

RECEIVED AND FILED  
DATE MAY 01 7, 2024

MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY [Signature]

#### ORDINANCE 6-2024

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 ADJACENT TO 2710 WEST PARRISH AVENUE (TRACT I) CONTAINING 0.089 ACRES, MORE OR LESS, AND PROPERTY LOCATED ADJACENT TO 2808 WEST PARRISH AVENUE (TRACT II) CONTAINING 0.913 ACRES, MORE OR LESS, AT THE REQUEST OF THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF HIGHWAYS.

**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 hereinafter is adjacent or contiguous to the city's boundaries.

(2) That the property described hereinafter, by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay.

(3) The Commonwealth of Kentucky, Department of Highways, made a request for annexation of its property, the property is contiguous to the existing city

(4) boundary, and the City has provided written notice to Daviess County Fiscal Court at least forty-five (45) days prior to the enactment of this ordinance.

(5) 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.

(6) The Board further finds that no part of the area to be annexed is presently within the boundary of any other incorporated city.

(7) That the fee simple owner of record of the territory to be annexed, has previously consented in writing to the annexation proposed, and has 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, Commonwealth of Kentucky, adjoining and being adjacent to the present boundary line of the City of Owensboro, Kentucky, more particularly described as follows:

**TRACT I: 0.089 ACRES**

Proposed annexation for Carter Road (Hwy 2698) right-of-way, Tract I containing 0.089 Acres located on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

Beginning at a point in the intersection of the south right-of-way line of West Parrish Avenue (Hwy 81) and the west right-of-way line of Carter Road (Hwy 2698), said point having a Kentucky State Plane South Zone Coordinate N:2161923.46, E:1236875.25 and being in the Current City Limit Line; thence following the old right-of-way line of Carter Road (Hwy 2698) and the Current City Limit Line as follows: N 79°22'30" E, 16.28 feet to a point; thence S 64°07'49" E, 24.80 feet to a point; thence S 22°48'01" E, 38.80 feet to a point; S 01°42'32" E, 246.83 feet to a point; thence S 01°20'23" E, 87.68 feet to a point; thence following the Current City Limit Line S 77°50'19" W, 9.49 feet to a point in the new west right-of-way line of Carter Road (Hwy 2698), said point being in the Current City Limit Line; thence following the new west right-of-way line of Carter Road (Hwy 2698) and the Current City Limit Line N 01°43'24" W, 87.58 feet to a point; thence leaving the Current City Limit Line and following the New City Limit Line and the new west right-of-way line of Carter Road (Hwy 2698) as follows: N 01°43'24" W, 257.72 feet to a point; thence N 35°56'21" W, 30.23 feet to a point; thence N 67°48'36" W, 27.39 feet to the point of beginning containing 0.089 Acres as shown on an annexation plat prepared by the City of Owensboro dated 12/14/2023.

This description was prepared by Kevin M. Simmons, PLS 3635 with the Owensboro City Engineer's office for annexation purposes only, and shall not be used for the transfer of title. Bearings and distances described herein were taken from the current ODC-GIS corporate boundary layer, parcel layer and from deeds found in D.B. 950, Pg. 11, D.B. 686, Pg. 186, D.B. 690, Pg. 696 and plats found in P.B 22, Pg. 286 and P.B. 52, Pg. 145 in the office of the Daviess County Clerk. Bearings and distances have been rotated and translated to comply with KRS 81A.470.

**TRACT II: 0.913 ACRES**

Proposed annexation for Carter Road (Hwy 2698) right-of-way, Tract II containing 0.913 Acres located 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 Carter Road (Hwy 2698), said point having a Kentucky State Plane South Zone Coordinate N:2161445.70, E:1236941.84 and being in the Current City Limit Line; thence following the old right-of-way line of Carter Road (Hwy 2698) and the Current City Limit Line as follows: S 01°47'12" E, 311.07 feet to a point; thence S 00°49'44" E, 65.39 feet to a point; thence S 03°23'48" W, 47.90 feet to a point;

thence S 09°29'17" W, 95.88 feet to a point; thence S 15°17'48" W, 44.49 feet to a point; thence S 17°20'41" W, 312.93 feet to a point; thence leaving the old west right-of-way line of Carter Road (Hwy 2698) and following the Current City Limit Line S 75°36'39" W, 63.64 feet to a point in the new west right-of-way line of Carter Road (Hwy 2698); thence following the new west right-of-way line of Carter Road (Hwy 2698) and the Current City Limit Line as follows: N 17°17'28" E, 256.82 feet to a point; thence N 14°17'27" E, 110.99 feet to a point; thence N 25°33'06" E, 87.91 feet to a point; thence N 02°32'04" E, 161.25 feet to a point; thence N 01°43'24" W, 275.70 feet to a point; thence N 77°50'19" E, 34.96 feet to the point of beginning containing 0.913 Acres as shown on an annexation plat prepared by the City of Owensboro dated 12/14/2023.

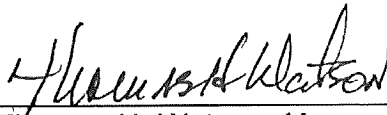
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**Section 3.** That the territory annexed herein is currently zoned as B-4 General Business, as illustrated by the zoning maps attached hereto and incorporated by reference herein.

**Section 4.** Any approved dedicated streets, alleys, or easements on the plat signed by the City Engineer, 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 20th day of February, 2024.

**PUBLICLY READ AND APPROVED ON SECOND READING,** this the 5th day of March, 2024.

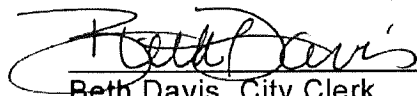
  
Thomas H. Watson, Mayor

ATTEST:

  
Beth Davis, City Clerk

**CERTIFICATION**

I, Beth Davis, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance 6-2024, duly adopted by the Owensboro Board of Commissioners on March 6, 2024, the original of which is on file in the Office of the City Clerk, this the 6th day of March, 2024.

  
Beth Davis, City Clerk

**CITY OF OWENSBORO**

**COMMISSION MEETING DATE: 1/16/2024**

**AGENDA REQUEST AND SUMMARY SUBMITTED BY: City Engineering Dept. - Michael Hamilton**

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- **TITLE: PROPOSED ANNEXATION FOR COMMONWEALTH OF KENTUCKY RIGHT OF WAY ALONG STATE HIGHWAY 2698 (CARTER ROAD) IN THE 1500-1800 BLOCK OF CARTER ROAD- TRACTS I AND II**

**Ordinance Prepared by: ☒ City Staff ☐ Other Preparer ☒ Attachments: Annexation Request Form, Stamped and Signed Annexation Description, Stamped and Signed Annexation Map, Vicinity Map**

**Summary & Background:**

**Commonwealth of Kentucky, Department of Highways, District Two, owner of said right of way has returned a signed consent letter to the City of Owensboro as consent to this annexation.**

**The proposed annexations for right of way are in the 1500 to 1800 Block of Carter Road (HWY 2698) Tract I being adjacent to 2710 W. Parrish Avenue being 0.089 acres and Tract II being adjacent to 2808 W. Parrish Avenue being 0.913 acres and are both zoned B-4.**

**This right of way annexation is requested in conjunction with a previous annexation of property at 2808 W. Parrish Avenue, the City of Owensboro will annex portions of Commonwealth of Kentucky right of way along Carter Road (HWY 2698) to improve municipal connectivity and continuity.**

**There will not be an Annexation Incentive Agreement for this property between the City of Owensboro and the Commonwealth of Kentucky.**



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

# City of Owensboro Kentucky



1410 W. 5<sup>th</sup> Street  
P.O. Box 10003  
Owensboro, Ky 42302-9003

December 11, 2023

Deneatra Henderson, P.E.  
Kentucky Transportation Cabinet  
Highway District Two  
1840 North Main Street  
Madisonville, KY 42431-5003

Re: Request Kentucky Department of Highways consent for the annexation of  
Right of Way of 1500-1800 Block of Carter Road (Highway 2698)

Dear Ms. Henderson;

The City of Owensboro proposes to annex a portion of the current Carter Road (Highway 2698) right of way in the 1500-1800 block of Carter Road adjacent to 2710 W. Parrish Avenue and 2808 W. Parrish Avenue. This annexation is in conjunction with the previous annexation of property at 2808 W. Parrish Avenue into the City of Owensboro.

It is not the intent of the City of Owensboro to take over any maintenance responsibilities over the portion of State right of way to be annexed.

The City of Owensboro is requesting written consent from the Kentucky Transportation Cabinet for the annexation of the above-mentioned section of right of way along Carter Road (Highway 2698).

If there are any questions regarding this request, please do not hesitate to contact the City Engineer's office at 270-687-8641.

Sincerely,

Kevin Collignon, P.E.  
City of Owensboro, City Engineer



**COMMONWEALTH OF KENTUCKY**  
**TRANSPORTATION CABINET**  
transportation.ky.gov

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY

February 5, 2024

Kevin Collignon, P.E.  
City Engineer, City of Owensboro  
P.O. Box 10003  
Owensboro, KY 42302

Dear Mr. Collignon:

We received your letter concerning the City's proposed annexation of a segment of right-of-way in the 1500-1800 block of KY 2698, Carter Road, adjacent to 2710 W. Parrish Ave and 2808 W. Parrish Avenue.

We agree to the annexation of this roadway, as described in your letter dated December 11, 2023. Our current City maintenance and traffic agreements will now also apply to this section of roadway.

Sincerely,

Deneatra Henderson, P.E.  
Chief District Engineer  
Department of Highways, District 2





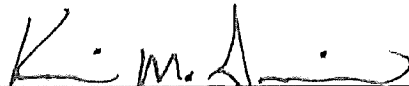
## ANNEXATION DESCRIPTION

### **TRACT I: 0.089 ACRES**

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 12-14-23  
Kevin M. Simmons, PLS 3635 Date



**TRACT I**

**POB COORDINATES**

**KY SPC SOUTH**

**N:2161923.46**

**E:1236875.25**

LINE TABLE - TRACT I		
LINE	BEARING	LENGTH
L1	N 79° 22' 30" E	16.28'
L2	S 64° 07' 49" E	24.80'
L3	S 22° 48' 01" E	38.80'
L4	S 01° 42' 32" E	246.83'
L5	S 01° 20' 23" E	87.68'
L6	S 77° 50' 19" W	9.49'
L7	N 01° 43' 24" W	87.58'
L8	N 01° 43' 24" W	257.72'
L9	N 35° 56' 21" W	30.23'
L10	N 67° 48' 36" W	27.39'

☒ **PROPOSED ANNEXATION FOR**  
**HWY 2698 RIGHT OF WAY - TRACT I**  
**ADJACENT TO 2710 W. PARRISH AVE. -**  
**IS APPROX 0.089 ACRES**

☐ **CITY**

☐ **COUNTY**

1 inch = 83 feet



**STATE OF KENTUCKY**

**KEVIN M. SIMMONS**

**3635**

**LICENSED PROFESSIONAL LAND SURVEYOR**

**ANNEXATION PLAT**

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN TAKEN FROM DEED BOOK 950 AT PAGE 11, DEED BOOK 686 AT PAGE 186, DEED BOOK 690 AT PAGE 696, PLAT BOOK 22 PAGE 286, PLAT BOOK 52 AT PAGE 145 AND FROM THE CURRENT ODC-GIS CORPORATE BOUNDARY AND PARCEL LAYER. THIS PLAT HAS BEEN PREPARED FOR ANNEXATION PURPOSES ONLY. BEARINGS AND DISTANCES SHOWN HAVE NOT BEEN VERIFIED IN THE FIELD.

**KEVIN M. SIMMONS, PLS 3635**

**12-14-23**

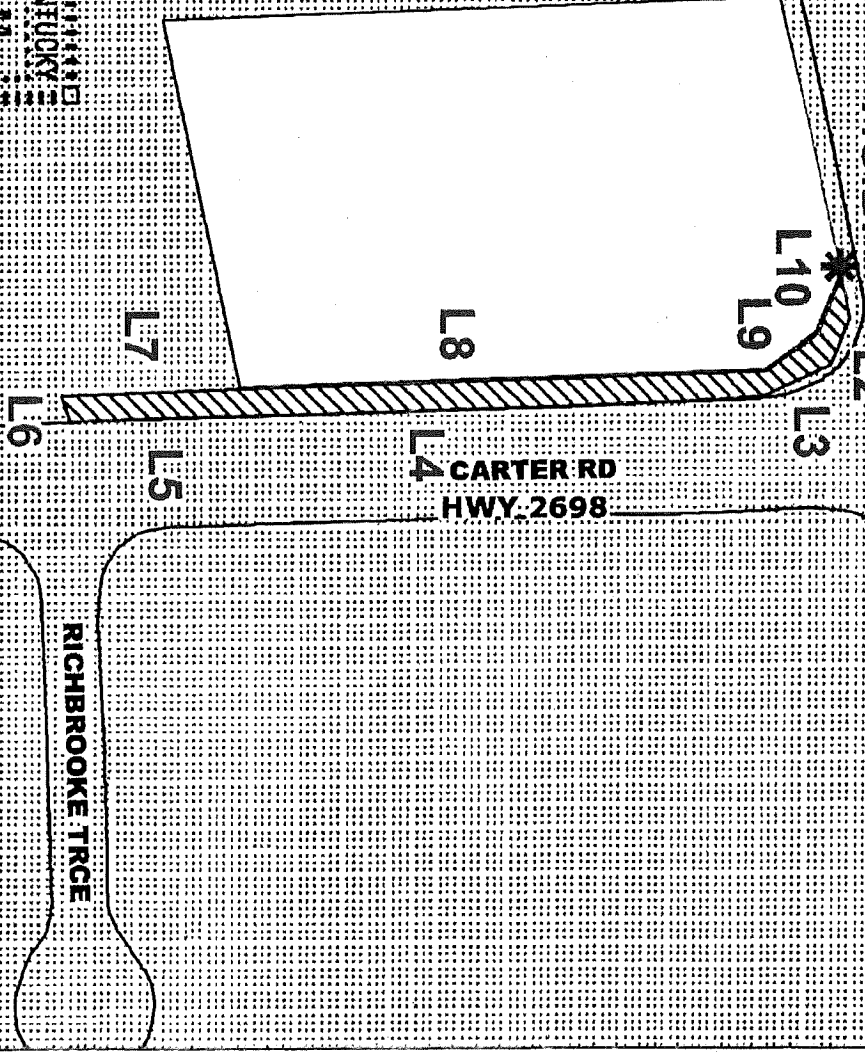
**DATE**

**RICH BROOKE TRCE**

**CARTER RD**  
**HWY 2698**

**W. PARRISH AVE**  
**HWY 81**

**P.O.B.**



## ANNEXATION DESCRIPTION

### **TRACT II: 0.913 ACRES**

Proposed annexation for Carter Road (Hwy 2698) right-of-way, Tract II containing 0.913 Acres located on the west side of Owensboro, Daviess County, Kentucky more particularly described as follows:

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Kevin M. Simmons, PLS 3635      Date



☒ PROPOSED ANNEXATION FOR  
 HWY 2698 RIGHT OF WAY - TRACT II  
 ADJACENT TO 2608 W. PARRISH AVE..  
 IS APPROX. 0.913 ACRES

☒ CITY  
☐ COUNTY

1 Inch = 150 Feet



LINE TABLE - TRACT II

LINE	BEARING	LENGTH
L1	S 01° 47' 12" E	311.07'
L2	S 00° 49' 44" E	65.39'
L3	S 03° 23' 48" W	47.90'
L4	S 09° 29' 17" W	95.88'
L5	S 15° 17' 48" W	44.49'
L6	S 17° 20' 41" W	312.93'
L7	S 75° 36' 39" W	63.64'
L8	N 17° 17' 28" E	256.82'
L9	N 14° 17' 27" E	110.99'
L10	N 25° 33' 06" E	87.91'
L11	N 02° 32' 04" E	161.25'
L12	N 01° 43' 24" W	275.70'
L13	N 77° 50' 19" E	34.96'

S YORK ST

CARTER RD

CARTER RD

P.O.B.

L12

L11

L10

L9

L8

L7

L6

STATE OF KENTUCKY  
 KEVIN M. SIMMONS  
 3635  
 LEASED  
 PROFESSIONAL  
 LAND SURVEYOR

N YORK ST

ELLIS AVE

S STRATFORD DR

TRACT II  
 POB COORDINATES  
 KY SPC SOUTH  
 N:2161445.70  
 E:1236941.84

ANNEXATION PLAT  
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KEVIN M. SIMMONS, PLS 3635

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