



City of Owensboro
Kentucky
TEL. (502) 687-8500

P. O. BOX 847
OWENSBORO, KENTUCKY 42302

February 22, 1995

RECEIVED

FEB 24 1995

**SECRETARY OF STATE
COMMONWEALTH OF KY**

Hon. Bob Babbage
Office of Secretary of State
Commonwealth of Kentucky
Frankfort, KY 40601

Attention: Kandie Adkinson
Land Office

Gentlemen:

Re: Final annexation of
200, 201, 224, 225 & 250
Heartwood Court - 2.963
acres

Enclosed herewith are the papers evidencing final annexation of 200, 201, 224, 225 and 250 Heartwood Court, containing 2.963 acres, into the City of Owensboro, Kentucky, for recording in the office of the Secretary of State.

Thank you for your continued assistance and cooperation.

Sincerely,

Carol Blake
City Clerk

Enclosures

AN ORDINANCE ANNEXING TO THE CITY OF OWENSBORO, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY IN THE COUNTY OF DAVIESS ADJOINING THE PRESENT BOUNDARY LINE OF THE CITY, BEING PROPERTY LOCATED AT 200, 201, 224, 225 AND 250 HEARTWOOD COURT, CONTAINING 2.963 ACRES, MORE OR LESS.

WHEREAS, the Board of Commissioners for the City of Owensboro, Kentucky, make 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 and that it is by reason of population density, commercial, industrial, institutional or governmental use of land, or subdivision of land, urban in character and suitable for development for urban purposes without unreasonable delay.
- (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 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 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, State of Kentucky, adjoining and being adjacent to the present boundary line of the City of Owensboro, Kentucky, more particularly described as follows:

BEGINNING at a point being the southwest corner to the Heartwood Court development and in the north margin of Benttree Drive, said point also being in the present city limits: thence with the present city limit line and with the west property line of the Heartwood Court development N 3 degrees 52 minutes 45 seconds W 442.50 feet to a point being the northwest corner to the Heartwood Court development; thence with the rear property line of the Heartwood Court development N 83 degrees 35 minutes 50 seconds E 280.36 feet to a point being the northeast corner to the Heartwood Court development; thence with the east property line of the Heartwood Court Development S 3 degrees 25 minutes 15 seconds E 478.20 feet to a point being the southeast corner to the Heartwood Court development, said point also being in the north margin of Benttree Drive; thence westward with the north margin of Benttree Drive 280.87 feet to the point of beginning and containing 2.963 acres, more or less.

SECTION 3. That the territory annexed herein is zoned R-3MF Multifamily Residential, as illustrated by the zoning map 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 7th day of February, 1995.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 21st day of February, 1995.

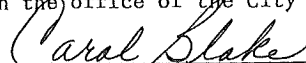
/s/ David Adkisson
Mayor

ATTEST:

/s/ Carol Blake
City Clerk

C E R T I F I C A T I O N

I, Carol Blake, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 9-95, duly adopted by the Board of Commissioners of the City of Owensboro, Kentucky, on February 21, 1995, the original of which is on file in the office of the City Clerk.
This the 22nd day of February, 1995.


City Clerk

ANNEXATION REQUESTED BY:
Robert H. Steele
4451 U.S. Highway 60 West
Owensboro, KY 42301
Phone No. 502-684-8771

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 200, 201, 224, 225 & 250 Heartwood Ct. 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 20th day of January, 19 95.

Witness:

Sharon A. Giddens

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

Sam H. Stule

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: _____

Acreage Fee

Amount: 100

Received by Finance Department

Date: 1/13/95

Initialed By: 6.5

NOTE:
\$1500 PER ACRE
ON DOTTED SEWER

