

ORDINANCE 26-2015

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 2900 KENTUCKY HIGHWAY 54 (GATEWAY COMMONS DEVELOPMENT), CONTAINING 190.468 ACRES, MORE OR LESS.

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 hereinbelow is adjacent or contiguous to the city's boundaries.

(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 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. 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. There is an annexation incentive agreement for this property, as per Municipal Order 09-2015.

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

RECEIVED AND FILED
DATE Sept. 24, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Anderson

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:

A parcel of land containing 190.468 acres located north of Kentucky Highway 54 on the east side of Owensboro, Kentucky to be annexed into the City of Owensboro more particularly described as follows:

Beginning at a calculated point being in the north right-of-way line of Kentucky Highway 54, said north right-of-way line varies in width from its centerline and being the southwest corner of the Commonwealth of Kentucky Department of Human Resources property, as recorded in Deed Book 448, at Page 514 in the office of the Daviess County Clerk, thence with said north right-of-way line North 64 degrees 01 minutes 04 seconds West, a distance of 123.88 feet to a calculated point being the southeast corner of the Gateway Land, LLC property, as recorded in Deed Book 922, at Page 522 in said clerk's office; thence with said gateway property for the following six (6) calls:

1) in a curve to the left being subtended by a chord of North 71 degrees 54 minutes 59 seconds East, a chord distance of 69.55 feet and having a radius of 50.00 feet, in all an arc distance of 76.91 feet to a calculated point;

2) North 27 degrees 51 minutes 01 seconds East, a distance 60.97 feet to a calculated point;

3) in a curve to the left being subtended by a chord of North 24 degrees 55 minutes 17 seconds East, a chord distance of 22.33 feet and having a radius of 218.50 feet, in all an arc distance of 22.34 feet to a calculated point;

4) North 21 degrees 59 minutes 33 seconds East, a distance 152.34 feet to a calculated point;

5) in a curve to the left being subtended by a chord of North 21 degrees 00 minutes 45 seconds West, a chord distance of 50.47 feet and having a radius of 37.00 feet, in all an arc distance of 55.54 feet to a calculated point;

6) North 64 degrees 01 minutes 04 seconds West, a distance of 393.82 feet to a calculated point being in the east line of the Daviess County School District Finance Corp. property, as recorded in Deed Book 800, at Page 604 in said clerk's office; thence with said east line North 27 degrees

31 minutes 53 seconds East, passing through the southeast corner of the Ohio Valley Two Way Radio, Inc. property, as recorded in Deed Book 678, at Page 570, then continuing on the same course with the east line of said radio property, in all a total distance of 866.74 feet to a calculated point being the northeast corner of said radio property; thence with the north line of said radio property North 70 degrees 49 minutes 28 seconds West, passing through the northeast corner of said school property, then continuing on the same course with the north line of said school property, passing through the northeast corner of the Owen D. Wimsatt Subdivision, as recorded in Deed Book 394, at Page 314 and Deed Book 419, at Page 95 both in said clerk's office, then continuing on the same course with said subdivision, then passing through the northeast corner of the Commonwealth of Kentucky property, as shown on the Highway Plans, then continuing on the same course with the north line of said commonwealth property, passing through the northeast corner of said Gateway property, then continuing on the same course with said Gateway property, in all a total distance of 1,821.54 feet to a calculated point; thence severing said Gateway property, North 01 degrees 39 minutes 19 seconds East, a distance of 20.97 feet to a calculated point, then continuing to sever said Gateway property North 70 degrees 49 minutes 28 seconds West, a distance of 20.97 feet to a calculated point being in the east right-of-way line of the Commonwealth of Kentucky property, as shown on the Highway Plans; thence with said east right-of-way line for the following three (3) calls:

- 1) North 01 degrees 39 minutes 19 seconds East, a distance of 68.70 feet to a calculated point;

- 2) North 15 degrees 11 minutes 05 seconds East, a distance of 198.40 feet to a calculated point;

- 3) North 16 degrees 19 minutes 07 seconds East, a distance of 464.41 feet to a calculated point; thence severing said Gateway property for the following three (3) calls:

- 1) South 73 degrees 40 minutes 53 seconds East, a distance of 20.00 feet to a calculated point;

- 2) North 16 degrees 19 minutes 07 seconds East, a distance of 20.00 feet to a calculated point;

- 3) North 73 degrees 40 minutes 53 seconds West, a distance of 20.00 feet to a calculated point being in said east right-of-way line; thence with said east right-of-way line for the following three (3) calls:

- 1) North 16 degrees 19 minutes 07 seconds East, a distance of 6.75 feet to a calculated point;

- 2) North 27 degrees 13 minutes 37 seconds East, a distance of 489.14 feet to a calculated point;

- 3) North 21 degrees 12 minutes 48 seconds East, a distance of 235.30 feet to a calculated point; thence severing said Gateway property for the following three (3) calls:

- 1) South 68 degrees 47 minutes 12 seconds East, a distance of 20.00 feet to a calculated point;
- 2) North 21 degrees 12 minutes 48 seconds East, a distance of 20.00 feet to a calculated point;
- 3) North 68 degrees 47 minutes 12 seconds West, a distance of 20.00 feet to a calculated point being in said east right-of-way line; thence with said east right-of-way line for the following five (5) calls:
 - 1) North 21 degrees 12 minutes 48 seconds East, a distance of 188.06 feet to a calculated point;
 - 2) North 38 degrees 00 minutes 35 seconds East, a distance of 206.86 feet to a calculated point;
 - 3) North 29 degrees 29 minutes 03 seconds East, a distance of 187.35 feet to a calculated point;
 - 4) North 37 degrees 29 minutes 21 seconds East, a distance of 147.24 feet to a calculated point;
 - 5) North 54 degrees 34 minutes 45 seconds East, a distance of 6.61 feet to a calculated point; thence severing said Gateway property for the following three (3) calls:
 - 1) South 35 degrees 25 minutes 15 seconds East, a distance of 20.00 feet to a calculated point;
 - 2) North 54 degrees 34 minutes 45 seconds East, a distance of 20.00 feet to a calculated point;
 - 3) North 35 degrees 25 minutes 15 seconds West, a distance of 20.00 feet to a calculated point being in said east right-of-way line; thence with said east right-of-way line for the following nine (9) calls:
 - 1) North 54 degrees 34 minutes 45 seconds East, a distance of 303.59 feet to a calculated point;
 - 2) South 36 degrees 18 minutes 15 seconds East, a distance of 136.14 feet to a calculated point;
 - 3) North 56 degrees 56 minutes 07 seconds East, a distance of 922.70 feet to a calculated point;
 - 4) North 86 degrees 46 minutes 28 seconds East, a distance of 153.88 feet to a calculated point;
 - 5) South 58 degrees 56 minutes 17 seconds East, a distance of 201.70 feet to a calculated point;
 - 6) South 40 degrees 05 minutes 49 seconds East, a distance of 133.41 feet to a calculated point;
 - 7) South 68 degrees 23 minutes 08 seconds East, a distance of 175.83 feet to a calculated point;
 - 8) North 56 degrees 33 minutes 22 seconds East, a distance of 208.58 feet to a calculated point;
 - 9) South 85 degrees 20 minutes 13 seconds East, a distance of 99.72 feet to a calculated point being in the west right-of-way line of Pleasant Valley Road; thence with said west right-of-way line South 36 degrees 08 minutes 18 seconds East, a distance of 21.22 feet to a calculated point; thence continuing with said west right-of-way line in curve to the left being

subtended by a chord of South 51 degrees 32 minutes 11 seconds East, a chord distance of 77.00 feet and having a radius of 144.99 feet, in all an arc distance of 77.93 feet to a calculated point being the northwest corner of the Marvin Settles property, as recorded in Deed Book 154, at Page 146 in said clerk's office; thence with the west line of said Settles property for the following five (5) calls:

1) South 37 degrees 30 minutes 08 seconds East, a distance of 412.90 feet to a calculated point;

2) South 08 degrees 40 minutes 12 seconds East, a distance of 429.93 feet to a calculated point;

3) North 86 degrees 42 minutes 04 seconds West, a distance of 783.42 feet to a calculated point;

4) South 10 degrees 35 minutes 14 seconds East, a distance of 951.00 feet to a calculated point;

5) South 03 degrees 05 minutes 14 seconds East, a distance of 403.00 feet to a calculated point; thence with the south line of said Settles property North 86 degrees 15 minutes 49 seconds East, a distance of 988.52 feet to a calculated point; thence continuing with said south line North 53 degrees 53 minutes 52 seconds East, a distance of 3.99 feet to a calculated point being in the west line of the Downs Subdivision, as recorded in Plat Book 29, at Page 330, Plat Book 30, at Pages 22 and 141 all in said clerk's office; thence with said west line South 16 degrees 53 minutes 40 seconds West, a distance of 1,578.30 feet to a calculated point being in the north line of the Wal-Mart Real Estate Business Trust property, as recorded in Deed Book 785, at Page 260; thence with said north line North 71 degrees 46 minutes 46 seconds West, a distance of 235.51 feet to a calculated point; thence continuing with said north line North 74 degrees 21 minutes 33 seconds West, a distance of 395.33 feet to a calculated point being the northeast corner of said Human Resources property; thence with the north line of said Human Resources property North 70 degrees 51 minutes 57 seconds West, a distance of 490.34 feet to a calculated point being the northwest corner of said Human Resources property; thence with the west line of said Human Resources property South 21 degrees 59 minutes 33 seconds West, a distance of 1,235.72 feet to the point of beginning and containing 190.468 acres.

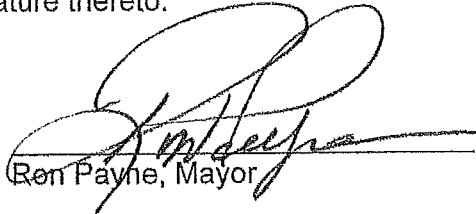
Section 3. That the territory annexed herein is zoned as General Business and Urban Agriculture, Zoned B-4 and A-U, as illustrated by the zoning maps attached hereto and incorporated by reference herein.

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.

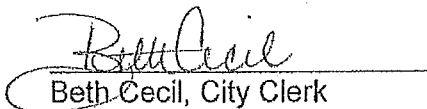
INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 21st day of July, 2015.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 4th day of August, 2015.

WHEREUPON, after a vote of the Commission, Mayor Payne declared the Ordinance adopted and affixed his signature thereto.


Ron Payne, Mayor

ATTEST:


Beth Cecil, City Clerk

CERTIFICATION

I, Beth Cecil, City Clerk of the City of Owensboro, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance 26-2015, duly adopted by the Owensboro Board of Commissioners on August 4th, 2015, the original of which is on file in the Office of the City Clerk, this the 4th day of August, 2015.


Beth Cecil, City Clerk



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

City of Owensboro Kentucky



101 E. 4th Street
P.O. Box 10003
Owensboro, Ky 42302-9003

July 29, 2015

To: Bill Parrish
City Manager

From: Kevin Collignon, P.E.
City Engineer

Re: Annexation Request for Gateway Commons Development (2900 BL.
KY Highway 54).

Attached is the information necessary to initiate annexation for Gateway Commons Development (2900 KY Highway 54). (See attached).

There will be surety bonds for the Public Improvements to be installed as part of the approved Preliminary Subdivision Plan/ Final Development Plan at the time of Final Plat.

Gateway Commons Development will be included in a Tax Increment Finance Program as proposed by the City of Owensboro to the Commonwealth of Kentucky.

An Annexation Incentive Agreement for this development will be entered into between the City of Owensboro & Gateway Land, LLC.

A signed Annexation Request Form from Gateway Land, LLC, owner of the property consisting of Gateway Commons Development has been submitted, along with the property description and related plats are attached.

Attachment

MH

c: Mayor Ron Payne
City Commissioners
Steve Mitchell
Ed Ray

Consent

**CITY OF OWENSBORO
AGENDA REQUEST AND SUMMARY
COVER SHEET**

Item No.

TITLE
REQUEST ANNEXATION THE GATEWAY COMMONS DEVELOPMENT (2900 BL. KY HIGHWAY 54)

MEETING OF CITY COMMISSION ON <i>(State the meeting date July 21, 2015)</i>
BUDGET <i>(State any budget consequences):</i> N/A

SUMMARY AND BACKGROUND <i>(Continue on additional sheet, if necessary):</i>	
<p><i>THE PROPOSED ANNEXATION FOR GATEWAY COMMONS DEVELOPMENT TOTALS =190.468 ACRES</i></p> <p><i>THE GATEWAY COMMONS DEVELOPMENT CONSISTS OF BOTH A-U & B-4 ZONES</i></p> <p><i>THERE WILL BE SURETY BONDS FOR THE PUBLIC IMPROVEMENTS TO BE INSTALLED AS PART OF THE APPROVED PRELIMINARY SUBDIVISION PLAN/ FINAL DEVELOPMENT PLAN AT THE TIME OF FINAL PLAT.</i></p> <p><i>GATEWAY COMMONS DEVELOPMENT WILL BE INCLUDED IN A TAX INCREMENT FINANCE PROGRAM PROPOSED BY THE CITY OF OWENSBORO TO THE COMMONWEALTH OF KENTUCKY.</i></p> <p><i>GATEWAY LAND, LLC, OWNER OF THE PROPERTY CONSISTING OF GATEWAY COMMONS DEVELOPMENT HAS SUBMITTED A SIGNED ANNEXATION REQUEST FORM.</i></p> <p><i>THERE WILL BE AN ANNEXATION INCENTIVE AGREEMENT FOR THIS PROPERTY</i></p>	
Check if continued on next page	

RECOMMENDATION OR ACTION REQUESTED: <i>(State the action requested or recommended)</i>
APPROVE ANNEXATION

ATTACHMENTS <i>(12 copies for agenda packets)</i>	Check if no attachments	
THE ANNEXATION REQUEST FORM, ANNEXATION LETTER, DESCRIPTION AND PLAT ARE ATTACHED.		

Note: All City Commission Agenda items submitted by staff, including appropriate backup materials, must be approved and submitted to the City Clerk not later than noon Thursdays preceding Tuesday, 6:30 p.m. meetings.

Submitted by	Department Head Approval	City Attorney Approval	City Manager Approval
MICHAEL HAMILTON	KEVIN L. COLLIGNON	ED RAY	BILL PARRISH

CITY OF OWENSBORO

----ANNEXATION REQUEST FORM----

1. LOCATION OF PROPERTY TO BE ANNEXED:

Gateway Commons - 2900 Bl. HWY 54

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

See Attached

B. SOURCE OF TITLE:

D.B. 945- PG 652-666

D.B. 945- PG 733-739

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

Currently - B-4 & A-U

4. ACREAGE FEES: N/A

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

Gateway Land, LLC, 2960 Fairveiw Drive

Owensboro, KY 42303

6. PHONE NO: (270) 689-1733

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 Gateway Commons - 2900 Bl. HWY 54 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 21 day of July, 20 15.

Witness: Ruth William Phillips

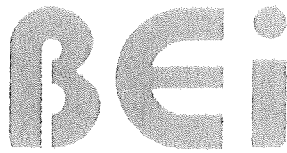
Signature (s) of Record Owner (s) of Property:

[Signature]

Matt Hayden

FOR FINANCE DEPARTMENT USE ONLY:

Annexation Fee	Amount: <u>N/A</u>
Acreage Fee	Amount: <u>N/A</u>
Received by Finance Department	Date: _____
	Initialed By: _____



BRYANT ENGINEERING, INC.

1535 FREDERICA STREET • P.O. BOX 21382 • OWENSBORO, KY 42304

PHONE: (270)685-2811 • FAX: (270)683-4991

DESCRIPTION For ANNEXATION

Beginning at a calculated point being in the north right-of-way line of Kentucky Highway 54, said north right-of-way line varies in width from its centerline and being the southwest corner of the Commonwealth of Kentucky Department of Human Resources property, as recorded in Deed Book 448, at Page 514 in the office of the Daviess County Clerk, thence with said north right-of-way line North 64 degrees 01 minutes 04 seconds West, a distance of 123.88 feet to a calculated point being the southeast corner of the Gateway Land, LLC property, as recorded in Deed Book 922, at Page 522 in said clerk's office; thence with said gateway property for the following six (6) calls:

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of 1,821.54 feet to a calculated point; thence severing said Gateway property, North 01 degrees 39 minutes 19 seconds East, a distance of 20.97 feet to a calculated point, then continuing to sever said Gateway property North 70 degrees 49 minutes 28 seconds West, a distance of 20.97 feet to a calculated point being in the east right-of-way line of the Commonwealth of Kentucky property, as shown on the Highway Plans; thence with said east right-of-way line for the following three (3) calls:

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- 3) North 68 degrees 47 minutes 12 seconds West, a distance of 20.00 feet to a calculated point being in said east right-of-way line; thence with said east right-of-way line for the following five (5) calls:

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3) North 56 degrees 56 minutes 07 seconds East, a distance of 922.70 feet to a calculated point;

4) North 86 degrees 46 minutes 28 seconds East, a distance of 153.88 feet to a calculated point;

5) South 58 degrees 56 minutes 17 seconds East, a distance of 201.70 feet to a calculated point;

6) South 40 degrees 05 minutes 49 seconds East, a distance of 133.41 feet to a calculated point;

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8) North 56 degrees 33 minutes 22 seconds East, a distance of 208.58 feet to a calculated point;

9) South 85 degrees 20 minutes 13 seconds East, a distance of 99.72 feet to a calculated point being in the west right-of-way line of Pleasant Valley Road; thence with said west right-of-way line South 36 degrees 08 minutes 18 seconds East, a distance of 21.22 feet to a calculated point; thence continuing with said west right-of-way line in curve to the left being subtended by a chord of South 51 degrees 32 minutes 11 seconds East, a chord distance of 77.00 feet and having a radius of 144.99 feet, in all an arc distance of 77.93 feet to a calculated point being the northwest corner of the Marvin Settles property, as recorded in Deed Book 154, at Page 146 in said clerk's office; thence with the west line of said Settles property for the following five (5) calls:

1) South 37 degrees 30 minutes 08 seconds East, a distance of 412.90 feet to a calculated point;

2) South 08 degrees 40 minutes 12 seconds East, a distance of 429.93 feet to a calculated point;

3) North 86 degrees 42 minutes 04 seconds West, a distance of 783.42 feet to a calculated point;

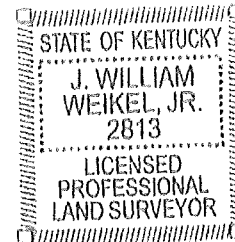
4) South 10 degrees 35 minutes 14 seconds East, a distance of 951.00 feet to a calculated point;

5) South 03 degrees 05 minutes 14 seconds East, a distance of 403.00 feet to a calculated point; thence with the south line of said Settles property North 86 degrees 15 minutes 49 seconds East, a distance of 988.52 feet to a calculated point; thence continuing with said south line North 53 degrees 53 minutes 52 seconds East, a distance of 3.99 feet to a calculated point being in the west line of the Downs Subdivision, as recorded in Plat Book 29, at Page 330, Plat Book 30, at Pages 22 and 141 all in said clerk's office; thence with said west line South 16 degrees 53 minutes 40 seconds West, a distance of 1,578.30 feet to a calculated point being in the north line of the Wal-Mart Real Estate Business Trust property, as recorded in Deed Book 785, at Page 260; thence with said north line North 71 degrees 46 minutes 46 seconds West, a distance of 235.51 feet to a calculated point; thence continuing with said north line North 74 degrees 21 minutes 33 seconds West, a distance of 395.33 feet to a calculated

point being the northeast corner of said Human Resources property; thence with the north line of said Human Resources property North 70 degrees 51 minutes 57 seconds West, a distance of 490.34 feet to a calculated point being the northwest corner of said Human Resources property; thence with the west line of said Human Resources property South 21 degrees 59 minutes 33 seconds West, a distance of 1,235.72 feet to the point of beginning and containing 190.468 acres.

J. William Weikel, Jr. Sept. 24, 2015
J. William Weikel, Jr., KY PLS No. 2813 Date

F:\Data\2007\07-3928\Description Annex A



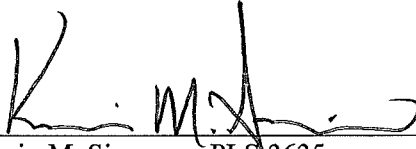
ANNEXATION DESCRIPTION

A parcel of land containing 190.468 Acres located north of Kentucky Highway 54 on the east side of Owensboro, Kentucky to be annexed into the City of Owensboro more particularly described as follows:

Beginning at a point in north right of way line of Kentucky Highway 54, said point being in the current city limit line and having a Kentucky South State Plane Coordinate, N:2160887.4952, E:1260297.9118; thence following the north right of way line of Kentucky Highway 54 and the current city limit line N 64°01'04" W, 123.88 feet to a point being the southeast corner to 2945 Kentucky Highway 54; thence leaving the current city limit line and following the new city limit line and the lines of 2945 Kentucky Highway 54 as follows: Following a circular curve to the left being subtended by a chord of N 71°54'59" E, a chord distance of 69.55 feet and having a radius of 50.00 feet; thence N 27°51'01" E, 60.97 feet to a point; thence following a circular curve to the left being subtended by a chord of N 24°55'17" E, a chord distance of 22.33 feet and having a radius of 218.50 feet; thence N 21°59'33" E, 152.34 feet to a point; thence following a circular curve to the left being subtended by a chord of N 21°00'45" W, a chord distance of 50.47 feet and having a radius of 37.00 feet; thence N 64°01'04" W, 393.82 feet to a point in the east line of the Daviess County School District Finance Corp.; thence following the new city limit line and the east line of Daviess County School District Finance Corp. N 27°31'53" E, 866.74 feet to a point; thence following the new city limit line N 70°49'28" W, 1,821.54 feet to a point; thence following the new city limit line N 01°39'19" E, 20.97 feet to a point; thence following the new city limit line N 70°49'28" W, 20.97 feet to a point in the east right of way line of the Wendell Ford Expressway; thence following the east right of way line of the Wendell Ford Expressway and the new city limit line as follows: N 01°39'19" E, 68.70 feet to a point; thence N 15°11'05" E, 198.40 feet to a point; thence N 16°19'07" E, 464.41 feet to a point; thence S 73°40'53" E, 20.00 feet to a point; thence N 16°19'07" E, 20.00 feet to a point; thence N 73°40'53" W, 20.00 feet to a point; thence N 16°19'07" E, 6.75 feet to a point; thence N 27°13'37" E, 489.14 feet to a point; thence N 21°12'48" E, 235.30 feet to a point; thence S 68°47'12" E, 20.00 feet to a point; thence N 21°12'48" E, 20.00 feet to a point; thence N 68°47'12" W, 20.00 feet to a point; thence N 21°12'48" E, 188.06 feet to a point; thence N 38°00'35" E, 206.86 feet to a point; thence N 29°29'03" E, 187.35 feet to a point; thence N 37°29'21" E, 147.24 feet to a point; thence N 54°34'45" E, 6.61 feet to a point; thence S 35°25'15" E, 20.00 feet to a point; thence N 54°34'45" E, 20.00 feet to a point; thence N 35°25'15" W, 20.00 feet to a point; thence N 54°34'45" E, 303.59 feet to a point; thence S 36°18'15" E, 136.14 feet to a point; thence N 56°56'07" E, 922.70 feet to a point; thence N 86°46'28" E, 153.88 feet to a point; thence S 58°56'17" E, 201.70 feet to a point; thence S 40°05'49" E, 133.41 feet to a point; thence S 68°23'08" E, 175.83 feet to a point; thence N 56°33'22" E, 208.58 feet to a point; thence S 85°20'13" E, 99.72 feet to a point to a point in the south right of way line of Pleasant Valley Road; thence following the new city limit line and the south right of way line of Pleasant Valley Road S 36°08'18" E, 21.22 feet to a point; thence following a

circular curve to the left being subtended by a chord S 51°32'11" E, 77.00 feet and having a radius of 144.99 feet to a point being the northwest corner to Marvin Settles; thence following the new city limit line and the line of Settles as follows: S 37°30'08" E, 412.90 feet to a point; thence S 08°40'12" E, 429.93 feet to a point; thence N 86°42'04" W, 783.42 feet to a point; thence S 10°35'14" E, 951.00 feet to a point; thence S 03°05'14" E, 403.00 feet to a point; thence N 86°15'49" E, 988.52 feet to a point; thence N 53°53'52" E, 3.99 feet to a point in the west line of Preakness Place at the Downs Subdivision; thence following the west line of Preakness Place at the Downs and the new city limit line S 16°53'40" W, 1,578.30 feet to a point in the current city limit line, said point also being in the north line of Wal-Mart Real Estate Business Trust; thence following the north line of Wal-Mart and the current city limit line N 71°46'46" W, 235.51 feet to a point; thence N 74°21'33" W, 395.33 feet to a point being the northeast corner to the Commonwealth of Kentucky Department of Human Resources; thence leaving the current city limit line and following the new city limit line and the north line of the Commonwealth of Kentucky Department of Human Resources N 70°51'57" W, 490.34 feet to a point; thence continuing with the new city limit line and the west line of the Commonwealth of Kentucky Department of Human Resources S 21°59'33" W, 1,235.72 feet to the point of beginning containing 190.468 Acres as shown on an annexation plat prepared by Bryant Engineering, Inc. Dated 02-19-2015.

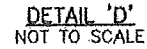
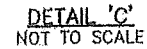
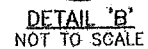
This description was prepared for annexation purposes only and is not to be used for the transfer of real property. Bearings and distances described herein were taken from an annexation plat prepared by Bryant Engineering, Inc. dated 02-19-2015. Bearings and distances were not verified with a field survey.


Kevin M. Simmons, PLS 3635

Date

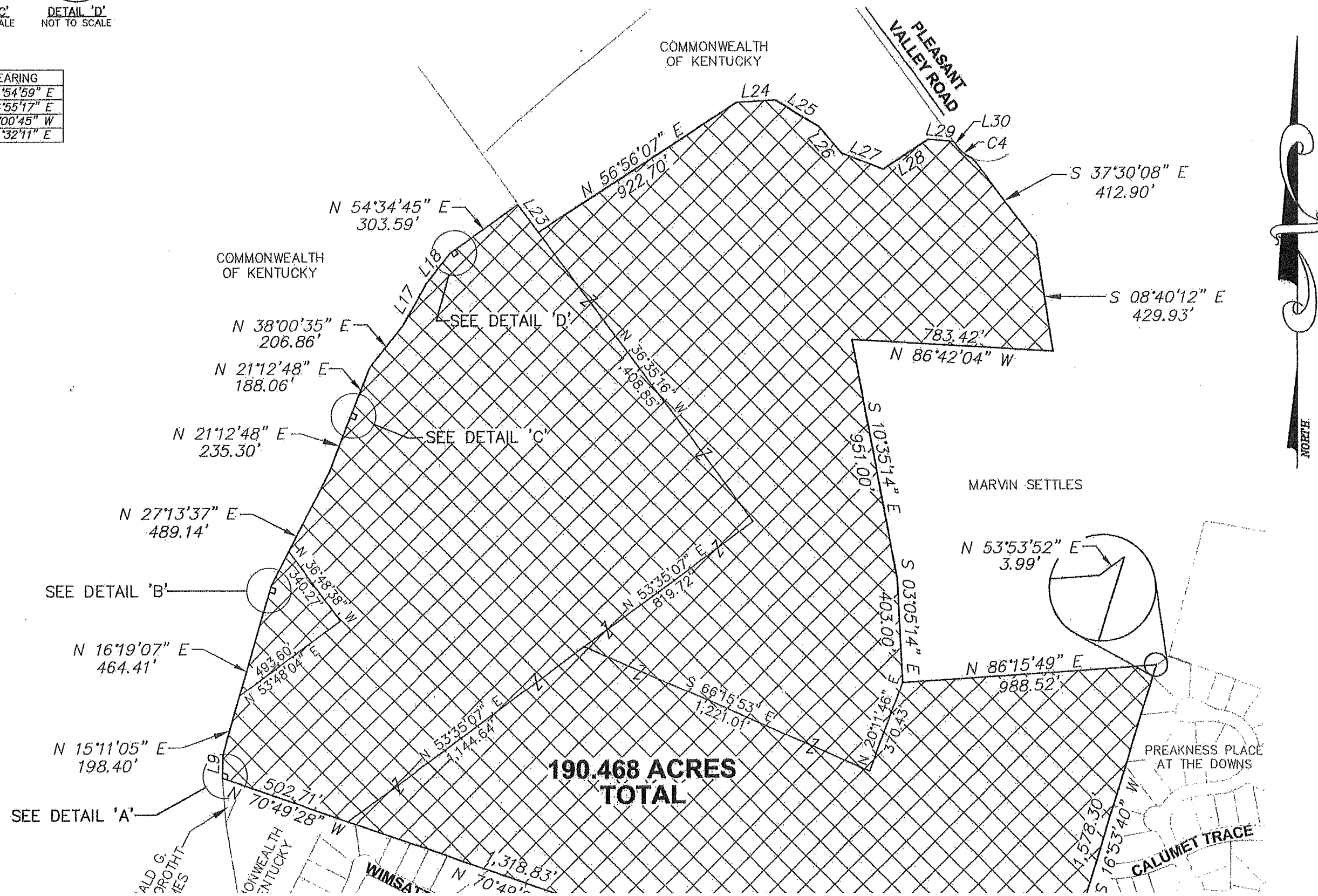
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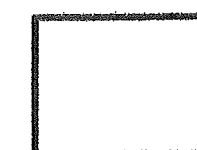
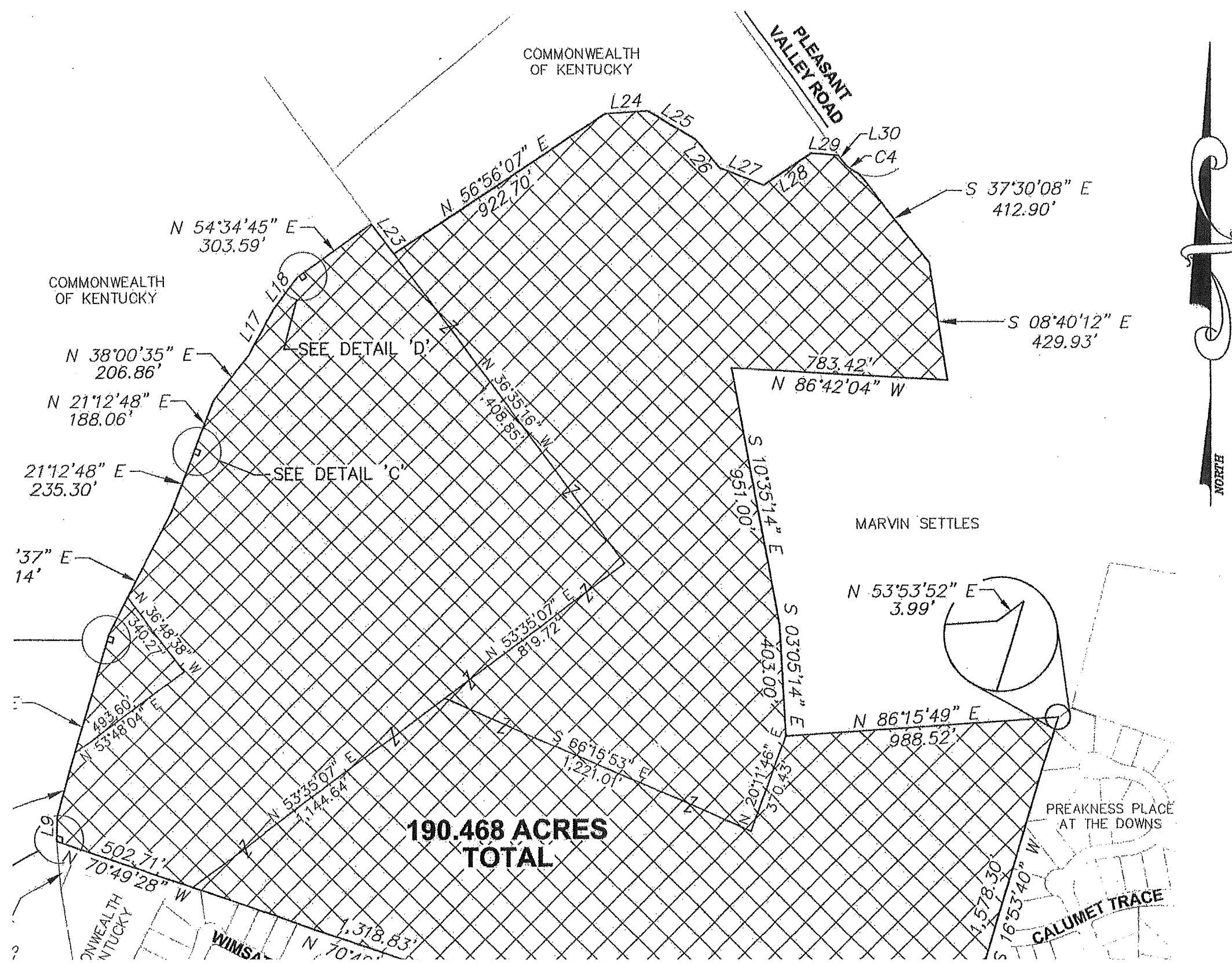
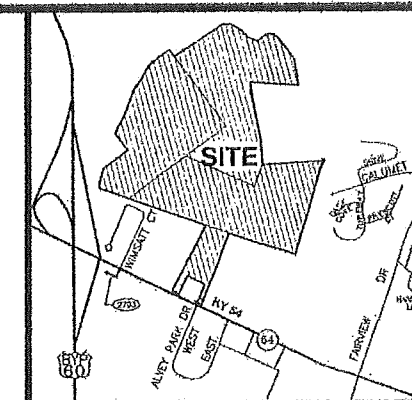




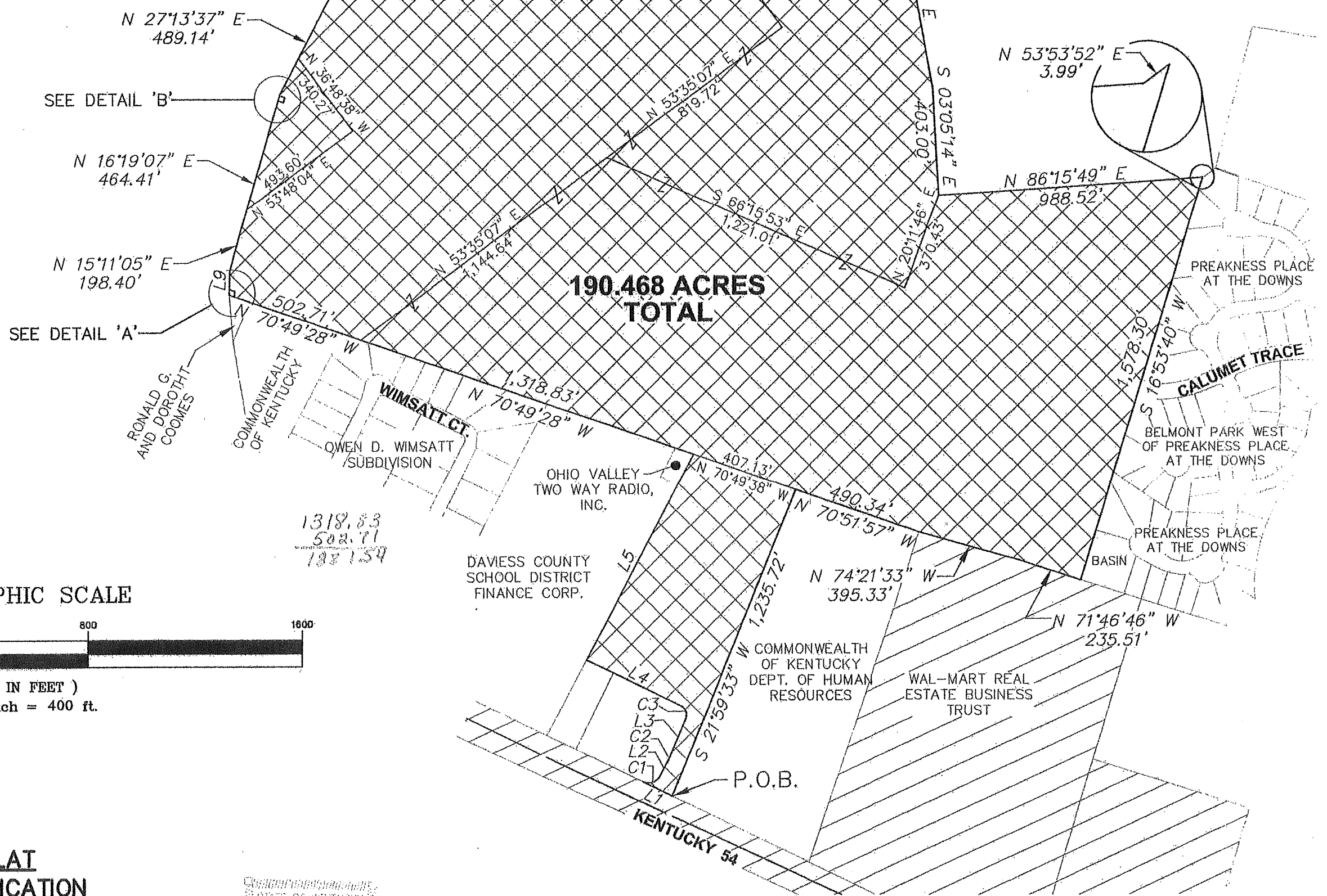
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	76.91'	50.00'	69.55'	N 71°54'59" E
C2	22.34'	218.50'	22.33'	N 24°55'17" E
C3	55.54'	37.00'	50.47'	N 21°00'45" W
C4	77.93'	144.99'	77.00'	S 61°32'11" E

LINE	BEARING	LENGTH
L1	N 64°01'04" W	123.88'
L2	N 27°51'01" E	60.97'
L3	N 21°59'33" E	152.34'
L4	N 64°01'04" W	393.82'
L5	N 27°31'53" E	866.74'
L7	N 01°39'19" E	20.97'
L8	N 70°49'28" W	20.97'
L9	N 01°39'19" E	68.70'
L10	S 73°40'53" E	20.00'
L11	N 16°19'07" E	20.00'
L12	N 73°40'53" W	20.00'
L13	N 16°19'07" E	6.75'
L14	S 68°47'12" E	20.00'
L15	N 21°12'48" E	20.00'
L16	N 68°47'12" W	20.00'
L17	N 29°29'03" E	187.35'
L18	N 37°29'21" E	147.24'
L19	N 54°34'45" E	6.61'
L20	S 35°25'15" E	20.00'
L21	N 54°34'45" E	20.00'
L22	N 35°25'15" W	20.00'
L23	S 36°18'15" E	136.14'
L24	N 86°46'28" E	153.88'
L25	S 58°56'17" E	201.70'
L26	S 40°05'49" E	133.41'
L27	S 68°23'08" E	175.83'
L28	N 56°33'22" E	208.58'
L29	S 85°20'13" E	99.72'
L30	S 36°08'18" E	21.22'





L23	S 36°18'15" E	136.14'
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GRAPHIC SCALE

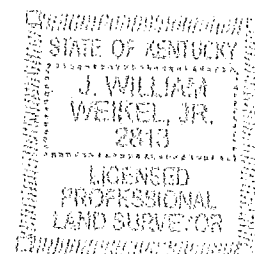


(IN FEET)
1 inch = 400 ft.

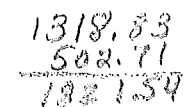
ANNEXATION PLAT SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE TRACT OF LAND SHOWN HEREON WAS PLOTTED BASED UPON A FIELD SURVEY OF THE SUBJECT PROPERTY COMPLETED UNDER MY DIRECTION ON FEBRUARY 12, 2015.

J. William Weikel, Jr. Aug. 13, 2015
J. WILLIAM WEIKEL, JR., KY P.L.S. NO. 2813 DATE



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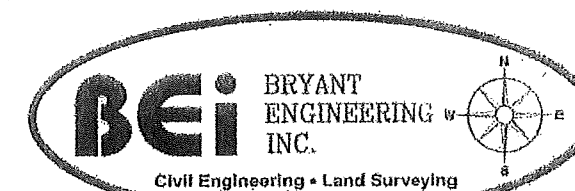


**190.468 ACRES
TOTAL**

GATEWAY LAND, LLC.

ANNEXATION PLAT
LOCATED ON KY HWY 54
EAST OF OWENSBORO
DAVIESS COUNTY, KENTUCKY

02-19-2015



1535 FREDERICA STREET ~ P.O. BOX 21382
OWENSBORO, KENTUCKY 42304

270-685-2811

F:\07-3928\dwg\Section 2\ANNEX.dwg

DATE OF BIRTH
J. WILLIAM
WEIKEL, JR.
2813
LICENSED
PROFESSIONAL
AND SURVEYOR