

Sponsors: Commissioner Dixon
Commissioner Powell
Second Reading: October 23, 2017
Publication Date: October 26, 2017

ORDINANCE NO. 2017-018

**ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY
APPROXIMATELY 274.25 ACRES LOCATED ON BOWLING GREEN ROAD,
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; and

WHEREAS, pursuant to KRS 81A.412 and KRS 100.209, a 40-acre tract portion of the area to be annexed shall be rezoned R-1S, and a property description and map are attached collectively as Exhibit 1 and incorporated herein by reference;

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 2
AND INCORPORATED HEREIN BY REFERENCE**

BE IT FURTHER ORDAINED that the 40-acre tract specifically designated on the map and property description attached hereto as Exhibit 1 shall be rezoned from its current zoning designation to the R-1S zone, with the remaining land being annexed retaining its current zoning designation.

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.

October 9, 2017 FIRST READING

October 23, 2017 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on October 23, 2017, on motion made by Commissioner Dixon and seconded by Commissioner Powell the foregoing ordinance was adopted, after full discussion, by the following vote:

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

APPROVED BY:

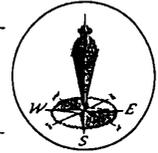


Ronnie Clark, Mayor
City of Franklin, Kentucky

ATTEST:



Cathy Dillard, City Clerk
City of Franklin, Kentucky

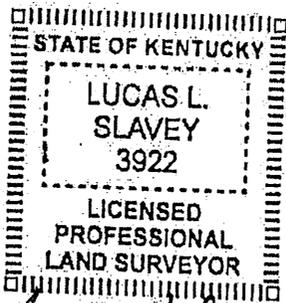


Property Description for a 40-acre tract being severed from the Lewis Memorial Home property as recorded in Deed Book 145, page 297, as recorded in the office of the Clerk in Simpson County KY.

This property is located on the West side of US 31W direct across 31W from Franklin Country Club and the Intersection of KY Hwy 1788 (Broadway). The property is more particularly described as follows:

Beginning at a set 5/8 inch iron pin with a yellow plastic cap stamped "L SLAVEY KY 3922" (all set iron pins called out in this description meet the aforementioned description), said point is corner common to Lot 8 of the Country Club Estates subdivision (Section 1), as recorded in Plat Book 1, Page 52 in the Aforementioned Clerks office, said point is also in the West Right-of-way (R/W) of 31W (Nashville Road) (100-ft R/W) thence leaving the R/W of 31W and with Country Club Estates and Thereafter Country Club Estates (Section 2), and then with the Farmer Property (Deed Book 283, Page 576 as recorded in the aforementioned Clerks office, North 64 degrees 57 minutes 22 seconds West, a distance of 2542.98 feet to a point in Farmers Line, thence leaving farmer and with a new line across the Lewis Memorial Home Property North 25 degrees 02 minutes 38 seconds East, a distance of 700.00 feet to a set iron pin, thence South 64 degrees 57 minutes 22 seconds East, a distance of 2435.31 feet to a set iron pin in the R/W of 31W, thence with the R/W, South 16 degrees 18 minutes 00 seconds West, a distance of 708.23 feet to the point of beginning, having an area of 1742402 square feet, 40.0001 acres.

This survey was prepared under my direct supervision and was completed in August 2017.



Lucas Slavey

8-11-2017

Date

Lucas Slavey, PLS KY 3922

SURVEY AND ANNEXATION PLAT OF A 274.25 ACRE PARCEL TO BE ANNEXED INTO THE CITY LIMITS OF FRANKLIN, KENTUCKY SITUATED ON U.S. HIGHWAY 31W IN SIMPSON COUNTY, KENTUCKY ADJACENT TO THE EXISTING CITY LIMITS OF FRANKLIN

SOURCE OF TITLE: DEED BOOK 145 PAGE 297
SIMPSON COUNTY, KENTUCKY COUNTY CLERK RECORDS

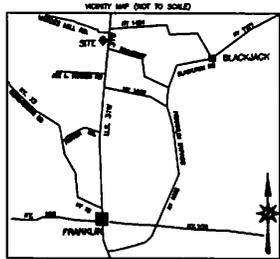
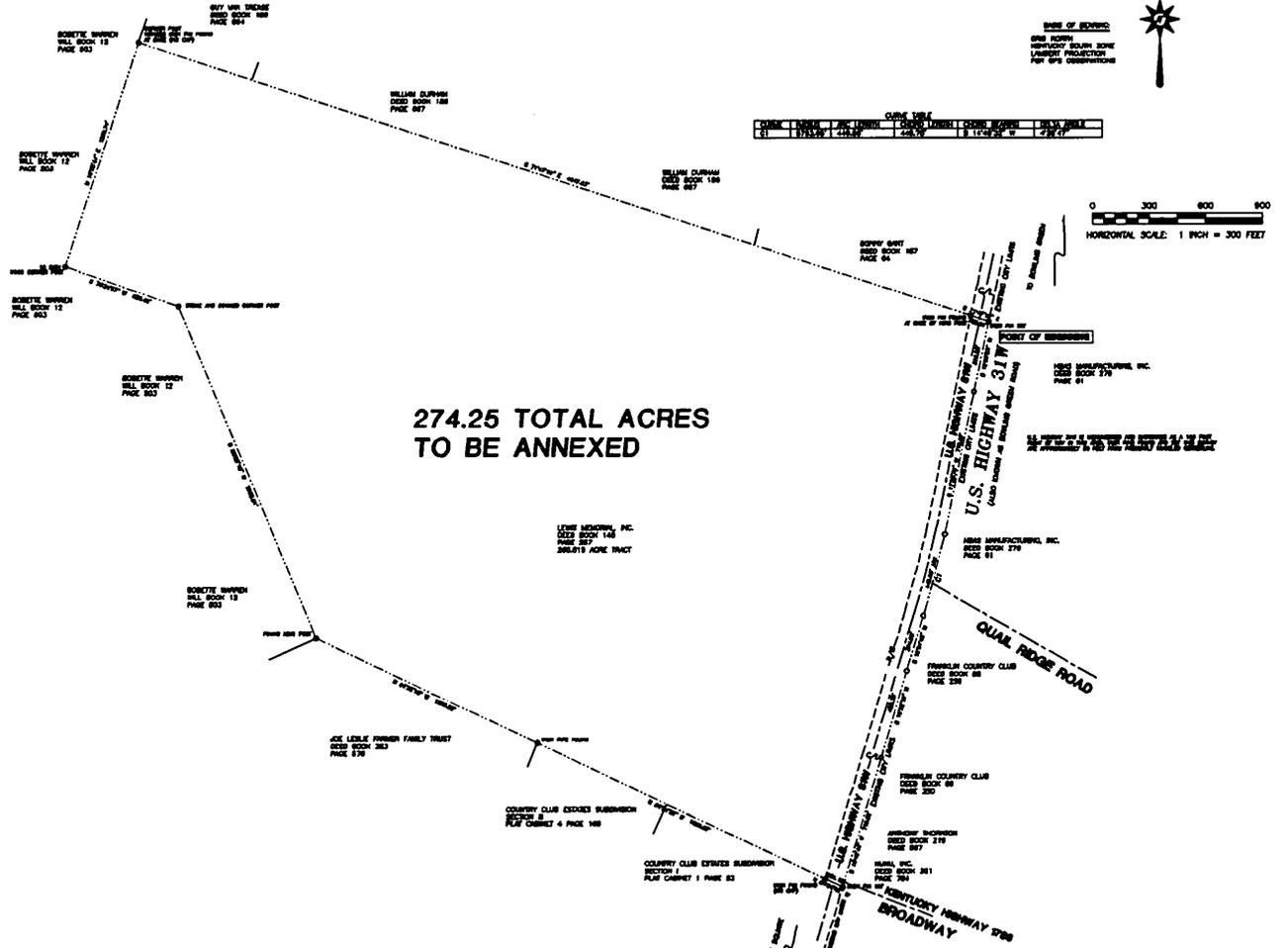
MAP REFERENCE: MAP 34 PARCEL 26
SIMPSON COUNTY, KENTUCKY P.V.A. RECORDS

PRESENT OWNER: LEWIS MEMORIAL HOME, INC.

DATE: SEPTEMBER 14, 2017

PRESENT ZONING: AG

**274.25 TOTAL ACRES
TO BE ANNEXED**



• DENOTES POB FOR SET UNLESS SHOWN OTHERWISE
○ DENOTES MONEDA CORNER, NEARBY, NOT SET

THE SURVEY SUBJECT TO ALL FACTS WHICH WOULD BE DISCLOSED BY A COMPLETE TITLE SEARCH.

THIS SURVEY SUBJECT TO ALL FACTS WHICH WOULD BE DISCLOSED BY A COMPLETE TITLE SEARCH.

I CERTIFY THAT THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION IN SEPTEMBER OF 2017. METHOD OF SURVEY IS BY CLOSED WYOMING TRAILING AND GPS OBSERVATIONS WITH AN UNADJUSTED CLOSURE EXCESSING 1:31,077 FEET. THIS DRAWING MEETS OR EXCEEDS THE REQUIREMENTS FOR SURVEYING SUBJECTS IN THE CONSTITUTION OF KENTUCKY AS SET BY GOVERNMENT AUTHORITY.

DATE BORN: SEPTEMBER 14, 2017

DAVE LEE DUNNING
KENTUCKY REGISTERED LAND SURVEYOR #2296

DATE OF SURVEY	SEP 14 2017
DATE OF PLAT	SEP 14 2017
DATE OF RECORD	SEP 14 2017
CHECKED BY:	DL

CLIENT ADDRESS
ORDERED BY THE CITY OF FRANKLIN
117 WEST CEDAR STREET
FRANKLIN, KENTUCKY
42134

DUNNING LAND SURVEYING
1212 NEOSHEO ROAD
FRANKLIN, KENTUCKY 42134
PHONE: (270) 586-8286 * dunn4@bellsouth.net

Dunning Land Surveying

Description of a 274.25 acre tract (to be annexed)

The following paragraph describes a tract of land in Simpson County, Kentucky on U.S. Highway 3W adjacent to the existing city limits of the city of Franklin; annexing consented portions of the Lewis Memorial, Inc. property as appears in Deed Book 145 page 297 and portions of the U.S. Highway 31W 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 set in easterly right of way of U.S. Highway 31W, also known as Bowling Green Road, (approximately 50 feet from centerline) in the line of the existing city limits of Franklin and the property of HBAS Manufacturing, Inc. (Deed Book 279 Page 61), said pin is further located for reference as being South 71 degrees 47 minutes 19 seconds East a distance of 100.81 feet from an iron pin found at a king post in the westerly right of way of U.S. Highway 31W at the northeasterly corner of the Lewis Memorial, Inc. property as appears in Deed Book 145 Page 297; thence from said beginning point along the easterly right of way of U.S. Highway 31W and the existing city limits of Franklin the following six calls; South 12 degrees 05 minutes 53 seconds West a distance of 376.88 feet; thence South 11 degrees 58 minutes 30 seconds West a distance of 772.07 feet to a point of curvature; thence along the arc of a curve to the right having a field radius of 5753.65 feet, a chord bearing of South 14 degrees 48 minutes 32 seconds West a chord distance of 449.75 feet (arc length=449.86') to a point of tangent; thence South 16 degrees 54 minutes 48 seconds West a distance of 304.99 feet; thence South 16 degrees 32 minutes 10 seconds West a distance of 480.75 feet; thence South 16 degrees 40 minutes 44 seconds West a distance of 718.52 feet to an iron pin set; thence crossing said highway North 64 degrees 34 minutes 22 seconds West a distance of 101.18 feet to an iron pin found (no cap) at the northeast corner of Country Club Estates Subdivision (Plat Cabinet 1 Page 52); thence along the line of the Lewis Memorial, Inc. with Country Club Estates Subdivision, North 64 degrees 34 minutes 22 seconds West a distance of 1689.97 feet to an iron pipe found, a corner to Country Club Estates Subdivision Section III and the property of the Joe Leslie Farmer Family Trust (Deed Book 283 Page 576; thence along the line of the Lewis Memorial Inc. property with the Joe Leslie Farmer Family Trust, North 64 degrees 35 minutes 15 seconds West a distance of 1297.85 feet to a found king post, a corner with Bobette Warren (Will Book 12 Page 503); thence along the lines of Lewis Memorial Inc. with Bobette Warren the following three calls; North 22 degrees 23 minutes 18 seconds West a distance of 1900.61 feet to a stone and downed post; thence North 70 degrees 34 minutes 57 seconds West a distance of 636.48 feet to a found eighteen inch wood post; thence North 18 degrees 08 minutes 44 seconds East a distance of 1250.74 feet to a found corner post with a witness iron pin found (no cap) at base, a corner to Guy Van Trease (Deed Book 186 Page 664); thence along the line of Lewis Memorial, Inc. with Guy Van Trease, William Durham (Deed Book 186 Page 667) and Donny Gant (Deed Book 187 Page 04) South 71 degrees 47 minutes 19 seconds East a distance of 4647.53 feet to an iron pin found (no cap) at a king

post in the westerly right of way of U.S. Highway 31W; thence crossing said highway, South 71 degrees 47 minutes 19 seconds East a distance of 100.81 feet to the point of beginning. Surveyed parcel contains 274.25 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 September 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".