

CITY OF SHELBYVILLE  
ORDINANCE NO. 2023-07-06(A)

AN ORDINANCE ANNEXING PROPERTY  
TO THE CITY OF SHELBYVILLE

BE IT ORDAINED BY THE CITY OF SHELBYVILLE, KENTUCKY:

SECTION ONE: The City of Shelbyville finds that certain property owned by Gray Industrial Realty 9, LLC, and more particularly described herein, is contiguous to the City of Shelbyville, and is suitable for development for urban purposes without unreasonable delay. The Shelbyville City Council further finds that said property is not included within the bounds of any other incorporated city, and that the owners of said property have executed a written consent to be annexed within the limits of the City of Shelbyville, and that it is desirable that said property be annexed into the City of Shelbyville.

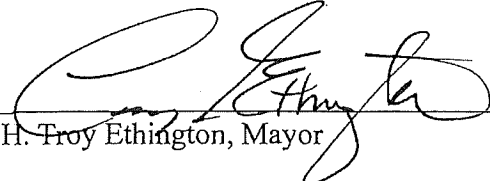
SECTION TWO: Based upon the aforementioned findings, there is hereby annexed to the City of Shelbyville, and its boundary line is extended so as to include within the limits of the City of Shelbyville, the property described as follows:

Property owned by Gray Industrial Realty 9, LLC, which is more particularly described in **Appendix A** (which includes an Agreement and Consent to Annexation signed by the property owner) to this Ordinance, and which Appendix is incorporated by reference herein as if set forth in its entirety.

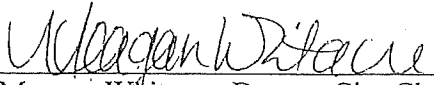
This ordinance may be published in summary.

Introduced, seconded and given first reading at a duly convened meeting of the City Council of the City of Shelbyville on the 22nd day of June, 2023.

Given a second reading and enacted at a duly convened meeting of the City Council of the City of Shelbyville on the 6th day of July, 2023.

  
H. Troy Ethington, Mayor

ATTEST:

  
Meagan Whitacre, Deputy City Clerk

RECEIVED AND FILED  
DATE August 9, 2023  
MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Tina H.

WATER AND/OR SEWER SERVICE  
AGREEMENT AND CONSENT TO ANNEXATION

This is a Water and/or Sewer Service Agreement and Consent to Annexation between  
Gray Industrial Realty 9, LLC. And the Shelbyville Municipal Water and Sewer  
Comission

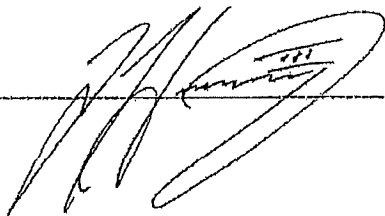
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(Hereinafter the "Property Owners") and the City of Shelbyville (hereinafter "City") , acting by and through its agent, the Shelbyville Municipal Water and Sewer Commission (hereinafter the "Commission") entered into this 17 day of March, 2023 .

That for and in consideration of the Commission agreeing to extend water and/or sewer service to the property of the Property Owners located at 436 Gordon Lane, Shelbyville, KY  
40065 and more particularly described in deed dated \_\_\_\_\_ and found in Deed Book D706 , Page 389-393 , in the office of the Shelby County Court Clerk, the Property Owners hereby consent to the annexation of this property by the City at its option and at such time as the City determines it is in the best interest of the City; and in accordance with the provisions of City of Shelbyville Ordinance No. 97-08-21 (B) Section One, subsection 4(a) the Property Owners agree not to protest, oppose, remonstrate or petition against the annexation of this property for and in consideration of the extension of water and/or sewer service to the above referred to property. Property Owners further covenant and agree not to sue the City or Commission or any of its officers, agents, employees, or representatives or prosecute any action to which the City or Commission or any officer, agent , employee or representative of same is a party for or on account of the annexation of the property referred to above and that they waive their private right to assert the requirements of KRS 81A or any other legal requirements for annexation.

It is understood that this consent to annexation and walver of protest to annexation is a covenant running with the land and shall be binding on all successors, assigns, heirs or personal representatives of the Property Owners.

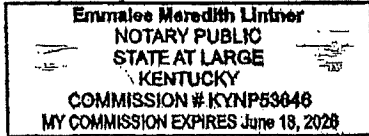
Property Owners further represents and warrants that it is the only fee simple owner of the real property referred to above.

  
\_\_\_\_\_  
(Property Owners)  
J. Curt Hargrove, President  
Gray Development  
\_\_\_\_\_  
(Property Owners)

  
\_\_\_\_\_  
Mayor Troy Ethington, Chairman

STATE OF KENTUCKY  
COUNTY OF SHELBY

Before me, the undersigned Notary Public, personally appeared the above-named Joseph Curt Hargrove  
to me personally known or satisfactorily proving to me to be the signer of the foregoing instrument, who  
acknowledged that they did sign the foregoing Water and/or Sewer Service Agreement and Consent to  
Annexation, for the uses and purposes therein stated and said instrument is the act and  
Given under my hand and seal of office, this 17 day of March, 2023.



Emmalee Meredith Lintner  
NOTARY PUBLIC, State-at-Large, KY  
My Commission Expires: June 13, 2026  
Identification No: KYNP53646

STATE OF KENTUCKY  
COUNTY OF SHELBY

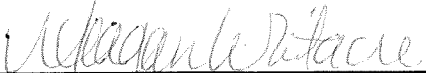
Before me, the undersigned Notary Public, personally appeared the <sup>NSA</sup> above-named Chairman of  
the Shelbyville Water and Sewer Commission, Mayor ~~Gregory Smith~~ <sup>Gregory Smith</sup>, to me personally known, who  
acknowledged that he did sign the foregoing Water and/or Sewer Service Agreement and Consent to  
Annexation, for the uses and purposes therein stated and said instrument was the act and deed of said  
person.  
Given under my hand and seal of office, this 20<sup>th</sup> day of March, 2023.

Neil S. Hackworth  
NOTARY PUBLIC, State-at-Large, KY  
My Commission Expires: 9-26-2024  
Identification No: KYNP13930

This instrument was prepared by:  
Neil S. Hackworth, Attorney  
Zaring & Sullivan Law Office  
600 Main Street  
Shelbyville, Kentucky 40065

Neil S. Hackworth

**I, Meagan Whitacre, Deputy City Clerk, City of Shelbyville, Kentucky, do hereby certify that the foregoing is a true and accurate copy of City of Shelbyville Ordinance No. 2023-07-06(A).**

  
\_\_\_\_\_  
**Meagan Whitacre, Deputy City Clerk**

**Date: July 12, 2023**

June 20, 2023

## BOUNDARY DESCRIPTION for ANNEXATION

Gray Industrial Realty 9, LLC  
Logistics Drive & Gordon Lane  
Shelbyville, KY

Being a tract of land situated at the terminus of Logistics Drive and the south side of Gordon Lane to Logan Station Road in Shelby County Kentucky and being more particularly described as follows:

Commencing at the Point of Beginning, said point being in the north line of Palermo F Properties, LLC (Tract 3) as recorded in Deed Book 525 Page 243 and Plat Cabinet 9 Slide 252 and the southeast corner of I-64 Logistics Center, LLC as recorded in Plat Cabinet 10 Slide 129; thence with I-64 Logistics Center, LLC thence N 04°50'02" E a distance of 2,260.68 feet to a point in the south line of Crimson Rock, LLC as recorded in Deed Book 618 Page 842; thence with Crimson Rock, LLC for six calls: N 86°39'52" E a distance of 196.99 feet to a point, N 05°09'52" E a distance of 16.50 feet to a point, thence S 86°50'02" E a distance of 753.33 feet to a point in the south line of George and Jeanne Scott as recorded in Plat Cabinet 9 Slide 346 and Deed Book 706 Page 389; thence with Scott S 86°50'15" E a distance of 114.92 feet to a point; thence continuing with Scott N 12°07'16" E a distance of 532.12 feet to a point; thence continuing with Scott N 14°12'33" W a distance of 429.35 feet to a point in the south right-of-way of Gordon Lane; thence crossing Gordon Lane N 14°12'33" W a distance of 76.31 feet to a point in the north right-of-way of Gordon Lane; thence with the north right-of-way of Gordon Lane S 69°40'19" E a distance of 215.60 feet to a point; thence leaving the north right-of-way of Gordon Lane S 11°12'40" E a distance of 70.23 feet to a point in the south right-of-way of Gordon Lane and in the west line of Rut N Strut Distillery, LLC as recorded in Deed Book 585 Page 421; thence with Rut N Strut Distillery, LLC for the following ten calls: S 11°12'40" E a distance of 258.67 feet to a point, S 29°53'55" E a distance of 341.47 feet to a point, S 25°08'37" E a distance of 497.70 feet to a point, S 41°24'35" E a distance of 177.75 feet to a point, S 05°46'46" E a distance of 543.98 feet to a point, S 00°50'45" W a distance of 390.69 feet to a point, S 00°50'51" W a distance of 116.07 feet to a point, S 00°50'45" W a distance of 68.00 feet to a point, S 14°53'17" E a distance of 435.32 feet to a point, S 06°43'02" W a distance of 228.60 feet to a point in the north line of Wencs Farm, LLC as recorded in Deed Book 566 Page 63; thence with Wencs Farm, LLC S 61°36'03" W a distance of 405.01 feet to a point; thence with Wencs Farm, LLC S 87°49'01" W a distance of 53.46 feet to a point; continuing with Wencs Farm, LLC thence S 35°49'02" W a distance of 227.36 feet to a point in the north line of Palermo F Properties, LLC and with said property for the following five calls: N 89°05'24" W a distance of 117.53 feet to a point, S 76°45'24" W a distance of 243.35 feet to a point, S 86°20'36" W a distance of 551.44 feet to a point, N 63°12'59" W a distance of 580.45 feet to a point and N 88°30'36" W a distance of 174.38 feet to the point of beginning and containing 113.1 acres. See attached Annexation Exhibit.

The above described property is subject to any and all easements apparent or of record.

Being the same property conveyed to Gray Industrial Realty 9, LLC as recorded in Deed Book 706 Page 383.

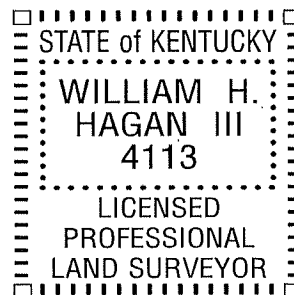
I hereby certify that this survey was prepared by me or under my direct supervision and does not comply with the standards of practice for surveying in the State of Kentucky as set forth in 201 KAR 18:150. Subject tracts and adjoining lands' deeds/plats of record were compiled to provide an annexation boundary in KY State Plane Single Zone. This survey description and exhibit do comply with KRS 81A.470 – Annexation Requirements for the KY Secretary of State.

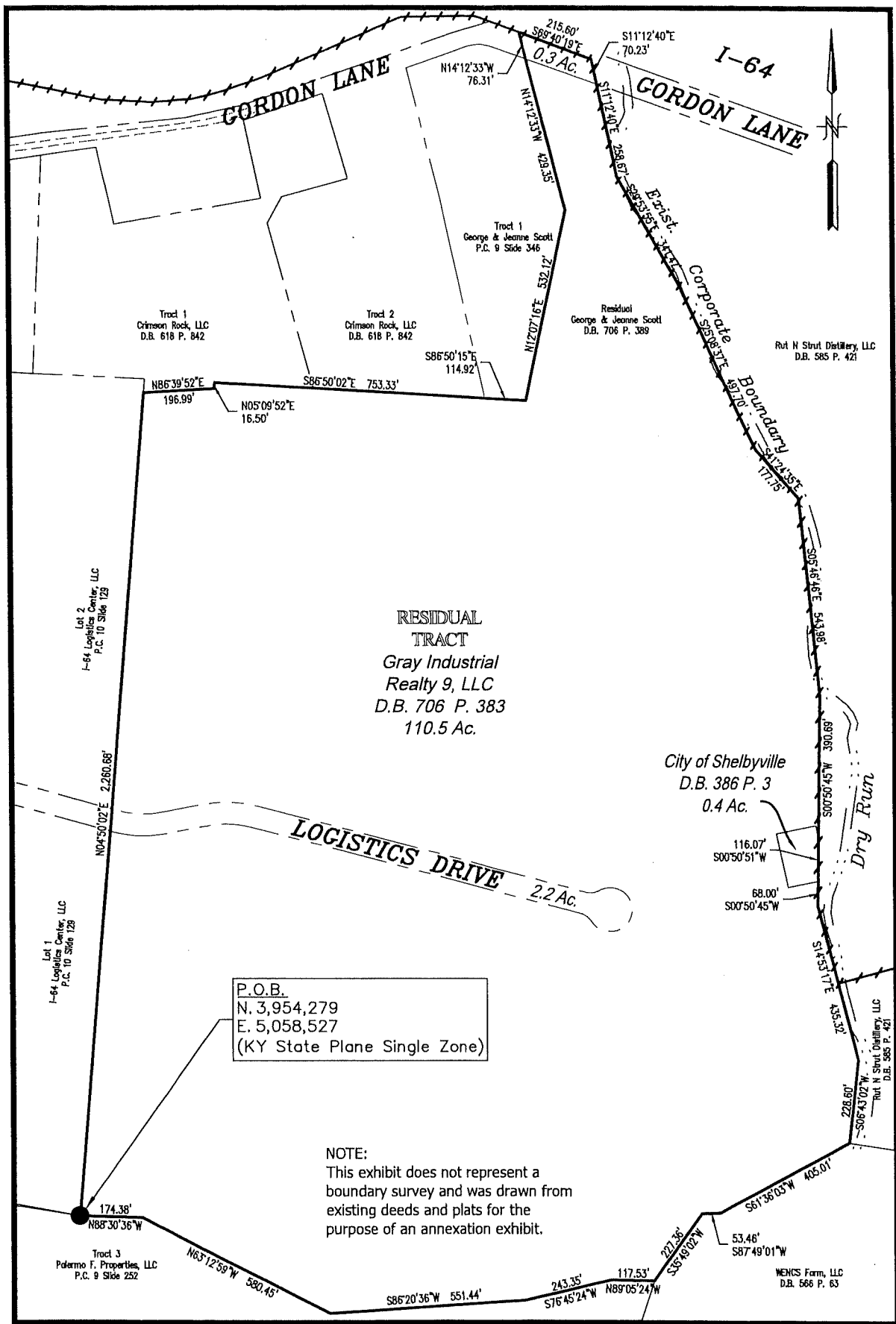


6/21/23

William H. Hagan III PLS 4113

Date





**GRAPHIC SCALE**

300' 150' 0' 300' 600'

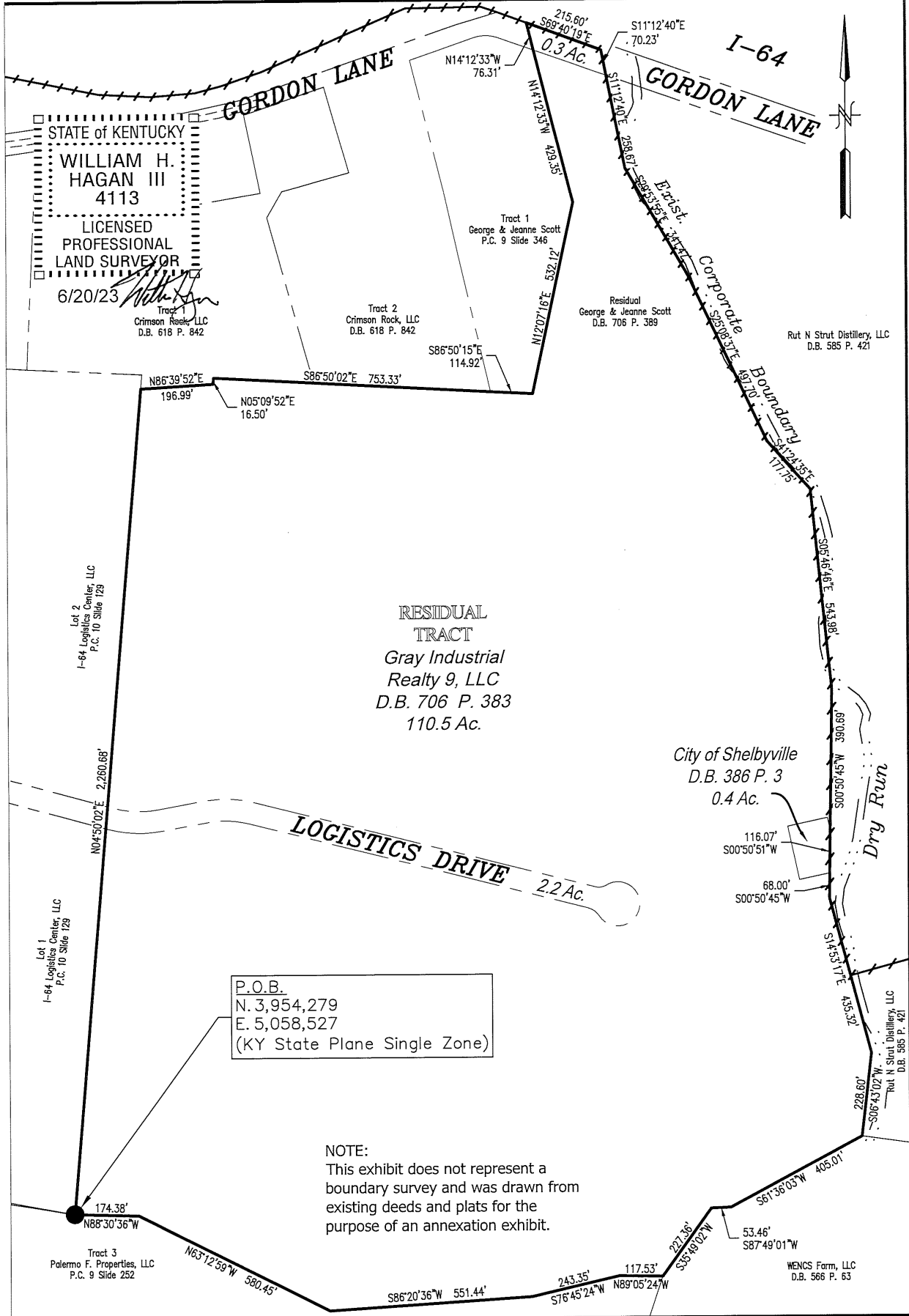
SCALE: 1"=300'

**HAGAN** ENGINEERING PLLC

506 MAIN STREET  
 SHELBYVILLE, KY 40065  
 (502) 633-4365

**Annexation Exhibit**  
**Gray Industrial, Scott & City**  
**of Shelbyville (113.4 ac.)**

DATE: 6/15/2023



P.O.B.  
 N. 3,954,279  
 E. 5,058,527  
 (KY State Plane Single Zone)

NOTE:  
 This exhibit does not represent a boundary survey and was drawn from existing deeds and plats for the purpose of an annexation exhibit.

# Annexation Exhibit Gray Industrial, Scott & City of Shelbyville (113.4 ac.)

DATE: 6/15/2023