

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING ORDINANCE NUMBER 2022-03 ANNEXING INTO THE CITY OF RUSSELLVILLE, KENTUCKY CERTAIN REAL PROPERTY OWNED BY THE LOGAN INDUSTRIAL DEVELOPMENT, THE CITY OF RUSSELLVILLE, AND LOGAN/TODD REGIONAL WATER COMMISSION, KNOWN AS THE WEST INDUSTRIAL PARK, CONTAINING APPROXIMATELY 74.821 ACRES

WHEREAS, the Logan Industrial Development, The City of Russellville, and The Logan/Todd Regional Water Commission are the owners (hereinafter "the Property Owners") of certain real property known as the "West Industrial Park" which contains approximately 74.821 acres and is more particularly described in the legal description of McGhee Engineering, Inc. attached hereto and labeled as Exhibit A; and

WHEREAS, the Property Owners have requested and consented to the annexation of said property by and into the City of Russellville, Kentucky, as demonstrated and ratified by the Consents to Annexation attached hereto and labeled as Exhibits B, C, and D;

WHEREAS, the Kentucky Transportation Cabinet holds a right-of-way upon said real property and has issued its agreement and consent to the annexation of said property by and into the City of Russellville, Kentucky, as demonstrated on the letter from Chief District Engineer, District 3, Joe Plunk, attached hereto and labeled as Exhibit E; and

WHEREAS, the City Council and the Mayor, on behalf of the City of Russellville, deem said annexation as beneficial to the City, its citizens, and that all legal requirements have been met in order to proceed with said annexation;

WHEREAS, the City Council previously approved said annexation in Ordinance Number 2022-03, however, it has since been found that there were errors in the legal description attached as Exhibit A to that Ordinance, which have been corrected in the Exhibit A attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR
THE CITY OF RUSSELLVILLE, KENTUCKY AS FOLLOWS:

- (1) City of Russellville Ordinance Number 2022-03 is hereby amended, and the Exhibits attached hereto are accepted as superseding the prior exhibits presented for this annexation.
- (2) The Consents to Annexation attached hereto as Exhibit B, C, and D meet all legal requirements set forth in KRS 81A.412 and is hereby accepted and agreed to by the City of Russellville.
- (3) The property known as West Industrial Park, which is more particularly described in Exhibit A attached hereto, is hereby annexed by and into the City of Russellville, Kentucky.
- (4) The zoning classification for the annexed property shall be I-2 Heavy Industrial as is set forth in the zoning map attached hereto and labeled as Exhibit F.
- (5) In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provisions.
- (6) This Ordinance shall become effective upon its passage and publication according to law.

FIRST READING conducted on the 16 day of August, 2022.

SECOND READING conducted and PASSAGE on the 6 day of September, 2022.

APPROVED BY:

Mark Stratton

Mark Stratton
Mayor

ATTEST:

Robert Nishibun

Robert Nishibun
City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on _____, 2022, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Pat Bell
Bill Decker
Diane Walker
Sandra Kinser
Jimmy Davenport
Larry Wilcutt

CERTIFICATION

I hereby certify this document is a true and accurate copy of the original on file with the city of Russellville.

Robert F. Nishibun
Robert F. Nishibun, City Clerk

9/7/2022
Date

202 Ewing Street, P. O. Box 267
Guthrie, Kentucky 42234

MCGHEE ENGINEERING, INC.

www.mcgeeengineering.com

Phone: (270) 483-9985

**ANNEXATION SURVEY FOR THE
CITY OF RUSSELLVILLE, KENTUCKY**

LOGAN INDUSTRIAL DEVELOPMENT Property

Deed Book 472, Page 371

CITY OF RUSSELLVILLE Property

Deed Book 276, Page 211

LOGAN COUNTY FISCAL COURT Property

Legion Lane Right-of-Way

COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET Property

US Highway 68 Right-of-Way

LOGAN/TODD REGIONAL WATER COMMISSION Property

Deed Book 337, Page 345

(Ordinance No. 2022-____)

LEGAL DESCRIPTION

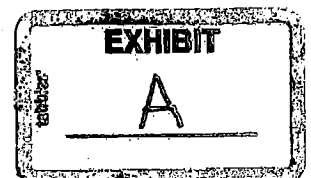
Unless stated otherwise, any monument referred to herein as an iron pin (set) is a 5/8-inch diameter rebar Eighteen Inches in length with 1 inch cap stamped "W.A. Clark PLS - 4461". Basis of bearings contained herein were obtained by Trimble GPS Equipment using NAD83 Kentucky (Single Zone) State Plane Coordinate System. Property located along the West side of US Highway 431 (Russellville By-Pass), South of US Highway 68 (West of Russellville, Kentucky), and North along the R.J. Corman Railroad in Logan County, Kentucky and being more particularly described as follows:

BEGINNING at a point, said point being located at the North intersection of the right-of-way of R.J. Corman Railroad Company (66 foot right-of-way) and the existing corporate limits of the City of Russellville, Kentucky (Ordinance 93-1), said point of beginning also being located at Northing: 3462655.447, Easting: 4578629.100 (Kentucky Single Zone State Plane Coordinate System);

thence with the North right-of-way of R.J. Corman Railroad Company, South 25 degrees 24 minutes 13 seconds West, 222.51 feet to an iron pin found with cap (PLS 2474), corner to Robert S. Camp, et al (DB 308, PG576);

thence along the line of Camp the next three (3) calls, North 67 degrees 11 minutes 48 seconds West, 673.64 feet to a 24" cedar tree, tagged with two washers (stamped PLS 2474); thence South 35 degrees 07 minutes 55 seconds West, 417.45 feet to an iron pin found with aluminum cap (cap illegible); thence North 52 degrees 55 minutes 21 seconds West, 1431.67 feet to a 18" Elm tree,

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tagged with two washers (stamped PLS 2474), corner to Camp and Frank McIntosh (DB207, PG140);

thence along the line with McIntosh the next five (5) calls, North 79 degrees 17 minutes 57 seconds East, 127.14 feet to an iron pin found with cap (PLS 2474); thence North 43 degrees 29 minutes 57 seconds East, 614.86 feet to an iron pin found with cap (PLS 2474); thence North 30 degrees 25 minutes 50 seconds East, 317.26 feet to a found pointed stone approximately 8" above ground; thence North 05 degrees 22 minutes 24 seconds East, 1043.54 feet to an iron pin found with cap (PLS 2189); thence South 86 degrees 00 minutes 50 seconds West, 118.55 feet to an iron pin found with cap (PLS 3148), corner to McIntosh and J.R. Simplot Company (DB468, PG586, Tract 3);

thence along the line with J.R. Simplot Company, North 00 degrees 08 minutes 20 seconds West, 569.84 feet to an iron pin found, no cap, corner to J.R. Simplot Company (DB468, PG 586, Tract 1);

thence continuing with J.R. Simplot Company, North 00 degrees 09 minutes 56 seconds West, 185.24 feet to an iron pin found with cap (PLS 906), corner to Utility Precast Products, LLC (DB339, PG 606);

thence along the line of Utility Precast Products, North 00 degrees 02 minutes 07 seconds West, 560.13 feet to an iron pin found with cap (PLS 906) in the South right-of-way of US Highway 68;

thence North 00 degrees 02 minutes 07 seconds West, 50.68 feet to a point inside the right-of-way of US Highway 68 and intersecting the existing corporate limits of the City of Russellville, Kentucky (Ordinance 93-1);

thence with the existing corporate limits of the City of Russellville, Kentucky (Ordinance 93-1) the next eight (8) calls, North 67 degrees 48 minutes 27 seconds East, 470.69 feet to a point inside the right-of-way of Legion Lane (Logan County Fiscal Court); thence North 75 degrees 44 minutes 46 seconds East, 1087.92 feet to a point inside the property of Logan Industrial Development Authority, Inc. (DB472, PG371); thence North 16 degrees 34 minutes 53 seconds West, 366.11 feet to a point inside the right-of-way of US Highway 68; thence North 75 degrees 56 minutes 42 seconds East, 449.78 feet to a point inside the right-of-way of US Highway 68; thence South 16 degrees 35 minutes 34 seconds East, 1170.48 feet to a point inside the property of Logan/Todd Regional Water Commission (DB337, PG345); thence South 72 degrees 18 minutes 39 seconds West, 1940.54 feet to a point inside the property of Logan Industrial Development Authority, Inc. (DB472, PG371); thence South 06 degrees 07 minutes 14 seconds West, 2339.25 feet to a point inside the property of Logan Industrial Development Authority, Inc. (DB472, PG371); thence South 66 degrees 27 minutes 48 seconds East, 1477.66 feet to the point of beginning and containing 74.821 acres.

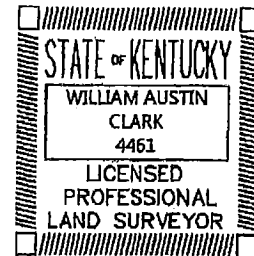
This ordinance description was generated from a combination of field survey work and existing ordinance description and the common sense reconciliation of the two by Wm. Austin Clark on April 25, 2022, Kentucky Professional Land Surveyor Number 4461 with McGhee Engineering,

Inc., Commonwealth of Kentucky Permit No. 968, 202 South Ewing Street, Post Office Box 267,
Guthrie, Kentucky 42234.

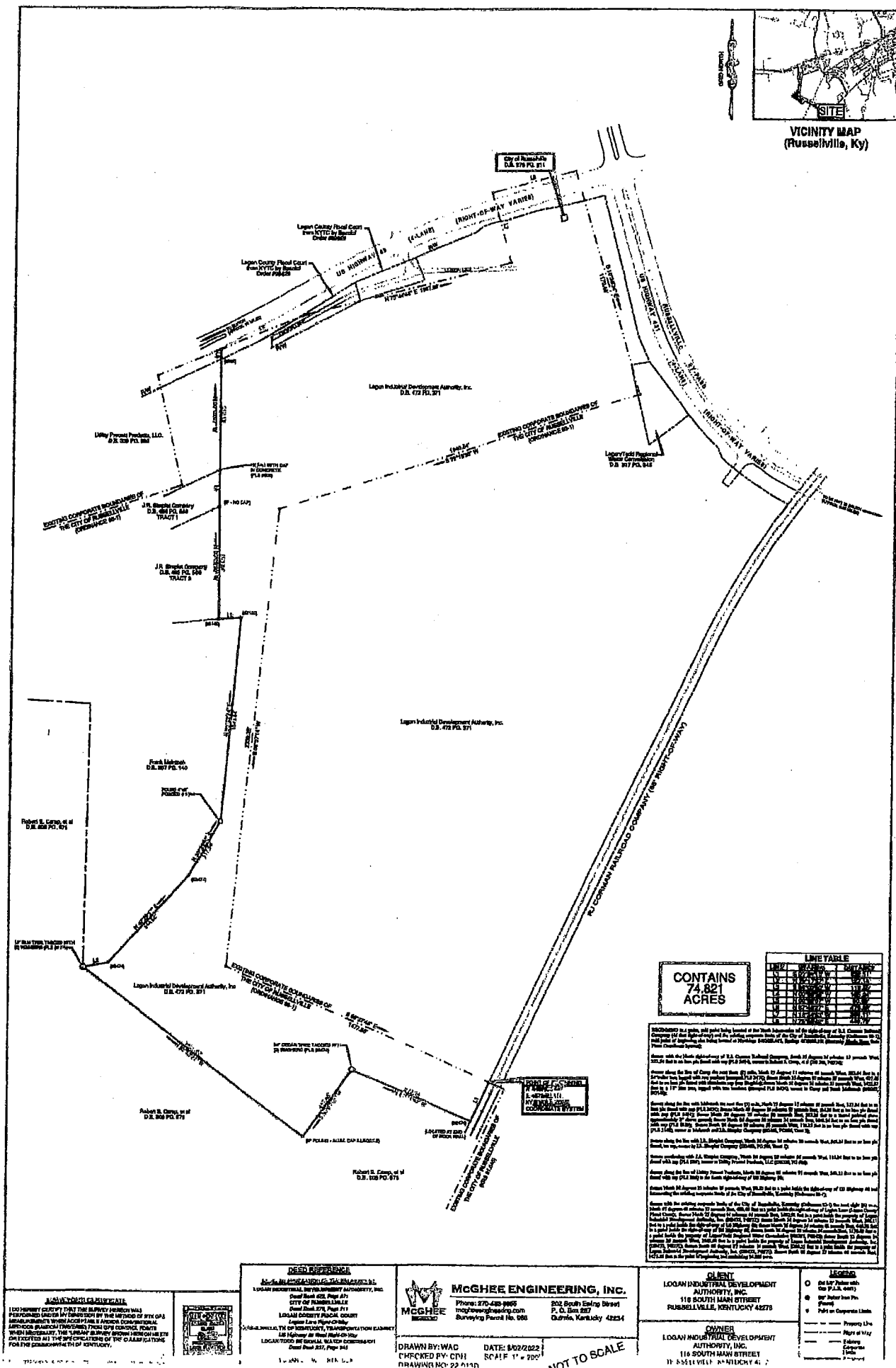
MCGHEE ENGINEERING, INC.



Wm. Austin Clark
Kentucky PLS 4461



Seal



CONSENT TO ANNEXATION

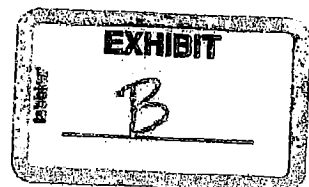
THIS CONSENT TO ANNEXATION is hereby submitted this 28 day of March, 2022, by Logan Industrial Development Authority Inc., whose address is 116 South Main Street, Russellville, Kentucky 42276 (hereinafter referred to as "the Property Owner") unto the City of Russellville, Kentucky;

WHEREAS, the Property Owner has requested that its property be annexed into the City of Russellville, Ky, and the Property Owner desires to ratify its Consent to this annexation in writing;

NOW, THEREFORE, the Property Owner agrees and certifies as follows:

1. The Property Owner hereby requests and consents to the annexation of its Property into the City of Russellville, Kentucky pursuant to KRS 81A.412.
2. The Property Owner hereby releases the City of Russellville, and its respective agents, officers, employees and representatives, from any and all claims arising out of or related in any way to the annexation and zoning of the Property.
3. The property is more particularly described in the Deed of record in the Office of the Logan County Court Clerk in Deed Book 472, page 371 and on the attached Exhibit "A."
4. This Consent to Annexation shall be perpetual and shall run with the Property, and it shall be binding upon the Property Owner, and its successors and assigns.
5. The Property Owner requests and consents to the proposed zoning classification of Heavy Industrial, I-2 for this property.

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LOGAN INDUSTRIAL DEVELOPMENT
AUTHORITY, INC.

BY: Mark Stratton
MARK STRATTON, CHAIRMAN

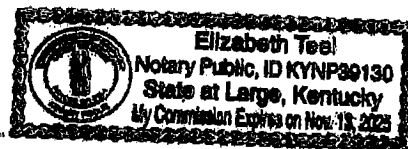
BY: Logan Chick
LOGAN CHICK, VICE-CHAIRMAN

STATE OF KENTUCKY
COUNTY OF LOGAN

Subscribed and sworn to before me by Mark Stratton and Logan Chick in their capacity as the duly authorized Chairman and Vice-Chairman of the Board for Logan Industrial Development Authority Inc, to be the duly authorized act and deed of said individuals this 28 day of March, 2022.

Elizabeth Teel
NOTARY PUBLIC

My commission expires 11-13-25
ID Number: KYNP 39130



This Instrument Prepared By

Elizabeth Teel

Elizabeth Teel
Attorney at Law
200 West 4th Street
P. O. Box 905
Russellville, KY 42276
Telephone: 270-726-7800

EXHIBIT A

Unless stated otherwise, any monument referred to herein as an iron pin (set) is a 5/8-inch diameter rebar Eighteen Inches in length with 1 inch cap stamped "W.A. Clark PLS - 4461". Basis of bearings contained herein were obtained by Trimble GPS Equipment using NAD83 Kentucky (single zone) State Plane Coordinate System. Property located along the West side of US Highway 431 (Russellville By-Pass), South of US Highway 68 (West of Russellville, Kentucky), and North along the R.J. Corman Railroad in the City of Russellville, Logan County, Kentucky.

Being a consolidated 215.371 Acre tract located within the bounds of tracts conveyed to Logan Industrial Development Authority, Inc as recorded in Deed Book 456, Page 527, Deed Book 366, Page 763 Parcel 3, Deed Book 432, Page 272, all in the Office of the County Clerk of Logan County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being an iron pin found with cap (stamped PLS 3148) located at the Southwest intersection of the right-of-way of U.S. Highway 68 and U.S. Highway 431 (Russellville By-Pass), said iron pin also being located 106.89 feet left of the Russellville By-Pass Mainline Station 61+54.77; thence with the West right-of-way of US Highway 431, South 15 degrees 06 minutes 53 seconds East, 154.80 feet to a point; thence South 14 degrees 02 minutes 56 seconds East, 573.97 feet to a point; thence South 23 degrees 50 minutes 46 seconds East, 138.93 feet to an iron pin found with cap (PLS 3148), corner to Logan/Todd Regional Water Commission (DB337, PG345); thence leaving the right-of-way on a line with the Logan/Todd Regional Water Commission the next three calls, South 80 degrees 35 minutes 09 seconds West, 93.45 feet to an iron pin found with cap (PLS 3148); thence South 13 degrees 02 minutes 59 seconds East, 414.83 feet to an iron pin found with cap (PLS 3148); thence North 52 degrees 40 minutes 25 seconds East, 249.96 feet to an iron pin found with cap (PLS 3148); thence continuing with the West right-of-way of US Highway 431, along a curve to the left having a delta of 08 degrees 09 minutes 43 seconds, a radius of 1547.39 feet, an arc length of 220.43 feet, a chord length 220.24 feet, a chord bearing of South 42 degrees 22 minutes 26 seconds East, to a point; thence South 22 degrees 46 minutes 58 seconds East, 59.90 feet to a point; thence along a curve to the left having a delta of 14 degrees 52 minutes 33 seconds, a radius of 1581.42 feet, an arc length of 410.59 feet, a chord length of 409.44 feet, a chord bearing of South 55 degrees 54 minutes 05 seconds East, to an iron pin found with cap (PLS 2474), in the intersection of the right-of-way of US Highway 431 (140.00 feet left of the Russellville By-Pass Mainline Station 43+76.63) and the right-of-way of R.J. Corman Railroad Company (66 foot right-of-way); thence following the right-of-way of the R.J. Corman Railroad Company, along a curve to the left having a delta of 12 degrees 14 minutes 27 seconds, a radius of 3852.72 feet, an arc length of 823.11 feet, a chord length of 821.55 feet, a chord bearing of South 31 degrees 34 minutes 08 seconds West, to a point;

thence South 25 degrees 24 minutes 13 seconds West, 2718.03 feet to an iron pin found with cap (PLS 2474), corner to Robert S. Camp, et al (DB 308, PG576); thence along the line of Camp the next three (3) calls, North 67 degrees 11 minutes 48 seconds West, 673.64 feet to a 24" cedar tree, tagged with two washers (stamped PLS 2474); thence South 35 degrees 07 minutes 55 seconds West, 417.45 feet to an iron pin found with cap (cap illegible); thence North 52 degrees 55 minutes 21 seconds West, 1431.67 feet to a 18" Elm tree, tagged with two washers (stamped PLS 2474), corner to Camp and Frank McIntosh (DB207, PG140); thence along the line with McIntosh the next five (5) calls, North 79 degrees 17 minutes 57 seconds East, 127.14 feet to an iron pin found with cap (PLS 2474); thence North 43 degrees 29 minutes 57 seconds East, 614.86 feet to an iron pin found with cap (PLS 2474); thence North 30 degrees 25 minutes 50 seconds East, 317.26 feet to a found pointed stone approximately 8" above ground, said stone being located from an iron pin found with cap (PLS 2474), South 80 degrees 59 minutes 27 seconds West, 2.20 feet; thence North 05 degrees 22 minutes 24 seconds East, 1043.54 feet to an iron pin found with cap (PLS 2189); thence South 86 degrees 00 minutes 50 seconds West, 118.55 feet to an iron pin found with cap (PLS 3148), corner to McIntosh and J.R. Simplot Company (DB468, PG586, Tract 3); thence along the line with J.R. Simplot Company, North 00 degrees 08 minutes 20 seconds West, 569.84 feet to an iron pin found, no cap, corner to J.R. Simplot Company (DB468, PG 586, Tract 1); thence continuing with J.R. Simplot Company, North 00 degrees 09 minutes 56 seconds West, 185.24 feet to an iron pin found with cap (PLS 906), corner to Utility Precast Products, LLC (DB339, PG 606); thence along the line of Utility Precast Products, LLC, North 00 degrees 02 minutes 07 seconds West, 560.13 feet to an iron pin found with cap (PLS 906) in the South right-of-way of US Highway 68; thence North 65 degrees 01 minutes 36 seconds East, 219.17 feet to a point; thence North 59 degrees 20 minutes 32 seconds East, 77.22 feet to an iron pin found, no cap, corner to Commonwealth of Kentucky (DB298, PG178, Parcel 59A); thence with the line of Commonwealth of Kentucky, South 06 degrees 33 minutes 28 seconds West, 72.32 feet to an iron pin found with cap (PLS 3148); thence North 61 degrees 45 minutes 24 seconds East, 504.66 feet to an iron pin found with cap (PLS 3148), corner to Commonwealth of Kentucky (CD15, PG447, Parcel 58A); thence with the line of Commonwealth of Kentucky, North 72 degrees 17 minutes 43 seconds East, 349.19 feet to an iron pin found with cap (PLS 3148); thence North 23 degrees 15 minutes 09 seconds West, 125.53 feet to an iron pin found with cap (PLS 3148), in the South right-of-way of US Highway 68; thence with the South right-of-way of US Highway 68 the next eight (8) calls, North 68 degrees 13 minutes 58 seconds East, 339.64 feet to a point; thence North 51 degrees 35 minutes 57 seconds East, 54.61 feet to a point; thence North 72 degrees 44 minutes 01 seconds East, 74.18 feet to a point; thence North 84 degrees 13 minutes 44 seconds East, 50.37 feet to a point; thence North 70 degrees 07 minutes 46 seconds East, 36.19 feet to a point; thence North 73 degrees 49 minutes 38 seconds East, 122.67 feet to a point; thence North 78 degrees 24 minutes 41 seconds East, 207.96 feet to a point; thence along a curve to the left having a delta of 04 degrees 28 minutes 08 seconds, a radius of 1947.36 feet, an arc length of 151.89 feet, a chord length of 151.85 feet, a chord bearing of North 76 degrees 10 minutes 37 seconds East, to the point of beginning (an iron pin found with cap, PLS 3148) and containing 215.371 Acres.

The above described 215.371 Acres tract is subject to a transmission line easement to the UNITED STATES OF AMERICA (TVA) as recorded in Misc. Book 03, Page 353, in the Office of the County Clerk of Logan County, Kentucky.

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The above described 215.371 Acres tract is subject to a right-of-way easement to the **LOGAN TODD REGIONAL WATER COMMISSION** as recorded in Deed Book 337, Page 245, in the Office of the County Clerk of Logan County, Kentucky.

The above described 215.371 Acres tract is subject to a right-of-way easement to the **TEXAS GAS TRANSMISSION CORPORATION** by visual inspection as shown on the survey plat for Logan Industrial Development Authority, Inc.

There is excepted from and interior to the above described 215.371 acres tract a 0.021 acre or 900 square feet tract conveyed to City of Russellville as recorded in Deed Book 276, Page 211 in the Office of the County Clerk of Logan County, Kentucky, and being more particularly described as follows:

Being a 0.021 acre or 900 square feet tract conveyed to City of Russellville as recorded in Deed Book 276, Page 211 in the Office of the County Clerk of Logan County, Kentucky.

BEGINNING at a point, said point being an iron pin found, no cap, said iron pin being located South 57 degrees 00 minutes 09 seconds West, 220.67 feet from an iron pin found with cap (PLS 3148) located at the Northeast corner of the above described 215.371 acres tract; thence South 73 degrees 26 minutes 02 seconds West, 30.00 feet to an iron pin found with cap (PLS 3148); thence North 16 degrees 53 minutes 18 seconds West, 30.00 feet to an iron pin found with cap (PLS 3148); thence North 73 degrees 26 minutes 02 seconds East, 30.00 feet to an iron pin found with cap (PLS 3148); thence South 16 degrees 53 minutes 18 seconds East, 30.00 feet to the point of beginning (an iron pin found, no cap) and containing 0.021 acres or 900 square feet.

The above description was prepared under the direction of William Austin Clark from a physical survey (Job #21-049) performed on January 13, 2022, Kentucky Professional Land Surveyor Number 4461 with McGhee Engineering, Inc., Commonwealth of Kentucky Permit No. 968, 202 South Ewing Street, Post Office Box 267, Guthrie, Kentucky 42234, and is subject to all easements and rights-of-ways of record and in existence.

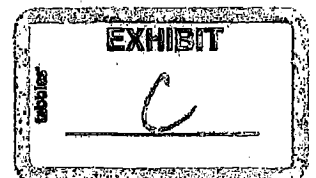
CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION is hereby submitted this 23 day of MARCH, 2022, by the City of Russellville, Kentucky, a municipality, whose address is 168 South Main Street, Russellville, Kentucky 42276 (hereinafter referred to as "the Property Owner") unto the City of Russellville, Kentucky;

WHEREAS, the Property Owner has requested that its property be annexed into the City of Russellville, Ky, and the Property Owner desires to ratify its Consent to this annexation in writing;

NOW, THEREFORE, the Property Owner agrees and certifies as follows:

1. The Property Owner hereby requests and consents to the annexation of its Property into the City of Russellville, Kentucky pursuant to KRS 81A.412.
2. The Property Owner hereby releases the City of Russellville, and its respective agents, officers, employees and representatives, from any and all claims arising out of or related in any way to the annexation and zoning of the Property.
3. The property is more particularly described in the Deed of record in the Office of the Logan County Court Clerk in Deed Book 276, page 211 and on the attached Exhibit "A."
4. This Consent to Annexation shall be perpetual and shall run with the Property, and it shall be binding upon the Property Owner, and its successors and assigns.
5. The Property Owner requests and consents to the proposed zoning classification of Heavy Industrial, I-2 for this property.



CITY OF RUSSELLVILLE, KENTUCKY

BY: Mark Stratton
MARK STRATTON, MAYOR

STATE OF KENTUCKY
COUNTY OF LOGAN

Subscribed and sworn to before me by Mark Stratton as the duly elected Mayor of the City of Russellville, Kentucky to be the duly authorized act and deed of said individual this 23 day of March, 2022.

Theresa D. Deuling
NOTARY PUBLIC

My commission expires March 20, 2024
ID Number: KYNP643

This Instrument Prepared By:

Elizabeth Teel
Attorney at Law
200 West 4th Street
P. O. Box 905
Russellville, KY 42276
Telephone: 270-726-7800

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EXHIBIT A

Being a certain portion of land lying in Logan County, Ky., on the South side of the Hopkinsville Road (Highway No. 68-80) and being located approximately 155' East of the centerline of the entrance to the American Legion Post NO. 29, same being more particularly described by a survey conducted under the direction of John N. Tinsley, RLS #2189, during March, 1992, as follows:

Beginning at an iron pin 22.0 ft. easterly from a power pole and 10.0 feet perpendicular South of the centerline of the Pennyrite Rural Electric line, same being approximately 155 ft. East of the centerline of a paved entrance to the American Legion Post No. 29; thence from said beginning and running parallel with the center of said electric line N 72° 05' E 30.0 feet to an iron pin; thence perpendicular to said line S 17° 55' E 30.00 on a new division line with the American Legion Post no. 29 to an iron pin; thence continuing with said division line and running parallel with said electric line S 72° 05' W 30.00 feet to an iron pin; thence continuing with said division line N 17° 55' W 30.00 feet to the beginning, containing 900 square feet more or less.

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION is hereby submitted this 24 day of March, 2022, by the Logan/Todd Regional Water Commission, whose address is P.O. Box 400, Guthrie, Kentucky 42234 (hereinafter referred to as "the Property Owner") unto the City of Russellville, Kentucky;

WHEREAS, the Property Owner has requested that its property be annexed into the City of Russellville, Ky, and the Property Owner desires to ratify its Consent to this annexation in writing;

NOW, THEREFORE, the Property Owner agrees and certifies as follows:

1. The Property Owner hereby requests and consents to the annexation of its Property into the City of Russellville, Kentucky pursuant to KRS 81A.412.
2. The Property Owner hereby releases the City of Russellville, and its respective agents, officers, employees and representatives, from any and all claims arising out of or related in any way to the annexation and zoning of the Property.
3. The property is more particularly described in the Deed of record in the Office of the Logan County Court Clerk in Deed Book 337, page 345 and on the attached Exhibit "A."
4. This Consent to Annexation shall be perpetual and shall run with the Property, and it shall be binding upon the Property Owner, and its successors and assigns.
5. The Property Owner requests and consents to the proposed zoning classification of Heavy Industrial, I-2 for this property.

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LOGAN/TODD REGIONAL
WATER COMMISSION

BY: John Mason Barnes
JOHN MASON, CHAIRMAN
BARNES

STATE OF KENTUCKY
COUNTY OF Logan

Barnes

Subscribed and sworn to before me by John Mason as the duly authorized
Chairman of the Logan/Todd Regional Water Commission to be the duly authorized act
and deed of said individual this 24 day of March, 2022.

Lora Lee Rabey
NOTARY PUBLIC

My commission expires 6/6/23
ID Number: 624636

This Instrument Prepared By:

Elizabeth Teel

Elizabeth Teel

Attorney at Law

200 West 4th Street

P. O. Box 905

Russellville, KY 42276

Telephone: 270-726-7800

EXHIBIT A

Unless stated otherwise, any monument referred to herein as a "set iron pin" is a 5/8" diameter steel reinforcing bar, eighteen inches in length with a plastic cap stamped "J.L. Harris - P.L.S. #3148". All bearings stated herein are referred to found monumentation as described by Kentucky Department of Highway Project Number SSP 071 0068 011-014 Russellville By-Pass.

Beginning at a set iron pin in the northwest right-of-way of the Russellville By-Pass 140 feet of centerline station 53+04.46, corner to the Logan Post #29 of the American Legion of Kentucky, Inc. (Commissioner Deed Book 13, Page 087); thence leaving said right-of-way with the line of Logan Post #29 of the American Legion of Kentucky, Inc. S 80°27'07" W 96.54 feet to a set iron pin, corner to Russellville-Logan County Civic Development Corporation (Deed Book 280, Page 781); thence turning left with the line of Russellville-Logan County Civic Development Corporation S 13°18'38" E 414.86 feet to a set iron pin; thence turning left N 52°25'40" E 250.00 feet to a set iron pin in said right-of-way; thence turning left N 52°25'40" E 250.00 feet to a set iron pin in said right-of-way; thence turning left with said right-of-way along a curve to the right having a radius of 1547.39 feet, an arc length of 103.66 feet and a chord distance of 103.64 feet bearing N 36°26'59" W; thence N 36°38'05" W 229.27 feet to the point of beginning. Described parcel containing 1.41

acres as shown by survey performed by Jeffrey L. Harris, P.L.S. #3148 with Benchmark Land Surveying, dated May 24, 2001. Being a portion of the property conveyed to Shrull by Deed Book 278, Page 368, as found in the records of the Logan County Clerk, Russellville, Kentucky.

The above described 1.41 acre tract is to be encumbered by a 20 feet wide utility easement described as follows:

Beginning at a set iron pin in the northeast right-of-way of the Russellville By-Pass and at the northeast corner of the above described 1.41 acre tract; thence leaving said right-of-way with the north line of said tract S 80°27'07" W 22.46 feet; thence turning left, leaving said line S 36°38'05" E 239.14 feet; thence along a curve to the left having a radius of 1567.39 feet, an arc length of 104.32 feet bearing S 36°30'03" E to a point in the south line of said tract; thence turning left with said line N 52°25'40" E 20.00 feet to a set iron pin in said right-of-way and at the southeast corner of said tract; thence turning left with said right-of-way along a curve to the right having a radius of 1547.39 feet, an arc length of 103.66 feet and a chord distance of 103.64 feet bearing N 36°29'59" W; thence N 36°38'05" W 229.27 feet to the point of beginning.



**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

Department of Highways, District 3 Office
900 Morgantown Road
Bowling Green, KY 42101
270-746-7898

Andy Beshear
GOVERNOR

Jim Gray
SECRETARY

May 2, 2022

Mark Stratton
Mayor, City of Russellville
168 South Main Street
Russellville, KY 42276

Dear Mayor Stratton,

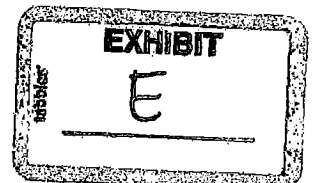
In response to an inquiry from the Logan Economic Alliance for Development (LEAD), the Commonwealth of Kentucky, Transportation Cabinet, hereby agrees and consents, in accordance with KRS 81A.412, to the annexation by the City of Russellville, Kentucky, of the area contained in the following location:

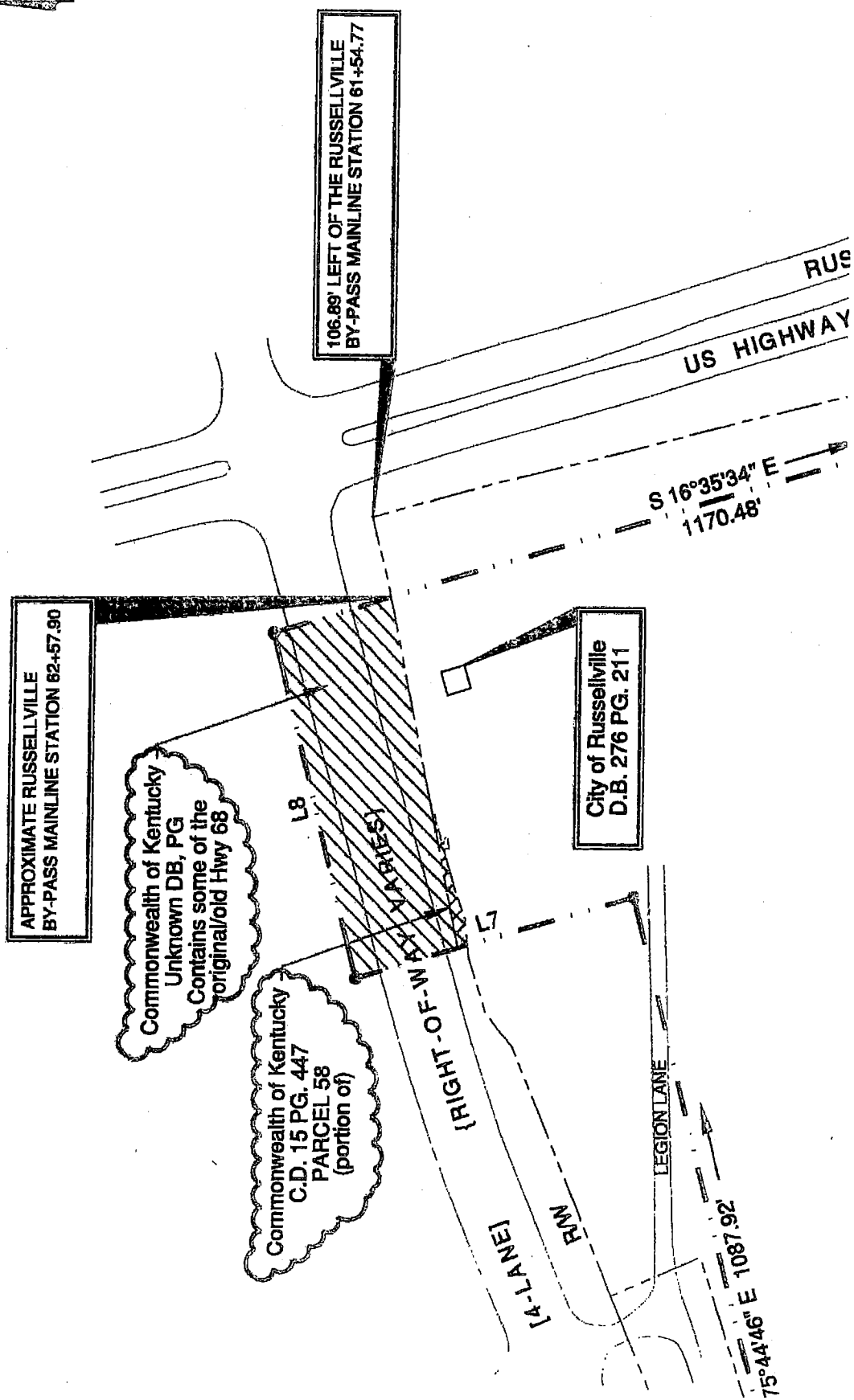
- Highway right-of-way acquired for US 68 from approximately 200 feet west of the intersection with the Russellville Bypass, thence westward a distance of approximately 450 feet, pursuant to the metes and bounds description attached hereto.

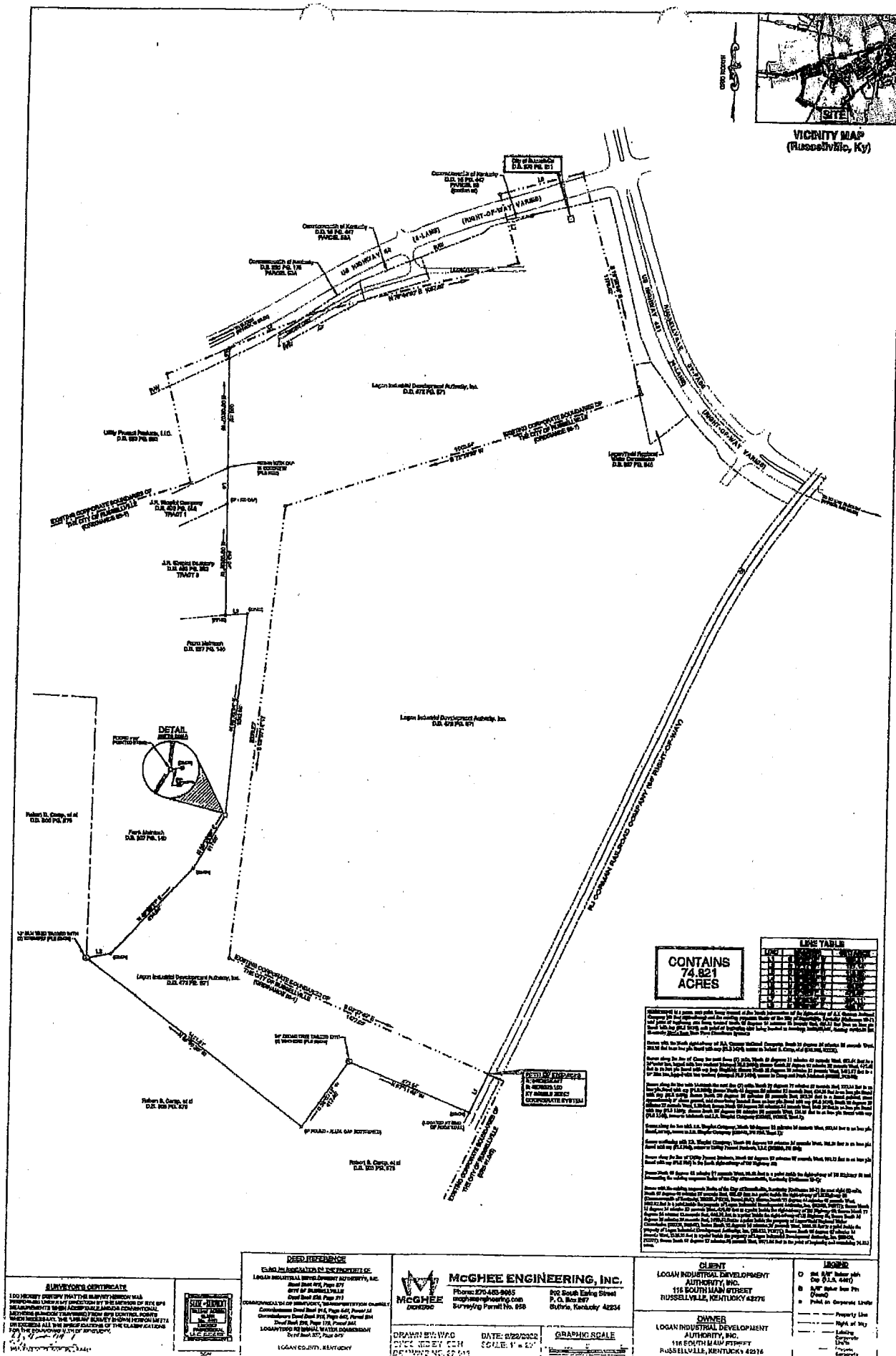
The Commonwealth of Kentucky, Transportation Cabinet maintains control of all rights-of-way along this route. Should you need any additional information, please do not hesitate to contact this office.

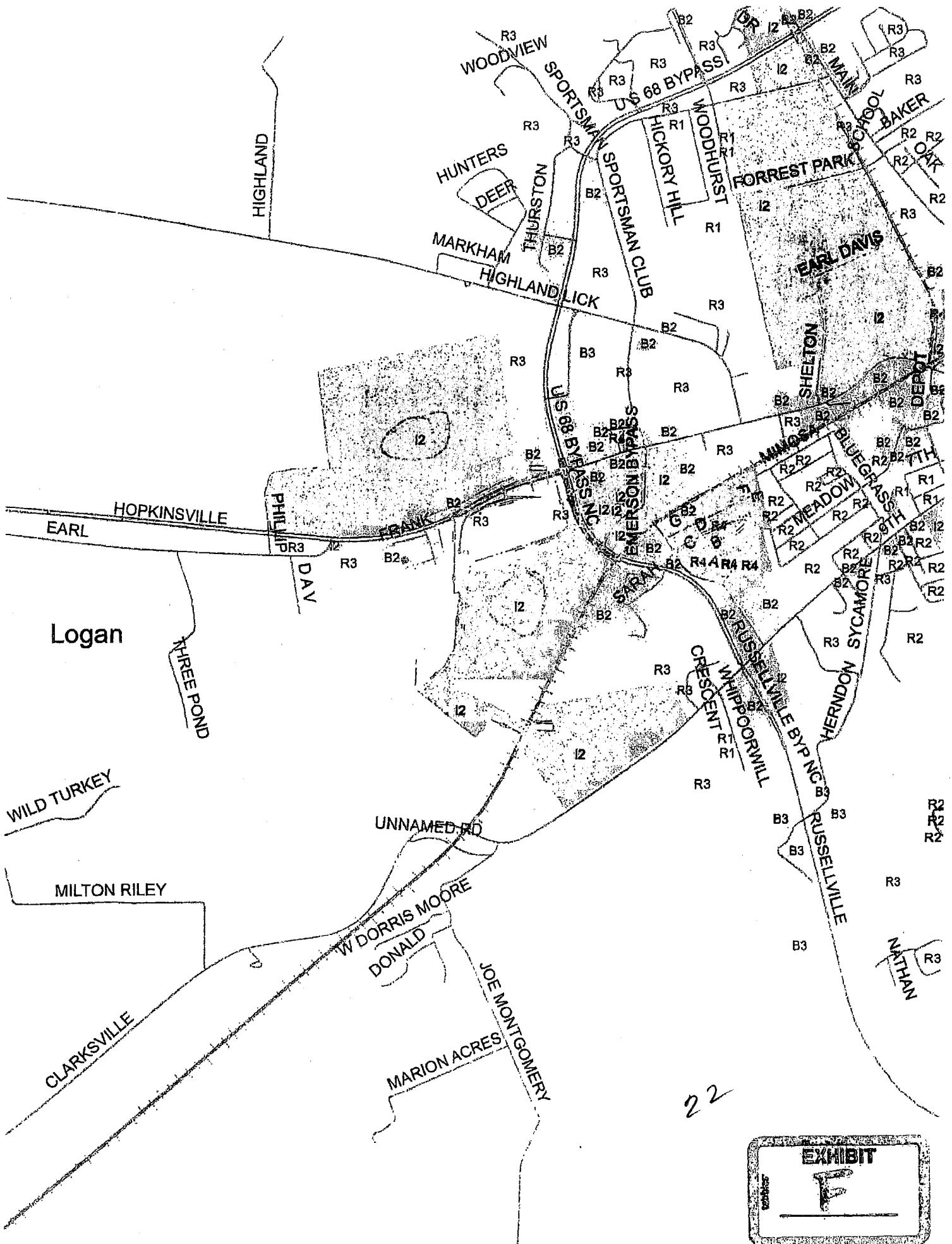
Sincerely,

Joe Plunk
Chief District Engineer, District 3
Kentucky Transportation Cabinet

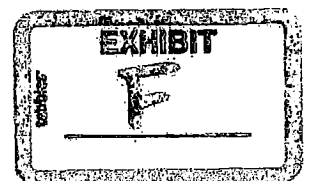








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**ANNEXATION SURVEY FOR THE
CITY OF RUSSELLVILLE, KENTUCKY**

LOGAN INDUSTRIAL DEVELOPMENT Property

Deed Book 472, Page 371

CITY OF RUSSELLVILLE Property

Deed Book 276, Page 211

LOGAN COUNTY FISCAL COURT Property

Legion Lane Right-of-Way

COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET Property

US Highway 68 Right-of-Way

LOGAN/TODD REGIONAL WATER COMMISSION Property

Deed Book 337, Page 345

(Ordinance No. 2022- 010)

LEGAL DESCRIPTION

Unless stated otherwise, any monument referred to herein as an iron pin (set) is a 5/8-inch diameter rebar Eighteen Inches in length with 1 inch cap stamped "W.A. Clark PLS - 4461". Basis of bearings contained herein were obtained by Trimble GPS Equipment using NAD83 Kentucky (Single Zone) State Plane Coordinate System. Property located along the West side of US Highway 431 (Russellville By-Pass), South of US Highway 68 (West of Russellville, Kentucky), and North along the R.J. Corman Railroad in Logan County, Kentucky and being more particularly described as follows:

BEGINNING at a point, said point being located at the North intersection of the right-of-way of R.J. Corman Railroad Company (66 foot right-of-way) and the existing corporate limits of the City of Russellville, Kentucky (Ordinance 93-1), said point of beginning also being located at Northing: 3462655.447, Easting: 4578629.100 (Kentucky Single Zone State Plane Coordinate System);

thence with the North right-of-way of R.J. Corman Railroad Company, South 25 degrees 24 minutes 13 seconds West, 222.51 feet to an iron pin found with cap (PLS 2474), corner to Robert S. Camp, et al (DB 308, PG576);

thence along the line of Camp the next three (3) calls, North 67 degrees 11 minutes 48 seconds West, 673.64 feet to a 24" cedar tree, tagged with two washers (stamped PLS 2474); thence South 35 degrees 07 minutes 55 seconds West, 417.45 feet to an iron pin found with aluminum cap (cap illegible); thence North 52 degrees 55 minutes 21 seconds West, 1431.67 feet to a 18" Elm tree,

tagged with two washers (stamped PLS 2474), corner to Camp and Frank McIntosh (DB207, PG140);

thence along the line with McIntosh the next five (5) calls, North 79 degrees 17 minutes 57 seconds East, 127.14 feet to an iron pin found with cap (PLS 2474); thence North 43 degrees 29 minutes 57 seconds East, 614.86 feet to an iron pin found with cap (PLS 2474); thence North 30 degrees 25 minutes 50 seconds East, 317.26 feet to a found pointed stone approximately 8" above ground; thence North 05 degrees 22 minutes 24 seconds East, 1043.54 feet to an iron pin found with cap (PLS 2189); thence South 86 degrees 00 minutes 50 seconds West, 118.55 feet to an iron pin found with cap (PLS 3148), corner to McIntosh and J.R. Simplot Company (DB468, PG586, Tract 3);

thence along the line with J.R. Simplot Company, North 00 degrees 08 minutes 20 seconds West, 569.84 feet to an iron pin found, no cap, corner to J.R. Simplot Company (DB468, PG 586, Tract 1);

thence continuing with J.R. Simplot Company, North 00 degrees 09 minutes 56 seconds West, 185.24 feet to an iron pin found with cap (PLS 906), corner to Utility Precast Products, LLC (DB339, PG 606);

thence along the line of Utility Precast Products, North 00 degrees 02 minutes 07 seconds West, 560.13 feet to an iron pin found with cap (PLS 906) in the South right-of-way of US Highway 68;

thence North 00 degrees 02 minutes 07 seconds West, 50.68 feet to a point inside the right-of-way of US Highway 68 and intersecting the existing corporate limits of the City of Russellville, Kentucky (Ordinance 93-1);

thence with the existing corporate limits of the City of Russellville, Kentucky (Ordinance 93-1) the next eight (8) calls, North 67 degrees 48 minutes 27 seconds East, 470.69 feet to a point inside the right-of-way of Legion Lane (Logan County Fiscal Court); thence North 75 degrees 44 minutes 46 seconds East, 1087.92 feet to a point inside the property of Logan Industrial Development Authority, Inc. (DB472, PG371); thence North 16 degrees 34 minutes 53 seconds West, 366.11 feet to a point inside the right-of-way of US Highway 68; thence North 75 degrees 56 minutes 42 seconds East, 449.78 feet to a point inside the right-of-way of US Highway 68; thence South 16 degrees 35 minutes 34 seconds East, 1170.48 feet to a point inside the property of Logan/Todd Regional Water Commission (DB337, PG345); thence South 72 degrees 18 minutes 39 seconds West, 1940.54 feet to a point inside the property of Logan Industrial Development Authority, Inc. (DB472, PG371); thence South 06 degrees 07 minutes 14 seconds West, 2339.25 feet to a point inside the property of Logan Industrial Development Authority, Inc. (DB472, PG371); thence South 66 degrees 27 minutes 48 seconds East, 1477.66 feet to the point of beginning and containing 74.821 acres.

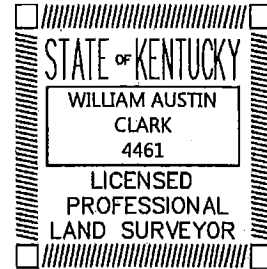
This ordinance description was generated from a combination of field survey work and existing ordinance description and the common sense reconciliation of the two by Wm. Austin Clark on April 25, 2022, Kentucky Professional Land Surveyor Number 4461 with McGhee Engineering,

Inc., Commonwealth of Kentucky Permit No. 968, 202 South Ewing Street, Post Office Box 267,
Guthrie, Kentucky 42234.

MCGHEE ENGINEERING, INC.



Wm. Austin Clark
Kentucky PLS 4461



Seal

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OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.