

ORDINANCE NO. 1908

AN ORDINANCE OF THE CITY OF DANVILLE, KENTUCKY, PROPOSING TO ANNEX THE UNINCORPORATED TERRITORY LYING ADJACENT TO AND CONTIGUOUS WITH THE PRESENT CITY BOUNDARIES, LOCATED ON LEBANON ROAD ACROSS FROM ALUM SPRINGS CROSSPIKE, WHICH PROPERTY IS OWNED BY BOYLE COUNTY INDUSTRIAL FOUNDATION, INC., CONSISTING IN THE WHOLE OF 142.318 ACRES, MORE OR LESS, AND BEING MORE ACCURATELY DESCRIBED BELOW.

WHEREAS, the City of Danville, Kentucky, has received a written consent to annexation pursuant to KRS 81A.412, from the property owner, Boyle County Industrial Foundation, Inc., a Kentucky corporation, dated November 21, 2017, consenting to the annexation of the area hereinafter described; and

WHEREAS, the tract along Lebanon Road is contiguous or adjacent to the City's boundary and by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay, and no part of the area to be annexed is included within the boundary of another incorporated city; and

WHEREAS, the owner of the property to be annexed has consented in writing to the annexation via document dated November 21, 2017, and pursuant to KRS 81A.412, and other applicable law, the City is not required to wait the 60 day period prior to enactment of a final ordinance annexing the area;

NOW, THEREFORE, be it ORDAINED by the City of Danville, Kentucky, as follows:

SECTION ONE: It is deemed desirable and it is hereby proposed to annex to the City of Danville, Kentucky, and extend the boundaries of the City of Danville to include same, that certain tract of land which is now embraced within the County of Boyle, and which is adjacent

to and contiguous with the present City boundary and which, by reasons of population density, and commercial and industrial use of the land, is urban in character and suitable for development for urban purposes without unreasonable delay and which tract is more particularly described as follows:

Beginning at an iron pin found (rebar with aluminum survey cap stamped PLS #3816) and Kentucky State Plane, Single Zone coordinates: Northing 3750368.35, Easting 5187898.55, said pin being on the north right-of-way boundary of Kentucky Highway 34, approximately 145 feet west of the intersection of Kentucky Highway 34 and Alum Springs Crosspike and being the southwest property corner of Lot 6B (Plat File 1993-B) and coincidentally the corner of the City of Danville annex boundary in Danville, Boyle County, Kentucky and being the Point of Beginning for this description; Thence leaving the City of Danville and Lot 6B and with the right-of-way of Kentucky Highway 34 for the following three (3) courses: S84°13'55"W – 149.74 feet to a point, S81°13'09"W – 128.67 feet to a point and S72°13'06"W – 78.77 feet to an iron pin found (rebar with aluminum survey cap stamped PLS #1880), said pin being a property corner of Michael Maddox (DB 386 PG 131); Thence leaving Kentucky Highway 34 and with Maddox N07°10'58"W – 401.89 feet to an iron pin found (rebar with aluminum survey cap stamped PLS #1880), said pin being a property corner of Eddie Caldwell (DB 400 PG 222); Thence leaving Maddox and with Caldwell N07°14'39"W – 519.30 feet to an iron pin found (rebar with aluminum survey cap stamped PLS #1880), said pin being a property corner of Joseph Gilbert (DB 507 PG 033); Thence leaving Caldwell and with Gilbert for the following two (2) courses: N07°15'46"W – 1575.96 feet to an iron pin found (rebar with aluminum survey cap stamped PLS #1880) and S82°44'31"W – 1734.18 feet to an iron pin found (rebar with aluminum survey cap stamped PLS #1880), said pin being a property corner of Allen Goggin (DB 292 PG 012); Thence leaving Gilbert and with Goggin N08°22'49"W – 1841.44 feet to an iron pin set (5/8" x 18" steel rebar with aluminum survey cap stamped PLS #3816, as will be typical for all set corner monuments), said pin being a property corner of Jerry Rankin (DB 292 PG 036); Thence leaving Goggin and with Rankin the following three (3) courses: S63°47'28"E – 796.62 feet to a nail and washer found in a wood post (survey washer stamped PLS #1880), N31°25'30"E – 1161.22 feet to an iron pin set and S72°16'12"E – 494.39 feet to an iron pin found (rebar with aluminum survey cap stamped PLS #1880), said pin being a property corner of JC Caldwell Farm, LLC (DB 529 PG 637); Thence leaving Rankin and with JC Caldwell Farm, LLC the following two (2) courses: S81°22'38"E – 881.77 feet to an iron pin set and S81°07'13"E – 39.50 feet to a 24" diameter osage orange tree, said tree being a corner of the City of Danville annex boundary; Thence leaving JC Caldwell Farm, LLC and crossing the Boyle County Industrial Foundation, Inc. property along the City of Danville annex boundary S00°37'01"W – 3499.93 feet to

an iron pin found (rebar with aluminum survey cap stamped PLS #3816), said pin being a property corner of the aforementioned Lot 6B; Thence with Lot 6B and the City of Danville annex boundary S00°37'11"W – 871.69 feet to the point of beginning and containing 142.318 acres by survey. This description prepared from a physical survey conducted by VANTAGE Engineering PLC, Kendal Wise, Kentucky PLS #3816 dated the 14th day of November 2017.

Being a portion of that property acquired by Boyle County Industrial Foundation, Inc. by deed from the Nelson Bunker Hunt Trust Estate dated the 30th day of October, 1989 and recorded in Deed Book 283, Page 270 in the Boyle County Clerk's Office.

SECTION TWO: The City Clerk is authorized and directed to immediately publish this Ordinance pursuant to KRS Chapter 424 in the Advocate Messenger of Danville, Kentucky, and it shall take effect from and after its passage, signing, and publication as required by law.

SECTION THREE: If any section, sentence, clause, or portion of this Ordinance is for any reason declared illegal, unconstitutional, or otherwise invalid, such declaration shall not affect the remaining portions thereof.

GIVEN FIRST READING AND PASSED _____.

GIVEN SECOND READING AND PASSED _____.

DATE OF PUBLICATION _____.

APPROVED:

MIKE PERROS, MAYOR
CITY OF DANVILLE, KENTUCKY

ATTEST:

DONNA PEEK, CITY CLERK
CITY OF DANVILLE, KENTUCKY

W:\Common File\City of Danville\Ordinances (2017)\Annexation Ordinance - Lebanon Road BCIF.doc

CONSENT TO ANNEXATION
PURSUANT TO KRS 81A.412

WHEREAS, the Board of Commissioners of the City of Danville, Kentucky (hereinafter "the City"), desires to annex approximately 142.318 acres, more or less, of the real property to help facilitate a proposed commercial/industrial use; and

WHEREAS, said parcel is owned by Boyle County Industrial Foundation, Inc., a Kentucky corporation, (hereinafter "Industrial Foundation"), with the street address of 4300 Lebanon Road; and

WHEREAS, the Industrial Foundation requested the annexation and has no objection and consents to same;

NOW, THEREFORE, be it resolved that the Boyle County Industrial Foundation, Inc., consents to and does not object to annexation into the City of Danville for the parcel above described above.

This the 21st day of November, 2017.

BOYLE COUNTY INDUSTRIAL
FOUNDATION, INC.

BY: 

JODY A. LASSITER, PRESIDENT/CEO
AUTHORIZED OFFICER