

ORDINANCE NO. 84-17

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY TO THE CITY OF RUSSELLVILLE, KENTUCKY, WITH A SEVERABILITY CLAUSE, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, ORDINANCE NO. 84-8, AN ORDINANCE PROPOSING TO ANNEX AND STATING THE INTENTION OF THE CITY TO ANNEX CERTAIN UNINCORPORATED TERRITORY TO THE CITY OF RUSSELLVILLE, KENTUCKY, DECLARING IT DESIRABLE TO ANNEX THE UNINCORPORATED TERRITORY AND STATING REASONS THEREFOR, AND STATING THE STATUTORY PROCEDURE FOR COMPLETION OF THIS ANNEXATION, was duly enacted by the City Council of the City of Russellville, and

WHEREAS, that Ordinance was duly published and the Notice required by KRS 424 was duly given, and

WHEREAS, fifty percent (50%) of the resident voters or owners of real property within the limits of the territory proposed to be annexed did not petition the mayor in opposition to the proposal within sixty (60) days following the publication of the annexation ordinance (ORDINANCE NO. 84-8),

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF RUSSELLVILLE THAT,

1. The following described territory be, and it hereby is, annexed to the City of Russellville:

Beginning at a point on the eastern side of U.S. Highway 79 about 1.42 miles/2.29 kilometers southwest of the City of Russellville, Logan County, Kentucky, said point of beginning being located at a corner on the existing City of Russellville Limits line at the north end of the "Built-Rite" property; thence along the southern line of the existing City of Russellville Limits, S 85°55'41"E, 5045.50 feet to an existing concrete "City Limits" marker located on the western side of U.S. Highway 431 South; thence continuing along the southern line of the existing City of Russellville Limits and crossing U.S. Highway 431 South, S 85°55'41"E, 6057.57 feet to a point on a corner on the existing City of Russellville Limits line on a ridge on the property of Dr. L. E. Johnson; thence over the lands of said Johnson and J. C. Lockett, S 42°56'07"W, 2909.56 feet to the northeastern boundary line corner of a tract of the lands of John L. Walker; thence along the eastern boundary lines of said Walker and Robert Kemp, S 19°11'43"E, 989.22 feet to a fence post; thence S 14°30'30"W, 1765.19 feet to a point; thence with a line over another tract of the lands of said Kemp, S 49°23'33"W, 1550.02 feet to an iron pin corner monument on the northeast boundary line corner of the Black Tie Restaurant; thence along the eastern and southern boundary lines of said Black Tie Restaurant and crossing U.S. Highway 431 South, S 20°16'09" E, 163.22 feet; thence S 69°46'48" W, 304.30 feet to a point on the western side of U.S. Highway 431 South; thence along the western side of said U.S. Highway

431 South, N 20°16'28"W, 628.71 feet to a point; thence N 20°24'15"W, 1056.87 feet to an iron pin corner monument on the southeastern boundary line corner of the Holiday Logan Theatre, Incorporated; thence along the southern boundary line of said Holiday Logan Theatre, Incorporated and a tract of the lands of Jesse Riley, S 69°54'27"W, 1790.16 feet to a point on the western side of Kentucky Highway 96; thence along the western side of said Kentucky Highway 96, S 08°29'37"W, 269.19 feet to a fence post at the southeastern boundary line corner of the lands of C. V. and Gates Dodson; thence along the southern and southwestern and western boundary lines of said Dodson, N 87°56'38"W, 1100.47 feet to a fence post; thence S 44°14'07"W, 3635.69 feet to a fence post; thence N 68°44'39"W, 1691.58 feet to a fence post; thence N 52°45'21"E, 1436.82 feet to a point; thence S 87°14'39"E, 184.80 feet to a point; thence N 57°45'21"E, 346.50 feet to a point; thence N 32°00'49"W, 1184.52 feet to a point at a corner common to the lands of said Dodson and Ellen Groot; thence along the western boundary line of said Groot, N 41°23'55"W, 490.66 feet to a forty-eight inch (48") oak tree; thence continuing along the western boundary line of said Groot, Jimmy Sanders, Eldon Poore and Bertha Trainer; N 38°23'17"W, 2794.90 feet to a point; thence N 11°17'43"W, 852.13 feet to a point at Charles Akin's eastern boundary line corner on said Trainer's southern boundary line; thence along the southern boundary line of said Charles Akin, N 70°07'37"W, 1171.33 feet to a thirty-six inch (36") oak tree on the eastern side of U.S. Highway 79, said point being on the existing City of Russellville Limits line; thence along the eastern side of said U.S. Highway 79 and the existing City of Russellville Limits line, N 45°34'14"E, 3199.02 feet to the point of beginning containing 1450.84 acres / 587.1549 hectares more or less according to this survey made in September 1983 and July 1984 by SMITH AND ASSOCIATES, ENGINEERS AND SURVEYORS, Dennis D. Smith, PLS 2062, Kenny Lee, Barry Hall Billy Smith and Bobby Kelly; subject to any and all existing rights-of-ways and easements including but not limited to the existing U.S. Highway 431, U.S. Highway 79 and Kentucky Highway 96 right-of-way, power transmission easements and other rights-of-way and easements of record. All bearings being referenced to Magnetic North as of this date.

A plat of the property is attached hereto and incorporated herein by reference as if fully copied herein and is marked Exhibit "A."

2. In the event any portion of any section of this Ordinance is declared invalid, such invalidity shall not affect the validity of any other section or portion of any section of this Ordinance.

3. This Ordinance shall be effective after its publication.

PASSED first reading by roll call this the 16th day of October, 1984.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Willie L. Hampton</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Everett Daniel</u>	<u> </u>	<u> </u>	<u> </u>
<u>Harold R. Johns</u>	<u> </u>	<u> </u>	<u> </u>
<u>Gary K. Woodlee</u>	<u> </u>	<u> </u>	<u> </u>
<u>G. Kieth Fruits</u>	<u> </u>	<u> </u>	<u> </u>
<u>Ken Campbell</u>	<u> </u>	<u> </u>	<u> </u>

PASSED second reading by roll call vote this the 6th day of
November, 1984.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Willie Hampton</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Everette Daniel</u>			
<u>Harold Ray Johns</u>			
<u>Keith Fruits</u>			
<u>Ken Campbell</u>			
<u>Gary Woodlee</u>			

Ken Lewis
MAYOR

ATTEST:
[Signature]
CITY CLERK