

ORDINANCE NO. 1927

AN ORDINANCE OF THE CITY OF DANVILLE, KENTUCKY, PURSUANT TO KRS 81A.420 ESTABLISHING ITS INTENT TO ANNEX THE UNINCORPORATED TERRITORY LYING ADJACENT TO AND CONTIGUOUS WITH THE PRESENT CITY BOUNDARIES, LOCATED ~~ON~~ ALONG THE SOUTH DANVILLE BYPASS (US HWY 150) AND WILDERNESS ROAD AND THE AREA BETWEEN SAME, WHICH PROPERTY IS OWNED BY EVELYN S. GANDER, WALTER GANDER, JEFFREY L. KETTLES, EMMA JEAN WALKER, KIMBERLY ANDERSON, LEWIS C. BROWN, EUGENIA LYNN HOPKINS, TEMPLE BAPTIST CHURCH, CALDWELL STONE COMPANY, INC AND COMMONWEALTH OF KENTUCKY CONSISTING IN THE WHOLE OF 180.879 ACRES, MORE OR LESS, AND BEING MORE ACCURATELY DESCRIBED BELOW.

WHEREAS, the tract along the South Danville Bypass (US HWY 150) and Wilderness Road is contiguous or adjacent to the City's boundary as required by KRS 81A.410(1)(a) 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 as required by KRS 81A.410(1)(b); and

WHEREAS, the intended area to annex does not lie within the boundary of another incorporated city so as to be in compliance with KRS 81A.410(2), nor is the intended area to annex within an agricultural district per KRS 262.850(10); and

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

SECTION ONE: It is deemed desirable and it is hereby intended 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 (PLS #3118) on the south right-of-way of US Hwy 150, said iron pin being a common property corner between Evelyn Gander ETAL (D.B. 534, Pg. 745) and Kimberly Anderson, Lewis C. Brown and Eugenia Lynn Hopkins (D.B. 501, Pg. 032), being 100 feet south of centerline of US HWY 150, being a corner of that property previously annexed into the City Limits of Danville (see Ordinance No. 1589), and having Kentucky State Plane Coordinates of N=2110300.713 E= 1934075.265, and **being the POINT OF BEGINNING for this description;**

Thence along the common property line of Commonwealth of Kentucky (D.B. 172, Pg. 359) (being the southern edge of right-of-way of US Hwy 150) and Evelyn Gander (D.B. 534, Pg. 745), also being the existing City Limits of Danville (see Ordinance No. 1589), for the following eight courses: N81°29'32"W – 220.83' to an iron pin (PLS #3118), N83°41'45"W – 464.41' to an iron pin (PLS #3118), S86°34'46"W – 355.11' to an iron pin (PLS #3118), N74°36'10"W – 253.18' to an iron pin (PLS #3118), S89°58'00"W – 452.77' to an iron pin (PLS #3118), N78°55'46"W – 301.04' to an iron pin (PLS #3118), N74°36'10"W – 253.18' to an iron pin (PLS #3118) and S89°27'51"W – 251.79' to an iron pin (PLS #3118), said iron pin being on the southern edge of right-of-way of US Hwy 150 and being a common corner to Evelyn Gander (D.B. 534, Pg. 745) and Evelyn Gander (D.B. 202, Pg. 68);

Thence leaving Evelyn Gander (D.B. 534, Pg. 745) and continuing with the common property line of Commonwealth of Kentucky (D.B. 172, Pg. 359) (being the southern edge of right-of-way of US Hwy 150) and Evelyn Gander (D.B. 202, Pg. 68), also being the existing City Limits of Danville (see Ordinance No. 1589), the following two courses: N79°07'09"W – 250.80' to an iron pin (PLS #3118) and N83°41'34"W – 165.59' to an iron pin (PLS #3118), said iron pin being on the southern edge of right-of-way of US Hwy 150 and being a common corner to Evelyn Gander (D.B. 202, Pg. 68) and Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23);

Thence leaving Commonwealth of Kentucky (D.B. 172, Pg. 359) (being the southern edge of right-of-way of US Hwy 150) and continuing with the common property line of Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23) and Evelyn Gander (D.B. 202, Pg. 68), also being the existing City Limits of Danville (see Ordinance No. 1589), the following six courses: S05°01'18"W – 436.04' to an iron pin (PLS #3118) and N65°37'35"W – 658.51' to an iron pin (PLS # 3118), N67°20'45"W – 427.39' to an iron pin (PLS #3118), N57°36'18"W – 72.07' to an iron pin (PLS #3118), S82°28'07"W – 4.78' to an iron pin (PLS #3118), and S85°45'53"W – 42.26' to a point, said point being at the intersection of the lines of Annexation Ordinance No. 1589 and Annexation Ordinance No. 1391;

Thence leaving Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23), Evelyn Gander (D.B. 202, Pg. 68) and southern edge of right-of-way of US Hwy 150 and crossing the Commonwealth of Kentucky (US Hwy 150), being the existing City Limits of Danville (see Ordinance No. 1391), N01°16'29"W – 264.91' to a point, said point being on the northern edge of right-of-way of US Hwy 150 and the southern edge of Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23);

Thence along the common property line of Commonwealth of Kentucky (being the northern edge of right-of-way of US Hwy 150) and Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23), also being the existing City Limits of Danville (see Ordinance No. 1391) the following two courses: N89°41'41"E – 849.31' to a point and S82°25'07"E – 320.97' to an iron pin (cap bearing Danville City Limits 1987), said iron pin being on the northern edge of right-of-way of US Hwy 150 and a common property corner between Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23) and Evelyn Gander (D.B. 202, Pg. 68);

Thence leaving the Commonwealth of Kentucky (being the northern edge of right-of-way of US Hwy 150) and along the common property line of Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23) and Evelyn Gander (D.B. 202, Pg. 68) also being the existing City Limits of Danville (see Ordinance No. 1391) N04°24'10"E – 2509.20' to a point, said point being in the line of Commonwealth of Kentucky (D.B. 85, Pg. 142) and being the west side of Wilderness Road (old US Hwy 150);

Thence leaving the property of Caldwell Stone Company, Inc. (D.B. 58, Pg. 81 and D.B. 59, Pg. 23) and along the existing Ordinance No. 1391, which is approximately the western edge of right-of-way of Wilderness Road (old US Hwy 150) and the northern property line of Evelyn Gander (D.B. 202, Pg. 68) the following three courses: S72°41'56"E – 57.22' to a point, S58°48'44"E – 359.44' to a point and S50°14'33"E – 246.64' to a point, said point being a corner of Ordinance No. 1391;

Thence continuing along the existing Ordinance No. 1391 and crossing from the west side of Wilderness Road (old US Hwy 150) to the east side of Wilderness Road (old US Hwy 150) N67°01'06"E – 111.50' to a point, said point on the line of City of Danville (D.B. 459, Pg. 132) and Commonwealth of Kentucky (D.B. 85, Pg. 141), also being on the eastern edge of right-of-way of Wilderness Road (old US Hwy 150);

Thence along the common property line of Commonwealth of Kentucky (D.B. 85, Pg. 141), being eastern edge of right-of-way of Wilderness Road (old US Hwy 150) and first with the City of Danville (D.B. 459, Pg. 132) and second with Ronnie Carmickle (D.B. 349, Pg. 222) the following seven courses: a curve to the left a radius of 5679.99', arc length of 698.56', chord direction S48°26'39"E, and chord length 698.15' to a point, S51°58'04"E – 1313.30' to a point, N38°01'56"E – 10.00' to a point, S51°58'04"E – 250.00' to a point, S38°01'56"W – 10.00' to a point and S51°47'40"E – 765.22' to a point, said point being in the common property corner between Ronnie Carmickle (D.B. 349, Pg. 222) and Commonwealth of Kentucky (D.B. 85, Pg. 141) and in the line of Commonwealth of Kentucky (D.B. 85, Pg. 140);

Thence leaving the Commonwealth of Kentucky (D.B. 85, Pg. 141) and along Ronnie Carmickle (D.B. 349, Pg. 222) and Commonwealth of Kentucky (D.B. 85, Pg. 140), being eastern edge of right-of-way of Wilderness Road (old US Hwy 150), N38°12'20"E – 8.81' to a point, said point being in the line of along Ronnie Carmickle (D.B. 349, Pg. 222) and a common property corner to Commonwealth of Kentucky (D.B. 85, Pg. 140) and Melissa D. Sheene (D.B. 420, Pg. 16);

Thence leaving Ronnie Carmickle (D.B. 349, Pg. 222) and continuing with the Commonwealth of Kentucky (D.B. 85, Pg. 140), being eastern edge of right-of-way of Wilderness Road (old US Hwy 150) and Melissa D. Sheene (D.B. 420, Pg. 16), Gidget Whitehouse, Johnny Sheene and Melissa Sheene (D.B. 440, Pg. 321), James and Joan Milton (D.B. 116, Pg. 465), Billy Chester (D.B. 511, Pg. 637), Rhonda Ross (D.B. 541, Pg. 624) and Doss and Horky, Inc. (D.B. 288, Pg. 289) respectively for the following four courses: S50°25'55"E – 400.54' to a point, S42°06'01"E – 243.74' to a point, S32°03'26"E – 282.20' to a point and S28°12'38"E – 354.04' to a point, said point being in the line of Doss and Horky, Inc. (D.B. 288, Pg. 289) and on the eastern edge of right-of-way of Wilderness Road (old US Hwy 150);

Thence leaving the Doss and Horky, Inc. (D.B. 288, Pg. 289) property and the eastern edge of right-of-way of Wilderness Road (old US Hwy 150) crossing Wilderness Road (old US Hwy 150) and US Hwy 150 to the south edge of right-of-way of US Hwy 150 S36°57'13"E – 294.48' to an iron pin (PLS #1880), said iron pin being in the property line of Commonwealth of Kentucky (D.B. 176, Pg. 278) and a corner to Temple Baptist Church (Deed Book 439, Page 600);

Thence along the common property line of Commonwealth of Kentucky (D.B. 176, Pg. 278) and Temple Baptist Church (Deed Book 351, Page 30), being the southern edge of right-of-way of US Hwy 150, the following two courses: S53°33'54"E – 167.79' to an iron pin (PLS #1880), S40°20'57"E – 191.68' to an iron pin (PLS #1880) and S41°19'40"E – 39.04' to an iron pin (PLS #1880), said iron pin being a corner to Temple Baptist Church (Deed Book 351, Page 30) and in the line of Commonwealth of Kentucky (D.B. 176, Pg. 278);

Thence leaving the Commonwealth of Kentucky (D.B. 176, Pg. 278) being the southern edge of right-of-way of US Hwy 150, and along the common property line of Temple Baptist Church (D.B. 351, Pg. 30 and D.B. 439, Pg. 600) and Yinong Liu and Yunhua He (D.B. 423, Pg. 414) S75°58'27"W – 569.09' to an iron pin (PLS #1880), said iron pin being a common corner between Temple Baptist Church (Deed Book 439, Page 600), Yinong Liu and Yunhua He (D.B. 423, Pg. 414) and Kimberly Anderson, Lewis C. Brown, and Eugenia Lynn Hopkins (Deed Book 501, Page 32);

Thence leaving the Temple Baptist Church (Deed Book 439, Page 600) and along the common property line of Yinong Liu and Yunhua He (D.B. 423, Pg. 414) and Kimberly Anderson, Lewis C. Brown, and Eugenia Lynn Hopkins (Deed Book 501, Page 32) N82°31'06"W – 1027.27' to an iron pin (PLS #2850), said iron pin being a common corner

to Yinong Liu and Yunhua He (D.B. 423, Pg. 414), Kimberly Anderson, Lewis C. Brown, and Eugenia Lynn Hopkins (Deed Book 501, Page 32), Evelyn Gander (D.B. 202, Pg. 68) and Evelyn Gander etal (D.B. 534, Pg. 745), also being a corner of the existing City Limits of Danville (see Ordinance No. 1589)

Thence leaving the properties of Yinong Liu and Yunhua He (D.B. 423, Pg. 414) and Evelyn Gander (D.B. 202, Pg. 68) and with the common property line of Kimberly Anderson, Lewis C. Brown, and Eugenia Lynn Hopkins (Deed Book 501, Page 32) and Evelyn Gander etal (D.B. 534, Pg. 745) also being along the existing line of Ordinance No. 1589, N31°01'57"E – 733.29' to the POINT OF BEGINNING and containing 180.879 acres by survey. This description prepared from a physical survey performed by AGE Engineering on 21st day of February, 2019. All bearings are referenced to grid north of the Kentucky State Plane Coordinate System – South Zone (NAD83).

SECTION TWO: The City Clerk is authorized and directed to immediately send notice via first class mail to each property owner within the territory proposed to be annexed pursuant to KRS 81A.425(1) by enclosing a copy of this ordinance along with notice of the time, date and location of the second reading pursuant to KRS 81A.425(4); and she shall certify the list of property owners prior to the second reading of this ordinance pursuant to KRS 81A.425(3), in order to substantially comply with KRS 81A.425.

SECTION THREE: The City Clerk is authorized and directed to publish this Ordinance pursuant to KRS Chapter 424 in the Advocate Messenger of Danville, Kentucky, after the second reading and it shall take effect from and after its passage, signing, and publication as required by law. The City Clerk shall further be authorized and directed to publish a notice designed specifically to inform the resident voters and real property owners in the area of proposed annexation of their right to present a petition to the City to have the issue of annexation placed on the ballot and that said residents and property owners have sixty (60) days from the date of publication of this intent to annex ordinance to present a valid petition so

as to comply with KRS 81A.420. A second publication of the notice shall be made not less than seven nor more than twenty-one days from the last day the petition may be filed, but the City shall not republish this ordinance pursuant to KRS 424.130(1)(b).

SECTION FOUR: 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 _____.

DATE OF PUBLICATION OF FIRST NOTICE PER KRS 81A.420 _____.

DATE OF PUBLICATION OF SECOND NOTICE PER KRS 81A.420 _____.

APPROVED:

G. MICHAEL PERROS, MAYOR
CITY OF DANVILLE, KENTUCKY

ATTEST:

ASHLEY RAIDER, CITY CLERK
CITY OF DANVILLE, KENTUCKY

R:\Common File\City of Danville\Ordinances (2019)\Annexation Intent Ordinance - 150 & Wilderness Road.doc

