ORDINANCE NO. 110,70-6-2011

ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY CERTAIN TERRITORY OF LAND CONTIGUOUS TO THE EXISTING CITY LIMITS OF FRANKLIN, KENTUCKY IN ACCORDANCE WITH THE COMPREHENSIVE PLAN OF ANNEXATION

WHEREAS, heretofore, the City of Franklin, Kentucky, adopted a Comprehensive Plan of Annexation; and

WHEREAS, the City Commission has determined that the hereinafter described territory is urban in character, and/or suitable for development for urban purposes, by reason of population density, commercial, industrial, and/or subdivision of land; and

WHEREAS, the City Commission has determined that no part of the area to be annexed shall be included in the boundary of another city; and

WHEREAS, owners of record of the land to be annexed have given prior written consent to the annexation; and

WHEREAS, pursuant to KRS 81A.412, the City may enact a single ordinance finally annexing the land described in the ordinance and all waiting periods and notice requirements shall not be required;

NOW, THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, that pursuant to the provisions of KRS 81A.412 and/or KRS 81A.420 the City of Franklin hereby annexes the following described unincorporated area and makes it a part of the City of Franklin, Kentucky:

SEE PROPERTY DESCRIPTION ATTACHED AS EXHIBIT 1 AND

INCORPORATED HEREIN BY REFERENCE

This ordinance shall take effect upon its passage, approval, and publication. If any section, subsection, sentence, clause, or phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

June 13, 2011 FIRST READING June 27, 2011

SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on June 27, 2011, on motion made by Commissioner Jamie Powell and seconded by Commissioner Mason Barnes, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES JAMIE POWELL YES

LARRY DIXON

YES

MASON BARNES

YES

HENRY STONE

YES

MAYOR, RONNIE CLARK

APPROVED BY:

RÓNNIE CLARK, MAYOR

CITY OF FRANKLIN, KENTUCKY

ATTEST:

CITY OF FRANKLIN, KENTUCKY

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EXHIBIT 1

Dunning Land Surveying

Description of a 3.66 acre tract (to be annexed)

The following paragraph describes a tract of land in Simpson County Kentucky on Kentucky State Route 1008, adjoining the present City Limits of Franklin a portion of the same property conveyed to Citizens First Bank by deed of record as recorded in Commissioners Deed Book 14 Page 273 and a portion of the Kentucky State Route 1008 right of way as originally described in Commissioners Deed Book 10 Page 20 of the public records of the Simpson County Clerk's Office; said premises being more particularly described as follows:

Beginning at an iron pin found #3148 in the easterly right of way of Kentucky State Route 1008 (controlled access) a corner to the existing city limits of the City of Franklin, and the northwesterly corner of the Charles Deweese Construction, Inc., property as described in Deed Book 258 Page 497 at a corner with Simpson County Storage, LLC (Deed Book 261 Page 325); thence along the easterly right of way of Kentucky State Route 1008 and the present city limits of the City of Franklin, South 02 degrees 34 minutes 53 seconds West a distance of 63,44 feet to an found two inch metal right of way post set in concrete; thence continuing with said right of way & city limits, South 01 degree 11 minutes 00 seconds West a distance of 135.66 feet to an iron pin set; thence crossing said highway, North 88 degrees 44 minutes 38 seconds West a distance of 121.03 feet to a 3/8" rebar found at the southeasterly corner of the Citizens First Bank property as described in Commissioners Deed Book 14 Page 273, also a corner to John Arney (Deed Book 210 Page 464); thence leaving said highway along the line of Citizens First Bank and John Arney North 88 degrees 44 minutes 38 seconds West a distance of 617.22 feet to an iron pipe found #906, in the line of Paul Leath (Deed Book 170 Page 525); thence along the lines of Citizens First Bank and Paul Leath the following two calls; North 01 degree 11 minutes 51 seconds East a distance of 172.18 feet to an iron pipe found #906; thence North 88 degrees 37 minutes 08 seconds West a distance of 375.78 feet to an iron pin set in the easterly right of way of Kentucky State Route 1171 (30 feet from centerline); thence along the easterly right of way of Kentucky State Route 1171, North 12 degrees 10 minutes 29 seconds East a distance of 30.00 feet to an iron pin set at a corner with Harold Vaught (Deed Book 217 Page 372); thence leaving said road along the line of Harold Vaught, South 88 degrees 42 minutes 04 seconds East a distance of 267.31 feet to an iron pipe found at a fence corner, a corner of the Simpson County Fiscal Court property (Deed Book 188 Page 487); thence along the line of the Citizens First Bank with Simpson County fiscal Court, South 88 degrees 35 minutes 42 seconds East a distance of 404.67 feet to an iron pipe found at the southwest corner of Tharon Taylor, (Deed Book 233 Page 573); thence along the line of Tharon Taylor, South 88 degrees 30 minutes 39 seconds East a distance of 316.97 feet to an iron pipe found in the westerly right of way of Kentucky State Route 1008; thence crossing said highway. South 88 degrees 20 minutes 55 seconds East a distance of 120.47 feet to the point of beginning. Containing 3.66 acres more or less to be annexed into the City of Franklin and subject to all legal conditions and easements of record. This description based on an actual field survey performed by Gary Lee Dunning, Kentucky State Registered Land Surveyor #3290 in June of 2011. Basis of bearing for this description is a magnetic observation on the traveled centerline of Kentucky State Route 1008. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" iron pins with plastic identification cap stamped "Dunning #3290".

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