277 Warehouse Road on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the north right of way line of Warehouse Road, said point being the southeast corner of 3277 Warehouse Road and in the current city limit line; thence leaving the current city limit line and following the north right of way line Warehouse Road and the new city limit line S 81°11'48" W, 131.70 feet to a point in the north right of way line of Warehouse Road, said point being the southeast corner of Commercial Warehouse, Inc.; thence leaving the north right of way line of Warehouse Road and following the east line of Commercial Warehouse, Inc and the new city limit line N 08°28'05" W, 419.11 feet to a point in the line of Pinkerton Tobacco Co.; thence following the line of Pinkerton Tobacco Co. and the new city limit line N 81°31'57" E, 129.11 feet to a point being the northwest corner of Commercial Warehousing, Inc., said point also being in the current city limit line; thence following the west line of Commercial Warehousing, Inc. and the current city limit line S 08°49'24" E, 418.35 feet to the point of beginning containing 1.254 Acres as shown on an annexation exhibit prepared by HRG, PLLC dated September 28, 2016.

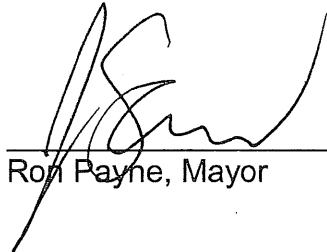
This description was prepared for annexation purposes by Kevin M. Simmons, PLS 3635 with the City of Owensboro. Bearings and distances described herein were taken from an annexation exhibit prepared by HRG, PLLC dated September 28, 2016. Bearings and distances were not verified with a field survey.

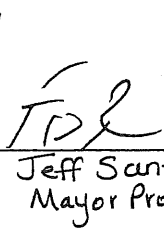
**Section 3.** That the territory annexed herein is zoned Heavy Industrial I-2, as illustrated by the zoning maps attached hereto and incorporated by reference herein.

**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 18<sup>th</sup> day of  
October, 2016.

**PUBLICLY READ AND APPROVED ON SECOND READING**, this the 1<sup>st</sup> day of  
November, 2016.

  
Ron Payne, Mayor

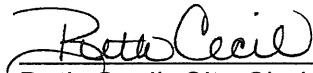
  
Jeff Sanford  
Mayor Pro Tem

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 29-2016, duly adopted by the Owensboro Board of Commissioners on November 1, 2016, the original of which is on file in the Office of the City Clerk, this the 1<sup>st</sup> day of November, 2016.

  
Beth Cecil, City Clerk

Consent

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

Item No.

<b>TITLE</b>
REQUEST ANNEXATION FOR 3277 WAREHOUSE ROAD (COMMERCIAL WAREHOUSING, INC. PROPERTY)

<b>MEETING OF CITY COMMISSION ON</b> (State the meeting date <b>October 18, 2016</b> )
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<b>BUDGET</b> (State any budget consequences): <b>N/A</b>
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<b>SUMMARY AND BACKGROUND</b> (Continue on additional sheet, if necessary):
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*THE PROPOSED ANNEXATION FOR 3277 WAREHOUSE ROAD ( FUTURE PROPERTY DIVISION/CONSOLIDATION)*

*TOTALS = 1.25 ACRES*

*COMMERCIAL WAREHOUSING, INC. PROPERTY – 3277 WAREHOUSE RD. IS ZONED I-2 HEAVY INDUSTRIAL*

*COMMERCIAL WAREHOUSING, INC., OWNER OF 3277 WAREHOUSE ROAD, HAS SUBMITTED A SIGNED ANNEXATION REQUEST FORM.*

*3277 WAREHOUSE RD. WILL BE CONSOLIDATED & INCORPORATED WITH OTHER PROPERTIES IN THE DEVELOPMENT. A REVISED PRELIMINARY SUBDIVISION PLAN IS CURRENTLY UNDER REVIEW BY OMPC, DAVIESS COUNTY PUBLIC WORKS, & CITY ENGINEERS OFFICE AND PENDING ANNEXATION APPROVAL, A FINAL PLAT WILL BE SUBMITTED.*

*THERE WILL BE NO PUBLIC IMPROVEMENTS CONSTRUCTED WITH THIS DEVELOPMENT SO NO SURETY BONDS WILL BE POSTED WITH THIS DEVELOPMENT.*

*THERE WILL NOT BE AN ANNEXATION INCENTIVE AGREEMENT FOR THIS PROPERTY*

**Check if continued on next page**

<b>RECOMMENDATION OR ACTION REQUESTED:</b>
--------------------------------------------

*(State the action requested or recommended)*

**APPROVE ANNEXATION**

<b>ATTACHMENTS</b> (12 copies for agenda packets)
---------------------------------------------------

<b>Check if no attachments</b>	<input type="checkbox"/>
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**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



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

# City of Owensboro Kentucky



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

October 12, 2016

**To:** Bill Parrish  
City Manager

**From:** Kevin Collignon, P.E.  
City Engineer

**Re:** Annexation Request for 3277 Warehouse Road

Attached is the information necessary to initiate annexation for 3277 Warehouse Road (See attached). Commercial Warehousing, Inc., owner of said property has submitted a signed Annexation Request Form.

3277 Warehouse Rd. will be Consolidated & Incorporated with other properties in the Development. A Revised Preliminary Subdivision Plan is currently under review by OMPC, Daviess County Public Works, & City Engineers Office and pending Annexation approval, a Final Plat will be submitted.

There will be no Public Improvements constructed with this Development so no Surety Bonds will be posted with this Development.

There will not be an 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:**

3277 Warehouse Road

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

(SEE ATTACHED DESCRIPTION)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. SOURCE OF TITLE:** D.B. 473 at PG 687 and P.B. 32 at PG 47

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

I-2 Heavy Industrial

**4. ACREAGE FEES:** N/A

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

Commercial Warehousing, Inc.

P.O. Box 23091

Owensboro, KY 42304

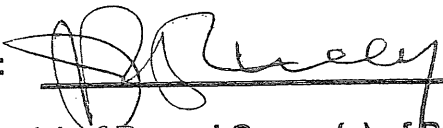
**6. PHONE NO:** 615-300-8568

## 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 3277 Warehouse 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

29<sup>th</sup> day of September, 20 16.

Witness:

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

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: N/A

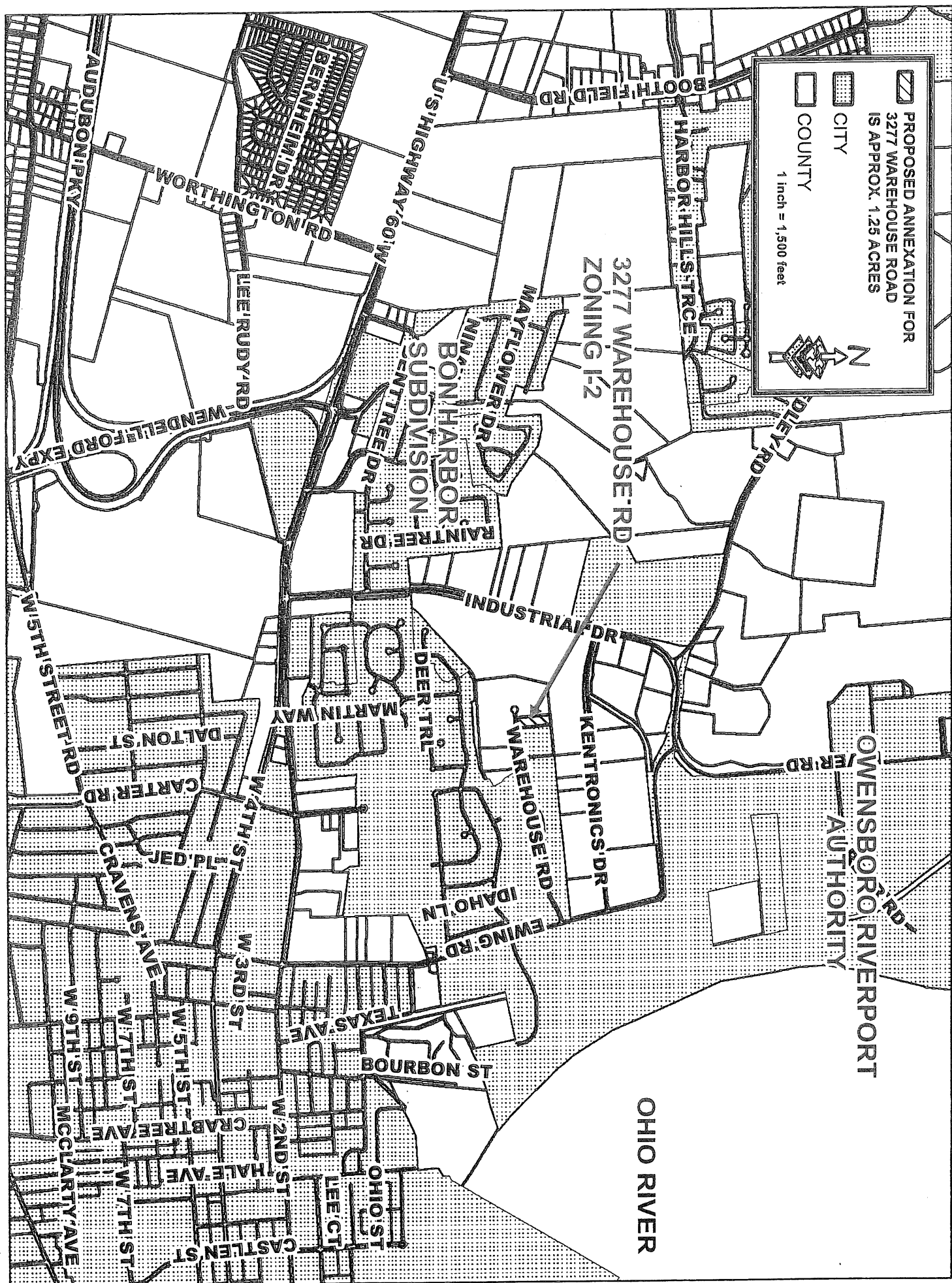
Acreage Fee

Amount: N/A

Received by Finance Department

Date: \_\_\_\_\_

Initialed By: \_\_\_\_\_





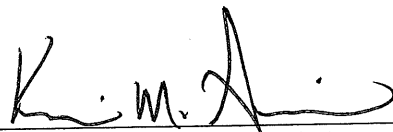
## ANNEXATION DESCRIPTION

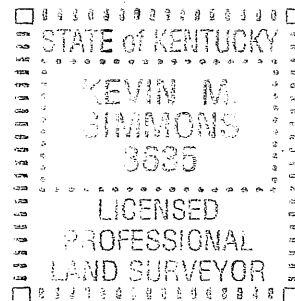
### 3277 Warehouse Road: 1.254 ACRES

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Kevin M. Simmons, PLS 3635      10-12-16      Date



PROPOSED ANNEXATION FOR  
3277 WAREHOUSE ROAD  
IS APPROX. 1.25 ACRES

CITY

COUNTY

1 inch = 200 feet

3277 WAREHOUSE ROAD  
ZONING I-2

L3

L4

L2

P.O.B.

WAREHOUSE RD

L1

STATE of KENTUCKY

KEVIN M. SIMMONS

3635

LICENSED

PROFESSIONAL

LAND SURVEYOR

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 81° 11' 48" W	131.70'
L2	N 08° 28' 05" W	419.11'
L3	N 81° 31' 57" E	129.11'
L4	S 08° 49' 24" E	418.35'

ANNEXATION PLAT  
SURVEYOR'S CERTIFICATION

HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN  
HEREON HAVE BEEN TAKEN FROM AN ANNEXATION PLAT  
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

10-12-16

DATE