

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2013-01

**AN ORDINANCE ANNEXING INTO THE CITY OF RUSSELLVILLE CERTAIN
PROPERTY LOCATED AT 1710 NASHVILLE ROAD, RUSSELLVILLE, KENTUCKY,
CONTAINING APPROXIMATELY 68.67 ACRES AND WHICH IS COMMONLY
KNOWN AS THE RUSSELLVILLE COUNTRY CLUB**

WHEREAS, EJB Properties, LLC, is the owner (hereinafter, "the Property Owner") of certain property located at 1710 Nashville Street, Russellville, Kentucky, which contains approximately 68.67 acres and is more commonly known as the Russellville Country Club; and

WHEREAS, the Property Owner, has requested and consented to the annexation of said property by and into the City of Russellville, Kentucky, as demonstrated and ratified by the "Consent to Annexation" attached hereto and labeled as Exhibit "1"; 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.

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

- (1) The "Consent to Annexation" attached hereto as Exhibit "1" meets all legal requirements set forth in KRS 81A.412 and is hereby accepted and agreed to by the City of Russellville.
- (2) The property located at 1710 Nashville Road, Russellville, Kentucky, which is more particularly described in Exhibit "A" attached hereto, is hereby annexed by and into the City of Russellville, Kentucky.

CERTIFICATION

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

B. A. [Signature]
Acting City Clerk

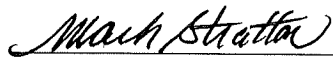
5/7/13
Date

- (3) The adjacent property owners of the annexed property are those which are listed in Exhibit "B".
- (4) The zoning classification for the annexed property shall be "B-2 Commercial" as is set forth in the zoning map attached hereto and labeled as Exhibit "2".
- (5) In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.
- (6) All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.
- (7) This Ordinance shall be effective upon its passage and publication according to law.

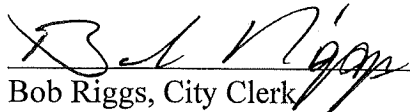
FIRST READING conducted on the 5th day of February 2013.

SECOND READING conducted and **PASSAGE** on the 11th day of February 2013.

APPROVED BY:


Mark Stratton, Mayor

ATTEST:


Bob Riggs, City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on February 11, 2013, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES: Jimmy Davenport
Pat Bell
Sandra Kinser
Jack Whipple
Bill Decker
~~Ida Mae Gooch~~

NAYS:

ABSENT:

ABSTAINING:

CONSENT TO ANNEXATION

THIS CONSENT TO ANNEXATION is hereby submitted this 4th day of February, 2013, by EJB Properties, LLC, whose address is 1710 Nashville Street, Russellville, Ky 42276 (hereinafter referred to as "the Property Owner") unto the City of Russellville, Ky;

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:

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 on the attached Exhibit "A", and a listing of all adjacent property owners, as determined by the Property Valuation Administrator, is attached as Exhibit "B".
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 General Business for this property.

EJB PROPERTIES, LLC

BY: [Signature]

EMMETT BONAMARTE,
AUTHORIZED AGENT

STATE OF KENTUCKY
COUNTY OF LOGAN

Subscribed and sworn to before me by Emmett Bonamarte, is his capacity as the duly authorized Agent for EJB Properties, LLC, to be the duly authorized act and deed of said company this 4th day of February, 2013.

My commission expires 4/26/15.

[Signature]
NOTARY PUBLIC

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

EXHIBIT 1

[Signature]
Bob Siggs, City Clerk

5/7/13
Date

LEGAL PUBLICATION OF ORDINANCE IN SUMMARY
CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2013-01

**AN ORDINANCE ANNEXING INTO THE CITY OF RUSSELLVILLE CERTAIN
PROPERTY LOCATED AT 1710 NASHVILLE ROAD, RUSSELLVILLE, KENTUCKY,
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KNOWN AS THE RUSSELLVILLE COUNTRY CLUB**

In accordance with KRS 86A.060(9), the undersigned, a licensed, practicing attorney in the Commonwealth of Kentucky, summarizes this Ordinance as follows:

- 1) This Ordinance annexes into the City of Russellville certain real property located at 1710 Nashville Road, Russellville, Kentucky, containing approximately 68.67 acres, and more particularly described in Deed Book 409, page 679, in the Logan County Clerk's Office.
- 2) Said annexation was accomplished by consent of the owner, EJB Properties, LLC, pursuant to the "Consent to Annexation" executed by the owner on February 4, 2013.
- 3) The zoning classification of said property shall be "B-2 Commercial".
- 4) The full text of this Ordinance is available for copying and inspection at the office of Bob Riggs, Russellville City Clerk, 168 South Main Street, Russellville, Kentucky, during normal business hours.
- 5) The City Council of Russellville, Kentucky enacted this Ordinance after a first reading conducted on February 5, 2013, and a second reading and vote on February 11, 2013.

CERTIFICATION OF COUNSEL: The undersigned attorney hereby certifies that the foregoing is an accurate summary of City of Russellville Ordinance 2013-01.

Paul Neil Kerr II, Esq.
Russellville City Attorney
568 East Fourth Street
Russellville, Kentucky 42276
Telephone: (270)726-7695

OWNERS

PARCEL_ID	NAME_ONE	MAIL_ADD	CTY_ST_ZIP
069-00-00-010-00	SANSON J R JR & EDNA FAMILY TRUST	3096 CEDAR GROVE RD	HARTFORD KY 42347-9742
069-04-00-005-00	ROBERTSON JESSE OWEN & GEORGIA	210 TENTH FAIRWAY	RUSSELLVILLE KY 42276
069-04-00-006-00	CHESTNUT PROPERTIES	225 HOPKINSVILLE RD	RUSSELLVILLE KY 42276
069-04-00-007-00	VONLEHMAN STEVE & KATHY	214 TENTH FAIRWAY	RUSSELLVILLE KY 42276
069-00-00-011-04	RAMPON RICHARD E & DOROTHY A	1002 ORNDORFF MILL RD	RUSSELLVILLE KY 42276
069-00-00-011-00	SMITH MIKE TESTAMENTARY TRUST & RANDY SMITH & COREY MORGAN	280 S MAIN	RUSSELLVILLE KY 42276
069-00-00-012-00	RUSSELLVILLE COUNTRY CLUB	PO BOX 515	RUSSELLVILLE KY 42276
069-00-00-011-01	COLBERT ROGER K & JENNY C	160 FAIRWAY DR	RUSSELLVILLE KY 42276
069-00-00-011-08	MARCUM RANDY	63 FAIRWAY DR	RUSSELLVILLE KY 42276
083-00-00-032-04	LIFEPPOINT HOSPITALS INC	14400 METCALF AVE	OVERLAND PARK KS 66223
084-00-00-001-00	MCGINNIS WILLIAM K & BRENDA	307 DALEVIEW CIRCLE	RUSSELLVILLE KY 42276
069-00-00-013-00	AGRI POWER INC	P O BOX 538	HOPKINSVILLE KY 42241-0538
069-00-00-017-00	RILEY JESSE L SR ESTATE	6039 LAUREL TRAIL	HENDERSON KY 42420
083-00-00-031-01	HAYDEN PATRICK & MEGAN	321 KARLA CIRCLE	RUSSELLVILLE KY 42276
069-00-00-009-00	VAN ZEE CARL	1515 STEWART RD	RUSSELLVILLE KY 42276
069-01-00-301-00	DODSON REGINA	1654 ORNDORFF MILL RD	RUSSELLVILLE KY 42276
069-04-00-001-00	KEMP R N & ROBERT L	P O BOX 493	RUSSELLVILLE KY 42276

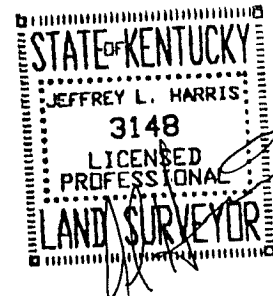
PARCEL_ID	NAME_ONE	MAIL_ADD	CTY_ST_ZIP
069-04-00-002-00	KEMP R N & ROBERT L	P O BOX 493	RUSSELLVILLE KY 42276
069-04-00-008-00	JOHNS HAROLD RAY & SUE R	218 TENTH FAIRWAY	RUSSELLVILLE KY 42276
069-04-00-009-00	KEMP R N & JEAN	307 W 6TH ST	RUSSELLVILLE KY 42276
069-04-00-011-00	KEMP R L & BETTY SUE	121 DALEVIEW CIRCLE	RUSSELLVILLE KY 42276
069-04-00-012-00	KEMP R N & ROBERT L	P O BOX 493	RUSSELLVILLE KY 42276
069-04-00-013-00	DODSON JAMES C	238 10TH FAIRWAY	RUSSELLVILLE KY 42276
069-00-00-009-02	ROBEY D L JR & D L III	2160 SCHOCHOH RD	ADAIRVILLE KY 42202
083-00-00-031-03	MEDICAL CLINIC 431 LLP	1719 NASHVILLE ST SU C	RUSSELLVILLE KY 42276
084-00-00-002-02	HOLT LARRY & DEBBIE	105 WOODVIEW DR	RUSSELLVILLE KY 42276
069-04-00-010-00	KEMP R N & JEAN	307 W 6TH ST	RUSSELLVILLE KY 42276
069-04-00-010-01	KEMP R L & BETTY SUE	121 DALEVIEW CIRCLE	RUSSELLVILLE KY 42276
069-00-00-011-02	MARSHALL BOBBY W & SUZANNE M	89 FAIRWAY DR	RUSSELLVILLE KY 42276
069-00-00-011-02	MARSHALL BOBBY W & SUZANNE M	89 FAIRWAY DR	RUSSELLVILLE KY 42276

BENCHMARK

LAND SURVEYING

JANUARY 29, 2013

EJB PROPERTIES, LLC PROPERTY



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 ON PLAT CABINET ONE ENVELOPE 92.

BEGINNING AT A FOUND IRON PIN #2189 IN THE WEST RIGHT-OF-WAY OF HIGHWAY 431, APPROXIMATELY 30 FEET FROM CENTERLINE, SOUTHEAST CORNER OF AGRI-POWER, Inc. (DEED BOOK 358 PAGE 094); THENCE WITH SAID RIGHT-OF-WAY S 22°01'52" E 819.73 FEET; THENCE S 21°43'08" E 675.00 FEET TO A FOUND IRON PIN (NO I.D. CAP) NORTHEAST CORNER OF THE GREENS SUBDIVISION (PLAT CABINET ONE ENVELOPE 92); THENCE TURNING RIGHT LEAVING SAID RIGHT-OF-WAY WITH THE LINE OF THE GREENS SUBDIVISION S 66°42'00" W 518.03 FEET TO A FOUND IRON PIN #2474; THENCE TURNING RIGHT S 73°10'00" W 858.25 FEET TO A SET IRON PIN; THENCE TURNING RIGHT S 87°10'00" W 85.80 FEET TO A SET IRON PIN; THENCE TURNING LEFT S 74°25'00" W 47.65 FEET TO A SET IRON PIN IN THE LINE OF COLBERT (DEED BOOK 292 PAGE 524); THENCE TURNING RIGHT WITH THE LINE OF COLBERT N 12°50'42" W 168.53 FEET TO A FOUND IRON PIN #2189; THENCE TURNING LEFT S 80°52'18" W 227.02 FEET TO A FOUND IRON PIN #2189; THENCE TURNING LEFT S 06°53'18" W 208.39 FEET TO A FOUND IRON PIN #2189, CORNER TO MARSHALL (DEED BOOK 402 PAGE 113); THENCE TURNING RIGHT WITH THE LINE OF MARSHALL S 72°40'32" W 171.20 FEET TO A FOUND IRON PIN #2189; THENCE TURNING LEFT S 64°40'16" W 125.78 FEET TO A FOUND IRON PIN #2189; THENCE TURNING LEFT S 16°35'42" E 28.13 FEET TO A SET IRON PIN IN THE NORTH RIGHT-OF-WAY OF FAIRWAY DRIVE, APPROXIMATELY 15 FEET FROM CENTERLINE; THENCE TURNING RIGHT WITH SAID RIGHT-OF-WAY N 89°29'19" W 70.76 FEET; THENCE N 85°21'15" W 92.47 FEET; THENCE N 81°47'36" W 202.75 FEET TO AN EXISTING 3/4-INCH DIAMETER IRON PIPE IN THE EAST RIGHT-OF-WAY HIGHWAY 96, APPROXIMATELY 30 FEET FROM CENTERLINE; THENCE TURNING RIGHT WITH SAID RIGHT-OF-WAY N 07°55'32" E 1213.52 FEET; THENCE N 08°08'33" E 201.13 FEET TO A FOUND IRON PIN #2189, CORNER TO RILEY (DEED BOOK 376 PAGE 338); THENCE TURNING RIGHT LEAVING SAID RIGHT-OF-WAY WITH THE LINE OF RILEY N 68°22'32" E 1014.40 FEET TO A FOUND CONCRETE MONUMENT AND IRON PIN (NO I.D. CAP), CORNER TO AGRI-POWER Inc; THENCE WITH THE LINE OF AGRI-POWER Inc. N 68°34'33" E 700.44 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINING 68.67 ACRES AS SHOWN BY SURVEY PERFORMED BY JEFFREY L. HARRIS, P.L.S. #3148 WITH BENCHMARK LAND SURVEYING, DATED JANUARY 29, 2013. BEING THE PROPERTY CONVEYED TO EJB PROPERTIES, LLC BY DEED BOOK 409 PAGE 679 AS FOUND IN THE RECORDS OF THE LOGAN COUNTY CLERK, RUSSELLVILLE KENTUCKY.

361 HOPKINSVILLE ROAD
RUSSELLVILLE, KENTUCKY 42276

TEL: (270) 726-4884

FAX: (270) 726-4885

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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