

ORDINANCE NO. 2017-016

**ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY
APPROXIMATELY 46.82 ACRES LOCATED
ON KENTUCKY STATE HIGHWAY 1008 AND U.S. HIGHWAY 31-W NORTH,
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 Board of Commissioners 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 Board of Commissioners has determined that no part of the area to be annexed shall be included in the boundary of another city; and

WHEREAS, the owner of record of the land to be annexed has 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 Board of Commissioners, 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 AND MAP ATTACHED COLLECTIVELY AS EXHIBIT A
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All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

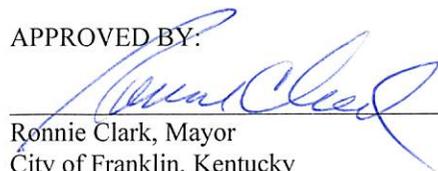
September 25, 2017 FIRST READING

October 9, 2017 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on October 9, 2017, on motion made by Commissioner Dixon and seconded by Commissioner Barnes, the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>Yes</u>	LARRY DIXON
<u>Yes</u>	JAMIE POWELL
<u>Yes</u>	MASON BARNES
<u>Yes</u>	WENDELL STEWART
<u>Yes</u>	RONNIE CLARK, MAYOR

APPROVED BY:



Ronnie Clark, Mayor
City of Franklin, Kentucky

ATTEST:



Cathy Dillard, City Clerk
City of Franklin, Kentucky

EXHIBIT A

Dunning Land Surveying

Description of a 46.82 acre tract (to be annexed)

The following paragraph describes a tract of land in Simpson County, Kentucky on Kentucky State Highway 1008 , and U.S. Highway 3W adjacent to the existing city limits of the city of Franklin; annexing consented portions of the South Street, LLC property as appears in Deed Book 328 page 399 and portions of the U.S. Highway 31W right of way , the Kentucky State Highway 1008 right of way and a portion of the CSX Railroad right of way as shown in the public records of the Simpson County Clerk's Office; said premises being more particularly described as follows:

Beginning at an iron pin found #3290 in southerly right of way of Kentucky State Highway 1008, at the intersection of said right of way with the easterly right of way of the CSX Railroad in the line of the existing city limits of the city of Franklin, thence crossing said railroad, along the southerly right of way of Kentucky State Highway 1008, North 83 degrees 12 minutes 56 seconds West a distance of 66.16 feet to an iron pin found #3290 at the northeasterly corner of the Joe Jones property described in Deed Book 298 Page 603; thence continuing with the southerly right of way of Kentucky State Highway 1008, North 83 degrees 12 minutes 56 seconds West a distance of 321.67 feet to an iron pin found #3290; thence North 74 degrees 53 minutes 57 seconds West a distance of 65.82 feet to an iron pin found #2142 at a corner of the South Street, LLC property shown in Plat Cabinet 5 Page 77; thence leaving said right of way along the line of South Street, LLC with Joe Jones, South 11 degrees 00 minutes 19 seconds West a distance of 234.34 feet to an iron pin found #2142 in the line of Sherwood Terrace Subdivision Revised (Plat Book 4 Pages 275-276); thence along the lines of the South Street, LLC with Sherwood Terrace Subdivision Revised, the following three calls; North 83 degrees 15 minutes 50 seconds West a distance of 537.49 feet to an iron pin found #3050; thence South 32 degrees 07 minutes 42 seconds West a distance of 333.26 feet to a twenty inch walnut marked with three hacks; thence South 71 degrees 27 minutes 31 seconds West a distance of 649.05 feet to an iron pin found #3050 at a corner with Harold Bowling (Deed Book 223 Page 460); thence along the line of South Street, LLC with Harold Bowling and Bruce Simmons, South 71 degrees 27 minutes 33 seconds West a distance of 335.24 feet to an iron pin found #3290 in the easterly right of way of U.S. Highway 31W; thence crossing said highway, North 85 degrees 56 minutes 24 seconds West a distance of 100.36 feet to a point in the westerly right of way of U.S. Highway 31W; thence along the westerly right of way of U. S. Highway 31W the following four calls; North 04 degrees 16 minutes 22 seconds East a distance of 705.72 feet to a point of curvature; thence along the arc of a curve to the right having a field radius of 2914.79 feet, a chord bearing of North 07 degrees 20 minutes 49 seconds East a chord distance of 315.83 feet (arc length = 315.98') to a point of tangent; thence North 11 degrees 56 minutes 12 seconds East a distance of 65.23 feet; thence North 12 degrees 57 minutes 18 seconds East a distance of 512.90 feet; thence crossing said highway, South 71 degrees 20 minutes 55 seconds East a distance of 144.83 feet to an iron pin set in the northerly right of way of Kentucky State

Highway 1008 (controlled access); thence along the northerly right of way of Kentucky State Highway 1008 the following ten calls; South 57 degrees 19 minutes 38 seconds East a distance of 64.55 feet; thence South 67 degrees 07 minutes 38 seconds East a distance of 340.80 feet; thence South 89 degrees 31 minutes 38 seconds East a distance of 258.31 feet; thence South 77 degrees 49 minutes 38 seconds East a distance of 100.12 feet; thence South 60 degrees 55 minutes 38 seconds East a distance of 103.08 feet; thence North 68 degrees 09 minutes 22 seconds East a distance of 125.00 feet; thence South 77 degrees 49 minutes 38 seconds East a distance of 100.12 feet; thence South 78 degrees 04 minutes 38 seconds East a distance of 550.82 feet; thence South 69 degrees 14 minutes 38 seconds East a distance of 301.50 feet; thence South 63 degrees 38 minutes 38 seconds East a distance of 41.34 feet to the westerly right of way of the CSX Railroad; thence crossing said Railroad, South 79 degrees 04 minutes 22 seconds East a distance of 66.14 feet to an iron pin found (no cap) at a corner of the James L. Vaughn property (Deed Book 297 Page 332); thence along the easterly right of way of the CSX Railroad, crossing Kentucky State 1008 with the existing city limits, South 10 degrees 53 minutes 53 seconds West a distance of 382.33 feet to the point of beginning. Surveyed parcel contains 46.82 acres more or less and is intended to be annexed into the city limits of Franklin, subject to all legal conditions and easements of record. This description is based on an actual field survey performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in August of 2017. Basis of bearing for this description is grid North, Kentucky South Zone, Lambert projection. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" iron rebar with plastic identification cap stamped "Dunning #3290".