

ORDINANCE 15-2024

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 AT 3001 WEST 2<sup>ND</sup> STREET, 35 CARTER ROAD AND 45 CARTER ROAD CONTAINING A TOTAL OF 7.996 ACRES, MORE OR LESS, AT THE REQUEST OF THE CITY OF OWENSBORO, KENTUCKY.

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) 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.

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

(5) 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:

7.996 ACRES  
3001 WEST SECOND ST., 35 & 45 CARTER RD.

A certain tract of land being located at 3001 West 2<sup>nd</sup> Street, 35 Carter Road and 45 Carter Road in Owensboro, Daviess County, Kentucky and being more particularly described as follows:

Beginning at a calculated point being the southwest corner of the tract described herein at the intersection of West 2<sup>nd</sup> Street and Carter Road, said point being in the Current City Limit Line, thence with the Current City Limit Line and the east right-of-way line of said Carter Road, said right-of-way being 50.00 feet in width, N 04°32'02" West, 526.16 feet to a calculated point in the south line of the Western Kentucky Botanical Gardens Inc. property as recorded in Deed Book 1034 at Page 242 and shown in Plat Book 50 at Page 5 in the Office of the Daviess County Clerk; thence leaving said right-of-way line of Carter Road with the south line of said Western Kentucky Botanical Gardens Inc. property and continuing with the Current City Limit Line for the next four (4) calls:

N 88°40'01" E, 570.96 feet to a calculated point;  
S 01°17'50" E, 92.63 feet to a calculated point;  
N 88°38'49" E, 144.76 feet to a calculated point;  
S 00°37'15" E, 453.24 feet to a calculated point in the north right-of-way line of the West 2<sup>nd</sup> Street, said north right-of-way varies in width; thence with

said north right-of-way line and continuing with the Current City Limit Line for the next five (5) calls:

N 81°46'39" W, 178.41 feet to a calculated point;

N 85°37'20" W, 89.70 feet to a calculated point;

S 89°56'51" W, 83.73 feet to a calculated point;

S 86°13'14" W, 81.72 feet to a calculated point;

S 84°53'44" W, 250.65 feet to the point of beginning and containing 7.996 acres according to an annexation exhibit and description prepared by BEI, Inc. dated 6-28-2024.

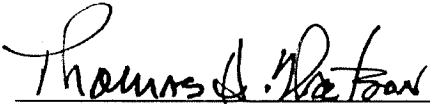
This description was prepared by Kevin M. Simmons, PLS 3635 with the City of Owensboro Engineer's office for annexation purposes only, and shall not be used for the transfer of title. Bearings and distances described herein were taken from an annexation exhibit and description prepared by BEI, Inc. dated 6-28-2024. Bearings and distances have been rotated and translated to comply with KRS 81A.470.

**Section 3.** That the territory annexed herein is currently zoned as A-U Urban Agriculture, 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 3rd day of September, 2024.

**PUBLICLY READ AND APPROVED ON SECOND READING**, this the 17th day of September, 2024.

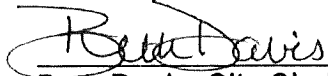
  
Thomas H. Watson, Mayor

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 15-2024, duly adopted by the Owensboro Board of Commissioners on September 17, 2024, the original of which is on file in the Office of the City Clerk, this the 17th day of September, 2024.

  
Beth Davis, City Clerk

**CITY OF OWENSBORO**

**COMMISSION MEETING DATE: 8/6/2024**

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

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- **TITLE: PROPOSED ANNEXATION OF CITY OF OWENSBORO PROPERTY AT 3001 WEST 2<sup>ND</sup> STREET, 35 CARTER ROAD, AND 45 CARTER ROAD (FUTURE SENIOR CENTER SITE)**

**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:**

**City of Owensboro, owner of said right of way has signed an annexation request form initiating the proposed annexation**

**The proposed annexation of property at 3001 W. 2<sup>nd</sup> Street, 35 Carter Road, and 45 Carter Road totals 7.996 acres and all properties are zoned A-U.**

**These properties are to be consolidated and developed to become the future site of the new Senior Center**

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

**1. LOCATION OF PROPERTY TO BE ANNEXED:**

3001 West 2nd Street, 35 Carter Road, & 45 Carter Road

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

Attached

**B. SOURCE OF TITLE:**

3001 W. 2nd St. (046-00-00-037-00-000) - Deed BK 1096 PG 503 / Plat BK 27 PG 338

35 Carter Rd. (046-00-00-037-04-000) - Deed BK 1096 PG 503 / Plat BK 27 PG 338

45 Carter Rd. (046-00-00-037-03-000) - Deed BK 1096 PG 503 / Plat BK 27 PG 338

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

A-U

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

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

City of Owensboro

PO Box

**6. PHONE NO:** 270-687-8552

**CONSENT AND WAIVER OF STATUTORY RIGHTS**

I (We) solemnly swear and affirm that I am (we are) the fee simple record

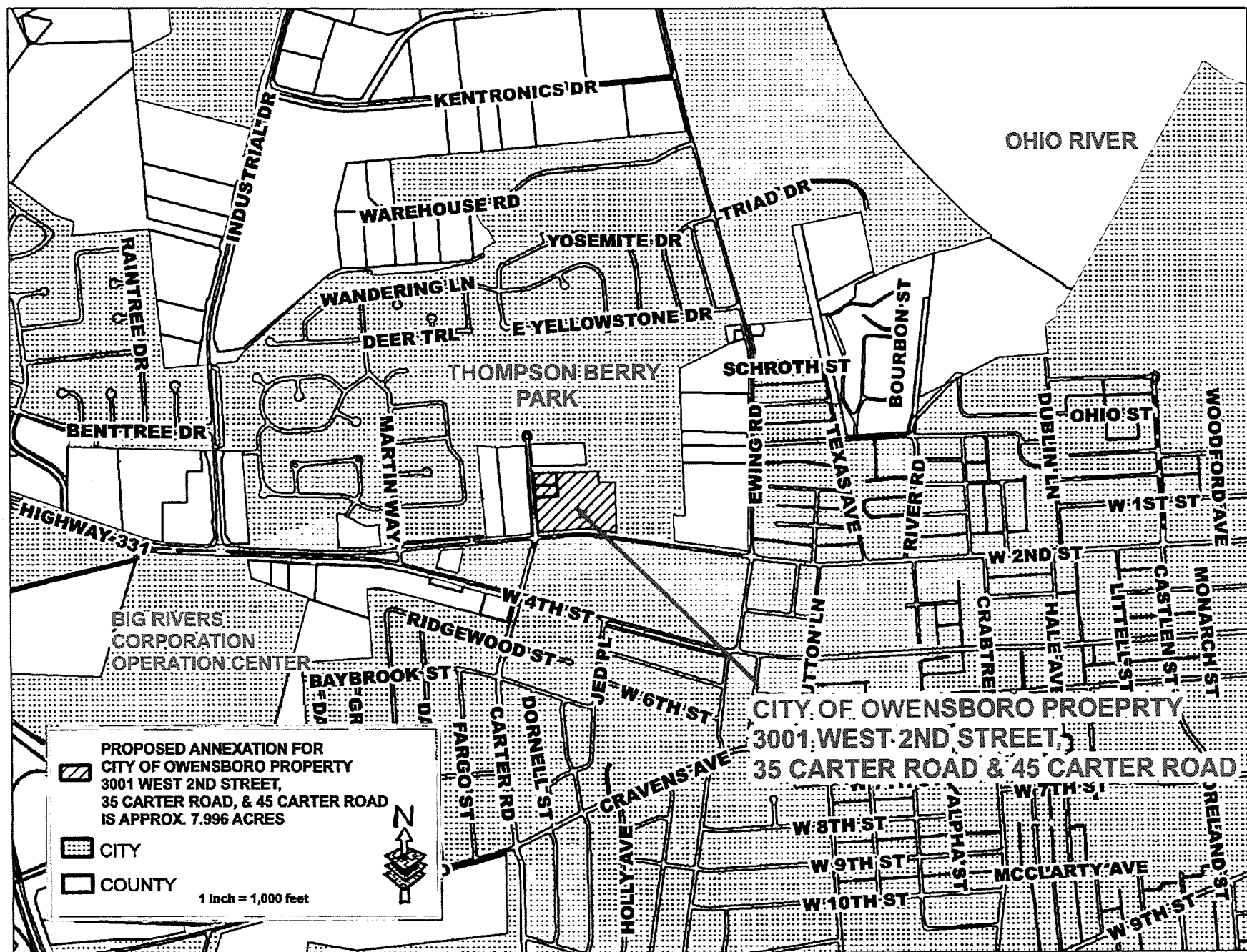
owner(s) of property located at 3001 West 2nd Street, 35 Carter Road, & 45 Carter Road in  
Daviness County, Kentucky. I (We) hereby request, and consent to,  
annexation of the property more particularly described hereinabove. I (We)  
further acknowledge and agree, that by executing this instrument, 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

18<sup>th</sup> day of July, 20 24.

Witness: Adrienne R. Carrico Adrienne R. Carrico  
Sign & Print Name

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

Thomas H. Watson  
Signature  
Thomas H. Watson  
Print Name





## ANNEXATION DESCRIPTION

7.996 ACRES

3001 WEST SECOND ST., 35 & 45 CARTER RD.

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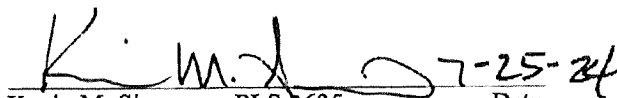
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Kevin M. Simmons, PLS 3635      7-25-24  
Date



# POB COORDINATES

KY SPC SOUTH

N:2167953.2633

E:1236343.5457

## LINE TABLE

LINE	BEARING	LENGTH
L1	N 04° 32' 02" W	526.16'
L2	N 88° 40' 01" E	570.96'
L3	S 01° 17' 50" E	92.63'
L4	N 88° 38' 49" E	144.76'
L5	S 00° 37' 15" E	453.24'
L6	N 81° 46' 39" W	178.41'
L7	N 85° 37' 20" W	89.70'
L8	S 89° 56' 51" W	83.73'
L9	S 86° 13' 14" W	81.72'
L10	S 84° 53' 44" W	250.65'

THOMPSON BERRY  
PARK

CARTER RD

L1

L2

35 CARTER  
ROAD

45 CARTER  
ROAD

L3

L4

3001 WEST  
2ND STREET

L5

FRONTAGE RD

W 2ND ST

P.O.B.

L10

L9

L8-L7

L6

PROPOSED ANNEXATION FOR  
CITY OF OWENSBORO PROPERTY  
3001 WEST 2ND STREET,  
35 CARTER ROAD, & 45 CARTER ROAD  
IS APPROX. 7.996 ACRES



CITY



COUNTY

1 inch = 170 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 AN ANNEXATION PLAT SUBMITTED BY BRYANT  
ENGINEERING INC. DATED 6/28/24 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, P.L.S. 3635

DATE

7-25-24