

ORDINANCE NO. 2023-023

**ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY
APPROXIMATELY 1.184 ACRES LOCATED IN THE HENDERSON
INDUSTRIAL PARK 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, Precision Power, LLC, the owners of record of the land to be annexed, have requested the land to be annexed and 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 the provisions of Section 3(3)(e) of SB 141 (Senate Bill, Kentucky, 2023 Regular Session), the Simpson Fiscal Court approved a waiver of the forty-five (45) day notice and concurrence to the annexation.

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 subject to the conditions set forth hereinbelow:

A certain tract of land lying in Simpson County, Kentucky, being located near the city of Franklin on the west side of Purdue Farms Road; being the property previously recorded in Deed Book 366 Page 440, and being more particularly described as follows:

The basis of the bearings for this legal description is grid north as established by Kentucky State Plane Coordinates, South Zone 1602.

Beginning at a ½” iron pin with a 1” plastic cap stamped “Quinn PLS 1766” found in the west right of way line of Purdue Farms Road (30’ r/w per Deed Book 295 Page 374), said pin being located approximately 2,057’ as measured along the centerline of Purdue Farms Road from the centerline of Gold City Road, and being a common corner with Lot 10 of the Henderson Industrial Park Subdivision as previously recorded in Plat Book 6 Page 36, Precision Power, LLC. (Deed Book 357 Page 673), and being the northeast most corner of the parent tract.

Thence, leaving the line of Lot 10 and with the right of way of Purdue Farms Road, S 06°41’58” W a distance of 188.75’ to a ½” iron pin with a 1” plastic cap stamped “White PLS 906” found, said pin being a common corner with the aforementioned Lot 10 and being the southeast most corner of the parent tract.

Thence, leaving the right of way of Purdue Farms Road and with the line of Lot 10, the following three calls, N 77°37’56” W a distance of 309.73’ to a ½” iron pin with a 1” plastic cap stamped “White PLS 906” found, said pin being the southwest most corner of the parent tract.

Thence, N 06°36’27” E a distance of 148.84’ to a ½” iron pin with a 1” plastic cap stamped “White PLS 906” found, said pin being the northwest most corner of the parent tract.

Thence, S 85°01'53" E a distance of 308.60' to the point of Beginning, containing 52,044 +/- square feet (1.19 acres).

Being the same property conveyed to Precision Power, LLC by the Franklin-Simpson Industrial Authority dated June 29, 2022, of record in Deed Book 366, Page 440, in the Simpson County Clerk's

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.

June 12, 2023 FIRST READING

June 26, 2023 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on June 26, 2023, on motion made by Commissioner Powell and seconded by Commissioner Williams, the foregoing ordinance was adopted, after full discussion, by the following vote:

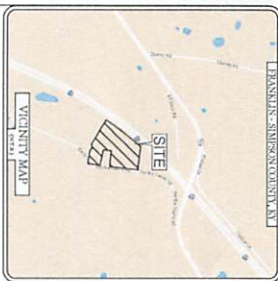
<u>Yes</u>	JAMIE POWELL
<u>Yes</u>	HERBERT WILLIAMS
<u>Yes</u>	DALE MCCREARY
<u>Yes</u>	WENDELL STEWART
<u>Yes</u>	MAYOR LARRY DIXON

APPROVED BY:

Larry Dixon, Mayor
Larry Dixon, Mayor
City of Franklin, Kentucky

ATTEST:

Cathy Dillard
Cathy Dillard, City Clerk
City of Franklin, Kentucky



FLOODPLAIN INFORMATION
 THE SUBJECT PROPERTY IS LOCATED IN A FLOOD PRONE AREA ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS FOR SIMPSON COUNTY, KENTUCKY. SAID AREA IS SHOWN ON MAP PARCEL NO. 21-1-1-202 AS DATED MARCH 11, 2011.

DATA NOTE
 THE SURVEY SHOWN HEREIN IS BASED ON DATA COLLECTED BY THE SURVEYOR USING A TOTAL STATION COLLECTOR AND A REAL TIME MONITORING SYSTEM (RTK). THE SURVEYOR HAS CONDUCTED VISUAL CHECKS OF THE DATA AND HAS FOUND IT TO BE ACCURATE TO WITHIN THE STATED ACCURACY. THE SURVEYOR HAS CONDUCTED VISUAL CHECKS OF THE DATA AND HAS FOUND IT TO BE ACCURATE TO WITHIN THE STATED ACCURACY. THE SURVEYOR HAS CONDUCTED VISUAL CHECKS OF THE DATA AND HAS FOUND IT TO BE ACCURATE TO WITHIN THE STATED ACCURACY.

PARCEL OWNER ADDRESS AND SOURCE OF TITLE
PRECISION POWER LLC 119 1/2 ACRES 08300 PO 440 (SIMPSON COUNTY)

- GENERAL NOTES**
1. THE SURVEY SHOWN HEREIN IS BASED ON THE RECORD OF SURVEYING THE SUBJECT PROPERTY TO BE ANNEXED INTO THE CITY OF FRANKFORT, THIS SURVEY IS SUBJECT TO ANY AND ALL RECORDS OF SURVEYING AND RECORDS OF SURVEYING IN THE CITY OF FRANKFORT, KY.
 2. THE LOCATION OF ALL UTILITIES SHOWN HEREIN ARE BASED ON THE FIELD LOCATION OF FOUND VISIBLE STRUCTURES OR AS INDICATED ON MARKED AND UNMARKED UTILITIES LOCATED ON THE PROPERTY SHOWN HEREIN. NO GUARANTEES IS EXPRESSED OR IMPLIED TO THE ACTUAL LOCATION OF SAID UTILITIES.
 3. THE TOPOGRAPHIC SURVEY IS SUBJECT TO ANY AND ALL FACTS THAT MAY BE KNOWN BY ALL AND ACCORDING TO THE SURVEYOR'S BEST KNOWLEDGE AND BELIEF.
 4. THE SURVEYOR HAS CONDUCTED VISUAL CHECKS OF THE DATA AND HAS FOUND IT TO BE ACCURATE TO WITHIN THE STATED ACCURACY.
 5. AT THE TIME OF THE RECORD RESEARCH CONDUCTED FOR THIS SURVEY, THE SUBJECT PROPERTY DID NOT HAVE A PHYSICAL ADDRESS.
 6. THE DATA FOR THIS SURVEY IS OBTAINED AS ESTABLISHED BY AERIAL PHOTOGRAPHY AND OTHER SOURCES. THE SURVEYOR HAS CONDUCTED VISUAL CHECKS OF THE DATA AND HAS FOUND IT TO BE ACCURATE TO WITHIN THE STATED ACCURACY.



PRECISION POWER LLC
 119 1/2 ACRES
 08300 PO 440
 (SIMPSON COUNTY)



LEGEND

- IRON PIN FOUND
- ⊗ FENCE POST FOUND
- ⊗ CONCRETE RAIL MARKING
- ⊗ SAFETY BEAM MARK
- ⊗ SAFETY BEAM CLEAN OUT
- ⊗ A/C/O/C
- ⊗ UTILITY POLE
- ⊗ SIGNAL POLE
- ⊗ TELEPHONE POLE
- ⊗ ELECTRIC METER
- ⊗ GAS VALVE
- ⊗ WATER VALVE
- ⊗ FIRE HYDRANT
- ⊗ GAS METER
- ⊗ CABLE TELEVISION
- ⊗ TELEPHONE FEDERAL
- ⊗ TELEPHONE CARRIER
- ⊗ STORM SEWER MANHOLE
- ⊗ STORM SEWER
- ⊗ GROUNDWATER
- ⊗ ROAD SIGN
- ⊗ STRIP
- ⊗ TREE
- ⊗ WALDOX
- ⊗ DUMP PILE
- ⊗ SOIL
- ⊗ BELONGS TO BACK LINE
- ⊗ BELONGS TO FRONT LINE
- ⊗ PUBLIC UTILITY GUARDRAIL
- ⊗ FRESH FLOOD ELEVATION
- ⊗ PROPERTY LINE
- ⊗ EASEMENT
- ⊗ LOT LINE TO BE ANNEXED
- ⊗ CONCRETE
- ⊗ CONCRETE ELECTRIC
- ⊗ GAS LINE
- ⊗ BARRICADE
- ⊗ OVERHEAD UTILITIES
- ⊗ BURIED TELEPHONE
- ⊗ SANITARY SEWER LINE
- ⊗ WATER LINE
- ⊗ STORM SEWER LINE
- ⊗ ST
- ⊗ DAMAGE EXIST

TOTAL AREA OF ANNEXATION
 1204.40 SQ FT
 1.19 ACRES



ARNOLD CONSULTING ENGINEERING, INC.
 965 BROWN ROAD
 FRANKFORT, KY 40601
 PHONE: (502) 366-4444





Arnold Consulting Engineering Services, Inc.

P.O. Box 1338
Bowling Green, KY 42101

1136 South Park Drive, Suite 201
Bowling Green, KY 42103

Phone (270)780-9445
Fax (270)780-9873

Legal Description

Note: The following legal description is exclusively for the purpose of depicting the portion of the property listed below to be annexed into the City of Franklin, Kentucky. The boundary for the legal description below is based on a boundary survey completed by ACES, Charles B. Hester, PLS 4147 on April 15, 2021. No monuments have been set for the easement corners, thus the description below is not certified to meet the minimum standards for Boundary Survey Descriptions as set forth by the Commonwealth of Kentucky Standards of Practice for Professional Land Surveyors in 201 KAR 18:150 and as such, said description is to be used for the purpose of dedicating the aforementioned easement only and not for the purpose of transferring title.

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**WAIVER OF NOTICE OF INTENT TO CONSENSUALLY ANNEX PROPERTY
AND CONCURRENCE OF SIMPSON FISCAL COURT**

Pursuant to the provisions of Section 3, (3)(e) of SB 141 (Kentucky, 2023 Regular Session), the Simpson Fiscal Court, at a meeting held on June 6, 2023, by duly authorized and adopted motion, waived notice of intent to annex into the City of Franklin certain property located in the Henderson Industrial Park more particularly described on Exhibit 1 attached hereto and incorporated herein by reference. Further, the Simpson County Fiscal Court hereby gives its concurrence to the City of Franklin Board of Commissioners to the annexation of the aforementioned property as further required by SB 141 referenced herein.

This June 6, 2023.

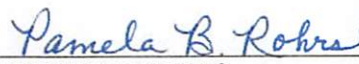


Mason Barnes, Simpson County Judge Executive

COMMONWEALTH OF KENTUCKY

COUNTY OF SIMPSON

The foregoing Grant of Easement and Right of Way was on this 8th day of June, 2023, acknowledged, subscribed, and sworn to before me by Mason Barnes, Simpson County Judge Executive, on behalf of Simpson Fiscal Court.



NOTARY PUBLIC
Notary I.D. No. KYNP32961
My Commission Expires: August 20, 2025