

Sponsors: Mayor Clark

Commissioner Powell

Date Second Reading 04-23-2012

Date Published 04-26-2012

ORDINANCE NO. 110.80-04-2012

**ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY
APPROXIMATELY TWO ACRES LOCATED ON THE EAST SIDE OF U.S. 31-W SOUTH
BEING 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, acting by and through its City Commission, 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, 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All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

April 9, 2012 FIRST READING April 23, 2012 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on April 23, 2012, on motion made by Commissioner Mason Barnes and seconded by Commissioner Larry Dixon, the foregoing ordinance was adopted, after full discussion, by the following vote:

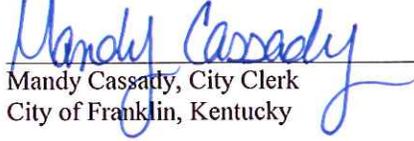
<u>YES</u>	JAMIE POWELL	<u>YES</u>	MASON BARNES
<u>YES</u>	LARRY DIXON	<u>YES</u>	HENRY STONE
<u>YES</u>	MAYOR RONNIE CLARK		

APPROVED BY:



Ronnie Clark, Mayor
City of Franklin, Kentucky

ATTEST:



Mandy Cassidy, City Clerk
City of Franklin, Kentucky

EXHIBIT 1

Description of a 2.00 Acre Tract owned by A.H.O.C. Evansville, LLC

The following paragraph describes a tract of land in Simpson County, Kentucky located on the east side of U.S. 31-W South adjoining the present City Limits of the City of Franklin. It is the same property conveyed to A.H.O.C. Evansville, LLC by Roger Sutton and wife, Linda Sutton, by deed of record in Deed Book 297, Page 40 of record in the Simpson County Clerk's Office, said premises being more particularly described as follows:

Beginning at an iron pipe found in the westerly right-of-way of U.S. Route 31-W (50 feet from centerline), the northeasterly corner of the subject owners David Vaughn and wife, Lesa Vaughn as appears in Deed Book 223, Page 252, Simpson County Clerk's Office and Deed Book 223, Page 249, Simpson County Clerk's Office, at a corner with J. E. Groves (DB 153 Pg 562); thence along the westerly right-of-way of U.S. Route 31-W with the arc of a curve to the right having a field radius of 8193.52 feet, a chord bearing S 13° 04' 36" W a chord distance of 236.60 feet to an iron pin set at a new corner; thence leaving said road on a new line the following two (2) calls: (1) N 84° 32' 05" W 119.67 feet to an iron pin set, (2) S 75° 21' 06" W 218.63 feet to an iron pin set in the line of the remaining lands of J. E. Groves; thence along the westerly line of the subject owners with the line of J. E. Groves N 09° 17' 44" E 325.90 feet to an iron pin found; thence S 81° 53' 08" E 334.89 feet to the point of beginning, containing 2.00 acres, more or less, and subject to all legal condition and easements of record, according to February 7, 2012 survey of Gary Lee Dunning, Kentucky Registered Land Surveyor #3290.