

**CITY OF SHELBYVILLE
ORDINANCE NO. 2023-07-27**

**AN ORDINANCE ANNEXING REAL PROPERTY TO THE
CITY OF SHELBYVILLE AND ADOPTING A ZONE CHANGE**

BE IT ORDAINED BY THE CITY OF SHELBYVILLE, KENTUCKY:

SECTION ONE: The City of Shelbyville finds that certain real property owned by Holloway & Son Construction Company, which is more particularly described in Section Two 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, 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 and be zoned in accordance with a recommendation from the Triple S Planning and Zoning Commission.

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:

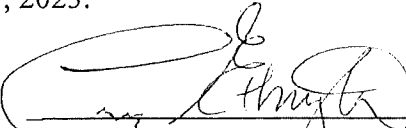
Property owned by Holloway & Son Construction Company, and located at 391 Benson Pike in Shelby County, Kentucky, which is listed under PVA Map No. 060-00-001, and is more particularly described in **Appendix A** (which includes a Request and Consent to Annex letter from the property owners) to this Ordinance, and which Appendix is incorporated by reference herein as if set forth in its entirety.

Further, this Ordinance adopts the Findings of Fact approved and the Recommendation made by the Triple S Planning and Zoning Commission with regards to the zoning of said property, as set forth in **Appendix B** 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 6th day of July, 2023.

Given a second reading and enacted at a duly convened meeting of the City Council of the City of Shelbyville on the 27th day of July, 2023.




H. Troy Ethington, Mayor

ATTEST:

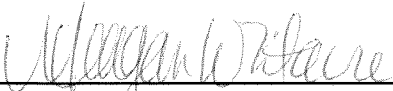


Meagan Whitacre, Deputy City Clerk

RECEIVED AND FILED
DATE August 9, 2023

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 

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. 2023-07-27.



Meagan Whitacre, Deputy City Clerk

Date: July 27, 2023

HOLLOWAY AND SON CONSTRUCTION

1315 AIKEN ROAD
LOUISVILLE, KY 40223
(502) 245-4177

EMAIL: HS4177@YAHOO.COM

JOE ABBOTT

PRESIDENT &
MANAGING MEMBER

November 11, 2022

VIA HAND DELIVERED

Mayor David Eaton
Mayor of Shelbyville
315 Washington Street
Shelbyville, KY 40065
Email: david@shelbyvillekentucky.com

Re: *Request and Consent to Annex Property
Located at Benson Pike, in Four Tracts Containing a
Total of Approximately 314.24 Acres*

Dear Mayor Eaton:

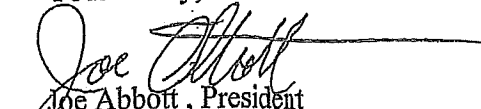
Pursuant to KRS 81A.412, Holloway and Son Construction Company, Joe Abbott, President and Managing Member, requests that the property we currently own on at 391 Benson Pike, with a Parcel ID Number of 060-00-001, in Shelby County, Kentucky, identified more specifically in the attached Deed, description and PVA Plat, be annexed into the City of Shelbyville.

Please consider this letter to be our official Request and Consent to Annex for the purpose stated herein.

We further request that you refer this matter for advice and consent with Triple S Planning Committee, as we are asking that this be zoned industrial or so much that qualifies to be zoned industrial as part of the annexation ordinance.

We appreciate your consideration of this request and initiating the process for annexation. Should you have any questions or need addition information, please contact my attorney, C. Gilmore Dutton, III, at Dutton Law Office, PLLC, 513 Main Street, P.O. Box 967, Shelbyville, Kentucky 40066, (502) 633-0504.

Yours Truly,


Joe Abbott, President
And Managing Member of
Holloway and Son Construction

cc. C. Gilmore Dutton, III

July 10, 2023

BOUNDARY DESCRIPTION for ANNEXATION

Holloway & Son Construction Co.
391 Benson Pike
Shelbyville, KY

Being a tract of land situated at the eastern terminus of Mount Vernon Drive and extending from Benson Pike to Cropper Road (KY-43) in Shelby County Kentucky and being more particularly described as follows:

Commencing at the Point of Beginning, being in the east line of Hi Point Industrial Park as recorded in Plat Cabinet 6 Slide 261 and being a north corner of the Highlands at Summersfield Section 3 as recorded in Plat Cabinet 9 and Slide 177; thence with the east line of Hi Point Industrial Park for two calls: N 05°09'24" E a distance of 1,670.60 feet to a point, and N 05°41'36" E a distance of 1,480.82 feet to a point in the south right-of-way of KY-43; thence crossing KY-43 N 05°41'36" E a distance of 64.07 feet to a point in the north right-of-way of KY-43; thence with the right-of-way N 75°10'13" E a distance of 1,818.42 feet to a point; thence continuing along a curve with the north right-way to the left with a chord bearing N 67°05'00" E, chord distance of 343.25 feet, radius of 1,220.00 feet and arc length of 344.39 to a point; thence crossing KY-43 S 01°19'47" E a distance of 111.36 feet to a point in the south right-of-way; thence leaving the right-of-way S 01°19'47" E a distance of 183.69 feet to a point in the south line of CSX Railroad; thence with the railroad N 47°34'35" E a distance of 506.88 feet to the northwest corner of Hillis and Sue Roberts as recorded in Deed Book 182 Page 420; thence with Roberts for two calls: S 37°37'57" E a distance of 1,086.26 feet to a point, and S 04°30'10" E a distance of 2,091.38 feet to the northwest corner of the Shelby County Board of Education as recorded in Plat Cabinet 7 Slide 374; thence with the Board of Education S 06°41'06" W a distance of 1,179.38 feet to a point, thence continuing with the Board of Education and then along the north line of Cranbourne Grange Tracts 1-3 (Plat Cabinet 5 Slide 91) and John Long N 85°37'13" W a distance of 1,407.12 feet to the northwest corner of John Long as recorded in Deed Book 237 Page 329; thence with Long S 15°42'02" W a distance of 1,018.88 feet to a point in the north line of Mark and Jessie Whittaker as recorded in Plat Cabinet 2 Slide 267 (Lee Ryan Homestead Division Tract 1); thence N 85°06'03" W a distance of 607.00 feet with Whittaker and then along Peggy Hayes to a point (Lee Ryan Homestead Division Tract 2); thence with Hayes S 07°44'49" W a distance of 374.45 feet to a point in the north right-of-way of Benson Pike; thence crossing Benson Pike S 07°44'49" W a distance of 60.24 feet to a point in the south right-of-way of Benson Pike; thence with the right-of-way N 87°19'57" W a distance of 706.64 feet to a point; thence crossing Benson Pike N 10°35'38" E a distance of 60.58 feet to the southeast corner of Summersfield Place Phase 1 as recorded in Plat Cabinet 7 Slide 332; thence with Summersfield Place Phase 1 and passing to Highlands at Summersfield Section 3 (Plat Cabinet 9 Slide 177) N 10°35'38" E a distance

of 1,401.24 feet to the northeast corner of Highlands at Summersfield Section 3; thence N 85°34'01" W a distance of 671.36 feet to the point of beginning and containing 316 acres. See attached Annexation Exhibit.

The above described property is subject to any and all easements apparent or of record. Additionally, CSX Railroad right-of-way area is included in this annexation description.

Being the same property conveyed to the Holloway & Son Construction Co., Inc. in Deed Book 223 Page 653 as recorded in the Shelby County Clerk's office.

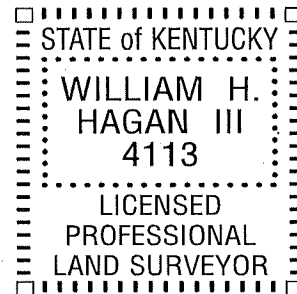
I hereby certify that this survey was prepared by me or under my direct supervision and does not comply with the standards of practice for surveying in the State of Kentucky as set forth in 201 KAR 18:150. Subject tract and adjoining lands' deeds/plats of record were compiled to provide an annexation 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.

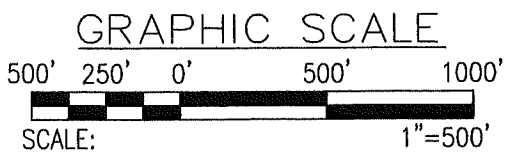
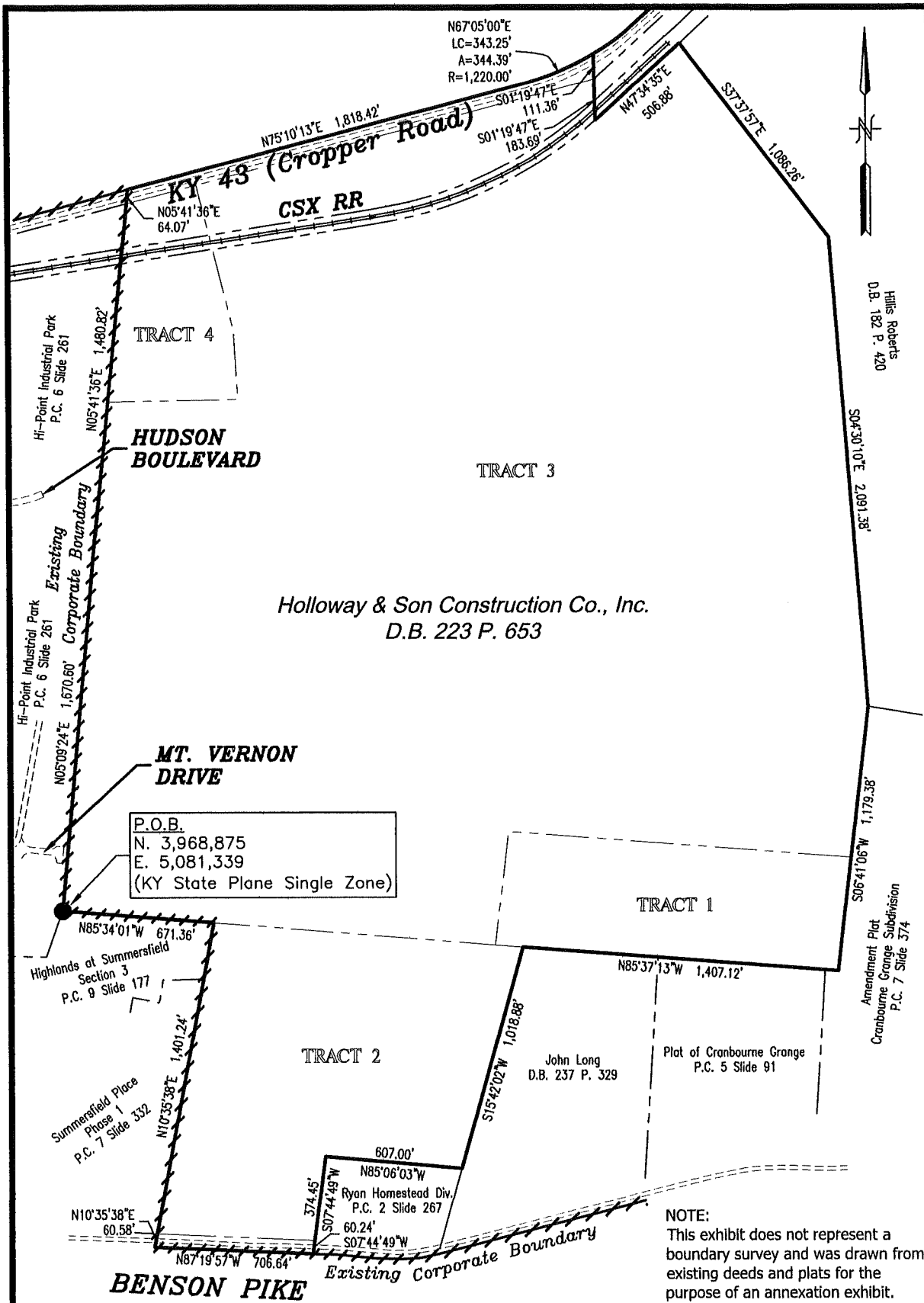


7/10/23

William H. Hagan III PLS 4113

Date

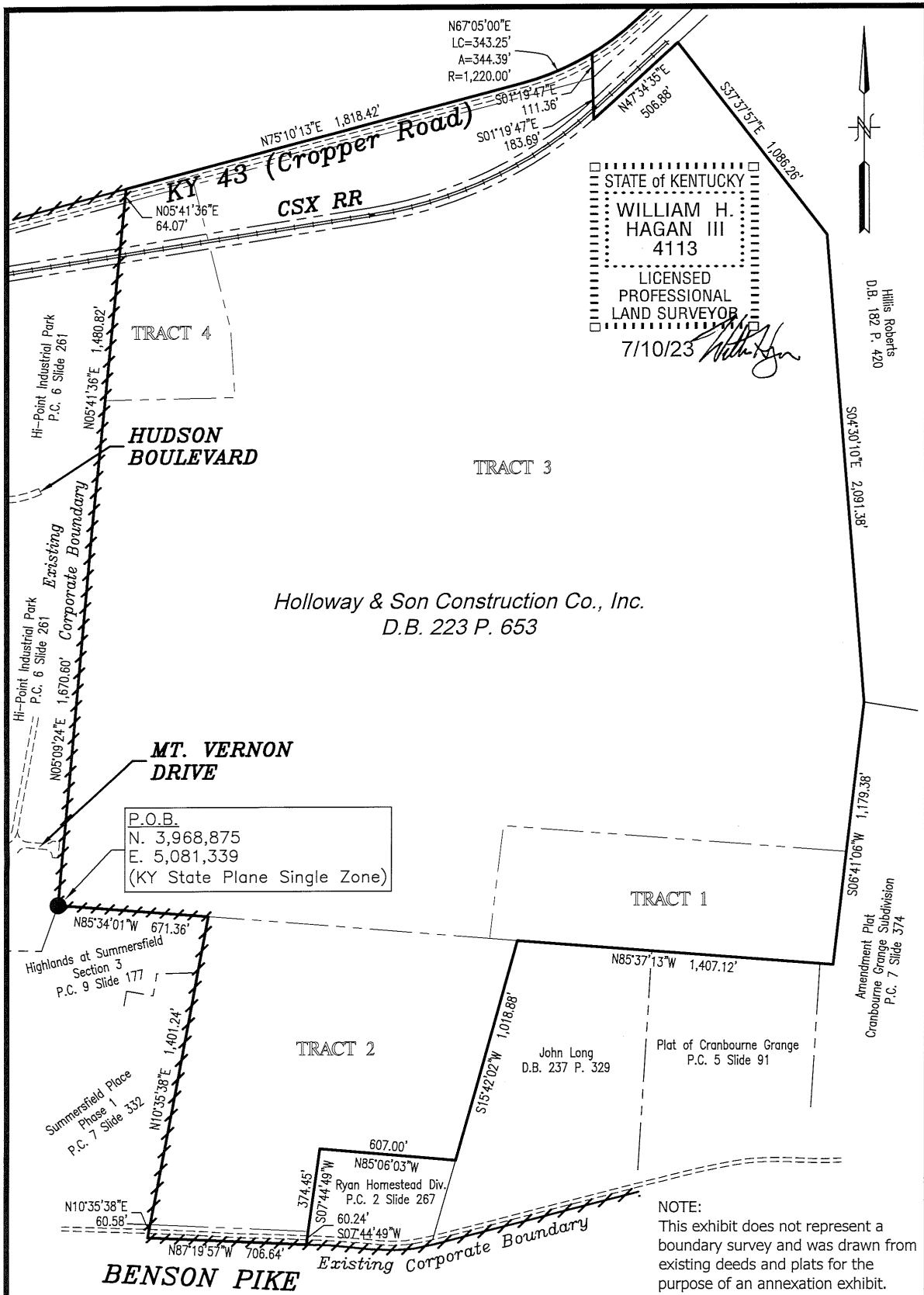




Annexation Exhibit HOLLOWAY FARM (316 Ac. ±)

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

DATE: 7/10/2023



STATE OF KENTUCKY
 WILLIAM H. HAGAN III
 4113
 LICENSED PROFESSIONAL LAND SURVEYOR
 7/10/23 *William Hagan*

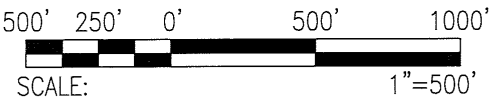
Hills Roberts
 D.B. 182 P. 420

Holloway & Son Construction Co., Inc.
 D.B. 223 P. 653

P.O.B.
 N. 3,968,875
 E. 5,081,339
 (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.

GRAPHIC SCALE



Annexation Exhibit
 HOLLOWAY FARM
 (316 Ac. ±)
 DATE: 7/10/2023

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 ENGINEERING **PLLC**
 506 MAIN STREET
 SHELBYVILLE, KY 40065
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