

ORDINANCE 2015-1663

AN ORDINANCE OF THE CITY OF MURRAY, KENTUCKY ANNEXING A 21.123 ACRE TRACT LOCATED AT THE INTERSECTION OF US HWY 641 NORTH, NORTH 4<sup>TH</sup> STREET AND ROBERT O. MILLER ROAD, WHICH INCLUDES ALL OF THE DAVID TAYLOR PROPERTY AS WELL AS THE BOGARD CEMETERY AND A PORTION OF US HWY 641 NORTH WHICH IS OWNED BY THE COMMONWEALTH OF KENTUCKY.

WHEREAS, the Murray Planning Commission met in regular session on March 17, 2015. The Commission voted 8-0 to recommend the proposed annexation of a 21.123 acre tract of land located at the intersection of US Hwy 641 North, North 4<sup>th</sup> Street and Robert O. Miller Road, which includes all of the David Taylor property as well as the Bogard Cemetery and a portion of US Hwy 641 North, which is owned by the Commonwealth of Kentucky. The property is more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat).

WHEREAS, the Commission recommended to the City Council that the real property be annexed based on the following findings of fact:

1. The owner has requested annexation;
2. The property is contiguous to the current city limits on three sides;
3. City utilities are available to the property ;
4. The property falls within the Urban Service Area and is suitable for development purposes.

WHEREAS, the Planning Commission recommended to the City Council that the above-described property be annexed into the city limits.

WHEREAS, this ordinance is authorized by KAR 81A.412.

NOW THEREFORE PURSUANT TO THE AUTHORITY IN CHAPTER 81A OF THE KENTUCKY REVISED STATUTES AND OTHER APPLICABLE LAW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

**Section 1:** The foregoing findings are hereby adopted by the City Council.

**Section 2:** The property more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat) respectively attached hereto and incorporated by reference as if fully stated herein is hereby annexed into the city limits of the City of Murray.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

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JACK D. ROSE, MAYOR

ATTEST:

\_\_\_\_\_  
JUNE BATTS, CITY CLERK

Introduced by the City Council on \_\_\_\_\_, 2015.

Adopted by the City Council on \_\_\_\_\_, 2015.

Published in the Murray Ledger and Times on \_\_\_\_\_, 2015.

EXHIBIT "A"

A 21.123 acre tract of land as surveyed by the firm of Bacon Farmer Workman Engineering and Testing Inc. of Murray, Kentucky in February of 2015, said property located at the intersection of U.S. Hwy. 641 and Robert O. Miller Road, approximately 2.08 miles northeast of the intersection of Twelfth and Main Streets of the City of Murray, lying in Calloway County, Kentucky and being more particularly described as follows:

Beginning at an Iron Pin with cap #3499 (set) at the northwest corner of the Murray Industrial Warehousing, Inc. property (Deed Book 170 Card 651, Plat Book 8, Page 62, Slide 662, Tract 2), said pin being the northeast corner of the herein described tract of land;

THENCE S 02°47'19" W for a distance of 135.60 feet with the west line of said Murray Industrial Warehousing, Inc. property to a #4 rebar (found) at the northeast corner of Bogard Cemetery;

THENCE S 02°24'22" W for a distance of 197.98 feet to a point in a tree located at the southeast corner of Bogard Cemetery, said point bears N 02°44'04" W for a distance of 0.88 feet from a #4 rebar (found);

THENCE S 02°44'04" W for a distance of 596.92 feet continuing with the west line of said Murray Industrial Warehousing, Inc. property (passing thru a 4"x4" concrete monument found at 541.10 feet) to a point on the south side of Robert O. Miller Road;

THENCE N 89°54'47" W for a distance of 1138.41 to a point located on the westerly edge of U.S. Hwy. 641 and being located N 24°35'29" E for a distance of 80.41 feet from the City of Murray G.I.S. monument BM 03A;

THENCE generally along the west side of U.S. Highway 641 the following bearings and distance:

N 11°34'39" E for a distance of 205.15 feet to a point;

N 13°41'48" E for a distance of 200.69 feet to a point;

N 10°57'31" E for a distance of 215.55 feet to a point;

N 88°11'32" N for a distance of 56.10 feet to a point;

N 19°11'22" E for a distance of 123.31 feet to a point;

N 19°11'17" E for a distance of 52.04 feet;

THENCE N 81°43'54" E for a distance of 944.81 feet crossing U.S. Hwy. 641 (passing thru a #4 rebar found on the east right-of-way of U.S. Hwy. 641 at 178.74 feet) to a 4"x4" concrete monument (found) at the southeast corner of the JST Investments, LLC. Property (D.B. 666, Pg. 179) and the southwest corner of the Murray Industrial Warehousing, Inc. property (D.B. 267, PG. 743);

THENCE N 81°39'52" E for a distance of 116.81 feet with the south line of the said Murray Industrial Warehousing, Inc. property and the present city boundary line to the point of beginning.

