



City of Owensboro  
Kentucky

P.O. BOX 10003  
OWENSBORO, KENTUCKY 42302-9003

June 22, 1995

**RECEIVED**  
**JUN 23 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  
1670 Starlite Drive;  
and property in the 5200  
block of Frederica Street

Enclosed herewith are the papers evidencing final annexation of 1670 Starlite Drive, and a portion of Starlite Drive right-of-way, containing 5.23 acres; and property in the 5200 block of Frederica Street, consisting of two tracts, and a portion of Frederica Street right-of-way, containing 70.92 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, PROPERTY BEING LOCATED  
IN THE 5200 BLOCK OF FREDERICA STREET,  
CONSISTING OF TWO TRACTS, AND A PORTION  
OF FREDERICA STREET RIGHT-OF-WAY, CONTAINING  
70.92 ACRES, MORE OR LESS

WHEREAS, the Board of Commissioners of 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 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, consisting of two tracts, 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; provided however, that upon the written request of the current fee simple owners, the Board of Commissioners shall forthwith deannex the property annexed and described hereinbelow, if fee simple title to subject property has not been conveyed to any other person or entity on or before December 31, 1995. The obligation of the Board of Commissioners to deannex the property described hereinbelow shall

become null and void on December 31, 1995, or upon the transfer of fee simple interest in subject property to any third party, whichever first occurs.

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

Section 1. The findings of fact and conditions 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 northwest corner to tract #1 and the southwest corner to 5151 Frederica Street, said point also being in the east margin of Frederica Street (US 431), and being in the present city limit line; thence with the present city limit line south 69 degrees 56 minutes east 914.20 feet to a point being the southeast corner of 5125 Frederica Street; thence north 20 degrees 22 minutes east 348 feet to a point being the northwest corner to tract #2; thence leaving the present city limits south 63 degrees 00 minutes east 1933.20 feet to a point being the northeast corner to tract #2; thence south 17 degrees 49 minutes west 832.20 feet to a point being the southeast corner to tract #2; thence north 66 degrees 29 minutes west 1937 feet to a point being the southwest corner to tract #2 and being in the east property line of tract #1; thence south 19 degrees 37 minutes west 713.80 feet to a point being the southeast corner to tract #1; thence north 71 degrees 18 minutes west 809 feet to a point being the southwest corner to tract #1, said point also being in the east margin of Frederica Street; thence north 71 degrees 18 minutes west and crossing Frederica Street approximately 95 feet to a point in the west margin of Frederica Street; thence with the west margin of Frederica Street north approximately 1338.20 feet to a point in the west margin of Frederica Street, said point also being in the present city limit line; thence with the present city limit line and crossing Frederica Street approximately 95 feet to the point of beginning and containing 70.92 acres more or less, including 2.92 acres more or less of the Frederica Street right-of-way.

Section 3. That the territory annexed herein is zoned A-R rural agricultural, 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 6th day of June, 1995.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 20th day of June, 1995.

/s/ Waymond Morris  
Waymond Morris, Mayor

ATTEST:

/s/ Carol Blake  
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. 28-95, duly adopted by the Board of Commissioners of the City of Owensboro, Kentucky, on June 20, 1995, the original of which is on file in the office of the City Clerk.

This the 21st day of June, 1995.

Carol Blake  
City Clerk

ANNEXATION REQUESTED BY:

Rick Hoek  
Carlin Development Company  
5115 McKinney Avenue  
Suite F  
Dallas, Texas 75205

Phone: (502-651-7220, c/o Jeff Arnold)

## 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 5200 Block of Frederica Stjn 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 2 day of June, 19 95.

Witness: John D. Turner

Signature(s) of

Record Owner(s) of Property:

Tract #1 Barbara MorrisTract #2 Edward T. Watson

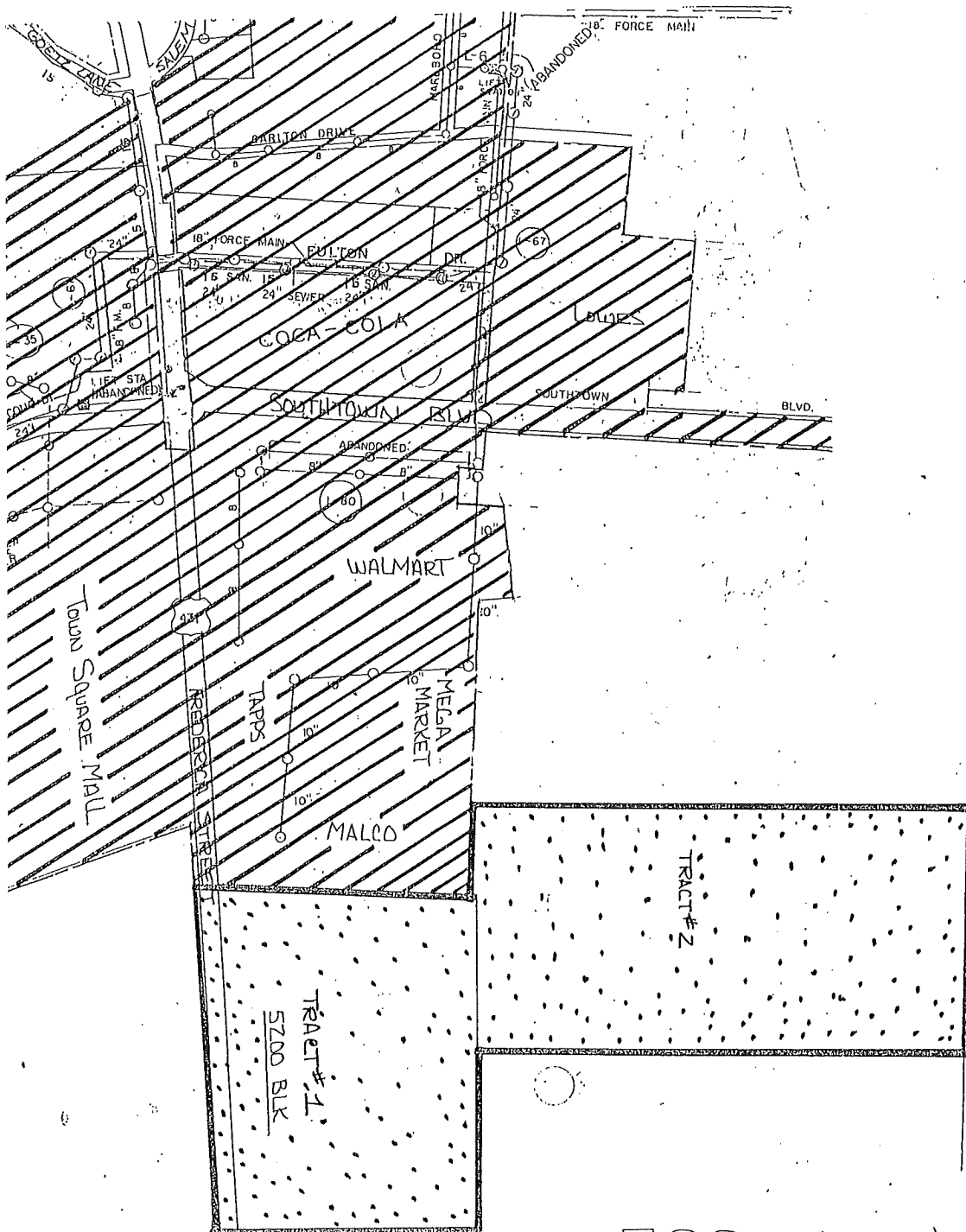
## FOR FINANCE DEPARTMENT USE ONLY:




Annexation Fee  
Accege Fee  
Received by Finance Department

Amount: 100<sup>00</sup>

Amount: \_\_\_\_\_

Date: 6-5-95Initialed By: lmm



-  PROPOSED ANNEXATION
-  PRESENT CITY LIMITS
-  PRESENT COUNTY LINE



