



Steve Austin, Mayor

Commissioners:
Thomas E. Davis
Jan M. Hite
Robert M. Mills
Robert N. Pruitt

The City of Henderson

P.O. Box 716
Henderson, Kentucky 42419-0716



Russell R. Sights, City Manager
William L. Newman, Jr., Assistant City Manager
Dawn S. Kelsey, City Attorney
Carolyn Williams, City Clerk

CERTIFICATE OF CITY CLERK

I, Carolyn Williams, hereby certify that I am duly qualified and acting City Clerk of the City of Henderson, Kentucky, that the foregoing Ordinance is a true copy of Ordinance No. 16-13, introduced, read, enacted, and adopted at a properly convened meeting of said City on May 28, 2013, signed by the Mayor and attested by me as City Clerk, as shown by the official records in my custody and under my control, and that said Ordinance Summary appears as a matter of public record in the official records of said City.

I further certify that said meetings were duly held in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820, and 61.823, that a quorum was present at said meeting, that said Ordinance Summary has not been modified, amended, revoked, or repealed and that same is now in full force and effect.

IN WITNESS WHEREOF, I have hereto set my hand as City Clerk and the official seal of the City this 16th day of December 2014.

Carolyn Williams
Carolyn Williams, City Clerk

RECEIVED AND FILED
DATE December 22, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkinson



ORDINANCE REGARDING ANNEXATION

SUMMARY: AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY TO THE CITY OF HENDERSON, KENTUCKY, BEING LOCATED AT 5741 AIRLINE ROAD IN HENDERSON COUNTY, CONTAINING 15.676 ACRES, MORE OR LESS, OWNED BY BECK'S SUPERIOR HYBRIDS

WHEREAS, pursuant to the provisions of KRS 81A.412, the City of Henderson, Kentucky, desires to annex within the corporate limits of the City of Henderson that certain unincorporated area, which is located at 5741 Airline Road in Henderson County, containing approximately 15.676 acres, more or less, and which is hereinafter described; and

WHEREAS, the real property to be annexed meets all of the requirements of KRS 81A.410; and

WHEREAS, the owner of record of the land to be annexed has given prior consent in writing to the annexation and has waived the waiting period therefor, copies of which consent and waiver are attached hereto, cumulatively marked Exhibit "A," and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, as follows:

1. That the real property located at 5741 Airline Road in Henderson County, containing approximately 15.676 acres, more or less, owned by Beck's Superior Hybrid, as described in Exhibit "A-1", and as shown on the plat attached hereto marked Exhibit "B," which exhibits are incorporated herein by reference, be and said real property is hereby annexed to and made a part of the City of Henderson, Kentucky.

2. The zoning classification of said property shall be CITY AGRICULTURAL, pursuant to the recommendation of the Henderson City-County Planning Commission by letter dated May 8, 2013, a copy of which letter, with attachments, is attached hereto and incorporated herein by reference.

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

This ordinance shall become effective upon its legal adoption.

On the first reading of this ordinance, it was moved by Commissioner Jan Hite, seconded by Commissioner Robert Pruitt, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Pruitt:	<u>AYE</u>	Commissioner Hite:	<u>AYE</u>
Commissioner Davis:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Mills:	<u>AYE</u>		

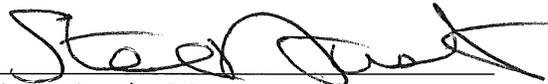
WHEREUPON, Mayor Austin declared the ordinance adopted on first reading and ordered that it be presented for second reading at a meeting of the Board of Commissioners.

On second reading of the ordinance, it was moved by Commissioner Robert Pruitt, seconded by Commissioner Jan Hite, that the ordinance be adopted.

WHEREUPON, the vote was called. On roll call the vote stood:

Commissioner Pruitt:	<u>AYE</u>	Commissioner Hite:	<u>AYE</u>
Commissioner Davis:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Mills:	<u>AYE</u>		

WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered it be recorded.



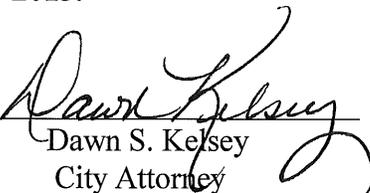
Steve Austin, Mayor
Date: May 28, 2013

ATTEST:



Carolyn Williams, City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 10th DAY OF
MAY, 2013.**

By: 

Dawn S. Kelsey
City Attorney

CONSENT TO ANNEXATION

Beck's Hybrid, 6767 E. 276th Street, Atlanta, Indiana 46031 is the owner of certain real property located on Airline Road in Henderson County, which property is more particularly described as follows:

A 15.676 acre tract known as Lot 1 of the Beck's Hybrid Minor Subdivision recorded in Plat Book 9 Page 514 in the office of the Henderson County Clerk.

And, as said owner does hereby consent in writing to the annexation of Lot 1 into the City of Henderson, Kentucky. Beck's Hybrid further certifies that it is the sole owner of the property to be annexed as described above.

SIGNED this 21st day of FEBRUARY, 2013.

Beck's Hybrid

By: Todd E. Marschland

State of Indiana

County of Hamilton

The foregoing CONSENT TO ANNEXATION was signed and acknowledged before me, a Notary Public, by Todd E. Marschland for Beck's Hybrid, this 21st day of February, 2013.

My commission expires Jan 13, 2016.

Mark A. Thomas
Notary Public Mark A. Thomas

Mark A. Thomas
Notary Public
State of Indiana
County of Hamilton
Expires: Jan. 13, 2016



ANNEXATION DESCRIPTION

LOT 1
BECK'S SUPERIOR HYBRIDS, INC. MINOR SUBDIVISION

HENDERSON COUNTY, KENTUCKY

A certain tract or parcel located on the north side of Ky. Hwy. 812 (aka Airline Road) in Henderson County, Kentucky, and being more specifically described as follows:

Unless otherwise noted, all monuments referred to as a "pin and cap" is a set 5/8" diameter, smooth sided iron pin, eighteen inches in length, with cap stamped P.L.S. # 3685. All bearings stated hereon are referred to Kentucky State Plane South Zone (NAD 83).

Beginning at a pin and cap set in the north right-of-way line of Ky. Hwy. 812, being located in the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 28-88, being located 30.00 feet north of the centerline of the existing pavement of said hwy. and being located, SOUTH 52 DEGREES 44 MINUTES 44 SECONDS EAST, a distance of 525.00 feet from a pin and cap set at the northeast right-of-way intersection of Ky. Hwy. 812 and Garden Mile Road, thence severing the Beck's Superior Hybrids, Inc. property recorded in Deed Book 591 Page 642-Tract 1 in the Henderson County Court Clerk's Office in Henderson, Kentucky, of which this description is part, NORTH 37 DEGREES 15 MINUTES 16 SECONDS EAST, a distance of 740.94 feet to a point in said Beck's property, being located in the centerline of a existing ditch and being located, NORTH 37 DEGREES 15 MINUTES 16 SECONDS EAST, a distance of 10.33 feet from a pin and cap set at the south top of bank of said ditch;

thence continuing to sever said Beck's property and running with the centerline of said ditch the following four (4) calls:

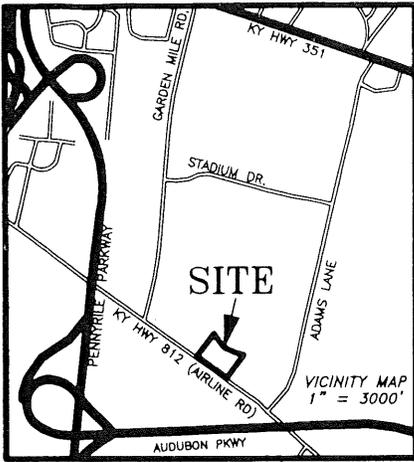
- 1) SOUTH 38 DEGREES 16 MINUTES 44 SECONDS EAST, a distance of 245.52 feet to a point in said Beck's property and in the centerline of said ditch;
- 2) SOUTH 38 DEGREES 21 MINUTES 10 SECONDS EAST, a distance of 227.93 feet to a point in said Beck's property and in the centerline of said ditch;
- 3) SOUTH 67 DEGREES 26 MINUTES 48 SECONDS EAST, a distance of 300.44 feet to a point in said Beck's property and in the centerline of said ditch;
- 4) SOUTH 71 DEGREES 56 MINUTES 11 SECONDS EAST, a distance of 265.32 feet to a point in said Beck's property, being in the centerline of said ditch and being located, NORTH 37 DEGREES 15 MINUTES 16 SECONDS EAST, a distance of 10.59 feet from a pin and cap set at the south top of bank of said ditch;

thence leaving said ditch, continuing to sever said Beck's property and severing the Beck's Superior Hybrids, Inc. property recorded in Deed Book 591 Page 642-Tract 2, of which this description is a part, SOUTH 37 DEGREES 15 MINUTES 16 SECONDS WEST, a distance of 761.86 feet to a pin and cap set in the north right-of-way line of Ky. Hwy. 812, being the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 28-88, and being located 50.00 feet north of the centerline of the existing pavement of said hwy;



thence with said right-of-way line and with the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 28-88 the following five (5) calls: *CLH 3-27-13*

- 1) along a curve to the right, having a radius of 3770.19 feet, 185.68 feet along said curve, through a central angle of 02 DEGREES 49 MINUTES 18 SECONDS, having a chord direction of NORTH 54 DEGREES 09 MINUTES 08 SECONDS WEST, and a chord length of 185.66 feet to a point in said right-of-way line, said point being 50.00 feet left of station 35+78.06 and being located in said existing city limits;
- 2) NORTH 52 DEGREES 44 MINUTES 44 SECONDS WEST, a distance of 203.06 feet to a pin and cap set in said right-of-way line, said pin and cap being 50.00 feet left of station 33+75 and being located in said existing city limits;
- 3) SOUTH 37 DEGREES 15 MINUTES 16 SECONDS WEST, a distance of 20.00 feet to a pin and cap set in said right-of-way line, said pin and cap being located 30.00 feet left of station 33+75 and being located in said existing city limits;
- 4) NORTH 52 DEGREES 44 MINUTES 44 SECONDS WEST, a distance of 259.13 feet to a pin and cap set in said right-of-way line, said pin and cap being located at a common corner of said Beck's Superior Hybrids, Inc. property recorded in Deed Book 591 Page 642-Tracts 1 & 2 and being located in said existing city limits;
- 5) NORTH 52 DEGREES 44 MINUTES 44 SECONDS WEST, a distance of 351.91 feet to the point of beginning and containing 15.676 acres and being subject to all legal written and unwritten easements and rights-of-way. This description was prepared from a physical survey conducted under the direction of Clifton L. Krahwinkel, Ky. P.L.S. # 3685 of Branson Surveys, inc. on November 4, 2011.



BECK'S SUPERIOR HYBRIDS, INC.
REMAINDER
PB 9 PP 514

SURVEYOR'S CERTIFICATION

I hereby certify that this plat was prepared from information contained in Plat Book 9 Page 514 and city ordinance 28-88.

The basis of the bearings shown hereon is (NAD 83) Kentucky State Plane South Zone. No monuments have been set. The information shown hereon is true and correct to best of my knowledge and belief according to the information available to me.

DATE 3-27-13 SURVEYOR Clifton L. Krahwinkel
Clifton L. Krahwinkel, Ky P.L.S. # 3685

BECK'S SUPERIOR HYBRIDS, INC.
REMAINDER
PB 9 PP 514

**THIS IS NOT A SURVEY
NOT FOR RECORDING**

EXIST. CITY LIMITS
ORD. 28-88

COUNTY CITY

POB
KY. HWY. 812
(A.K.A. AIRLINE RD.)

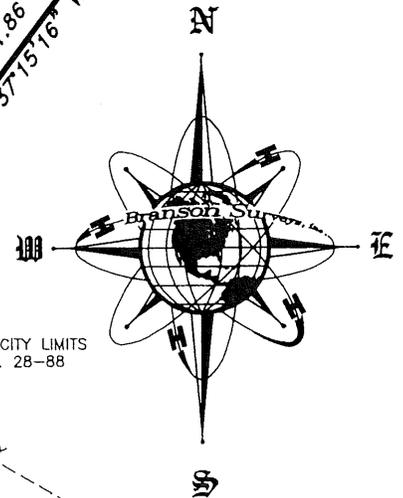
LOT 1
BECK'S SUPERIOR HYBRIDS, INC.
PB 9 PP 514
TOTAL AREA TO BE ANNEXED
= 15.676 ACRES

EXIST. CITY LIMITS
ORD. 28-88

DELTA ANGLE = 02°49'18"
CL = 185.66'
CHORD = N 54°09'08" W
RADIUS = 3770.19'
ARC L = 185.68'

BECK'S SUPERIOR HYBRIDS, INC.
REMAINDER
PB 9 PP 514

NUMBER	DIRECTION	DISTANCE
L1	N 52°44'44" W	203.06'
L2	S 37°15'16" W	20.00'

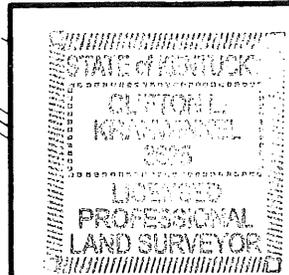


EXIST. CITY LIMITS
ORD. 28-88

COUNTY CITY

PROPERTY ANNEXATION EXHIBIT
LOT 1
BECK'S SUPERIOR HYBRIDS, INC.
MINOR SUBDIVISION

(PREPARED FOR THE CITY OF HENDERSON, KY.)



SCALE 1" = 200'

DRAWING NAME: BECKANNEX

DRAWING BY: CLK

DATE: 3-27-13

PLAT: MAP 66

PACKET: C7 RD1