



City of Owensboro
Kentucky

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

MAYOR
WAYMOND MORRIS
MAYOR PRO-TEM
R.L. MCFARLAND, SR.
COMMISSIONERS
HOWARD WHITEHOUSE
ALAN BRADEN
OLIVE BURROUGHS

March 6, 1996

RECEIVED
MAR 12 1996
SECRETARY OF STATE
COMMONWEALTH OF KY

Hon. John Y. Brown, III
Office of Secretary of State
Commonwealth of Kentucky
Frankfort, KY 40601

Attention: Kandie Adkinson
Land Office

Gentlemen:

Re: Final annexation of
Unit No. 8 in Fair Oaks
Subdivision; and a portion
of the Wal-Mart property at
5031 Frederica Street

Enclosed herewith are the papers evidencing final annexation of Unit No. 8 in Fair Oaks Subdivision, containing 6.08 acres; and a portion of the Wal-Mart property located at 5031 Frederica Street, containing 2.99 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
Carol Blake
City Clerk

Enclosures

ORDINANCE NO. 9-96

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 A PORTION OF THE WAL-MART PROPERTY LOCATED AT 5031 FREDERICA STREET, CONTAINING 2.99 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 present Southeast corner to lot #5031 Frederica Street, said point also being in the present city limit line; thence leaving the present city limit line S 75 degrees 16 minutes 10 seconds E 325 feet to a point being the proposed most Southeast corner to lot #5031 Frederica Street; thence N 17 degrees 58 minutes 31 seconds E 518.32 feet to a point being the proposed most Northeast corner to lot #5031 Frederica Street; thence N 69 degrees 18 minutes 15 seconds W 200 feet to a point being the present most Northeast corner to lot #5031 Frederica Street, said point also being in the present city limit line; thence with the present city limit line S 14 degrees 33 minutes 29 seconds W 309.40 feet to a point; thence N 75 degrees 19 minutes W 134.81 feet to a point; thence S 20 degrees 6 minutes 39 seconds W 229.78 feet to the point of beginning and containing 2.99 acres, more or less.

SECTION 3. That the territory annexed herein is zoned A-R Rural Agriculture, 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 20th day of February, 1996.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 5th day of March, 1996..



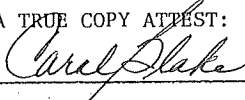
Mayor

ATTEST:



City Clerk

A TRUE COPY ATTEST:



City Clerk 3-6-96

ANNEXATION REQUESTED BY: Wal-Mart Stores, Inc., 701 South Walton Boulevard,
Bentonville, Ark. 72716 Phone: 501-273-4861

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 Southtown Boulevard & U.S. 431 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 22nd day of November, 19 95.

Witness: _____

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

Scott McGee (TO)
Cecil - murt

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee

Amount: _____

Acreage Fee

Amount: _____

Received by Finance Department

Date: _____

Initialed By: _____



