

ORDINANCE 2015-1664

AN ORDINANCE OF THE CITY OF MURRAY, KENTUCKY ANNEXING A 7.24 ACRE TRACT LOCATED AT 126 ROBERTSON ROAD NORTH OWNED BY MURRAY INDEPENDENT AND CALLOWAY COUNTY SCHOOL SYSTEM, WHICH SHALL BE ZONED AS GOVERNMENT.

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 7.24 acre tract of land located at 126 Robertson Road North owned by the Murray Independent and Calloway County School System. 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 current owners have 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 property will be zoned "Government" as prescribed in Chapter 156.041, et seq. in the City of Murray Code of Ordinances so as to identify the Government owned property; The zoning is more particularly described on Exhibit "C" (legal description) and Exhibit "D" (plat).

WHEREAS, this zoning classification applies to all property owned by governments and government-owned public corporations or agencies; therefore, this zoning classification shall automatically become the zoning classification of any property acquired by such government or government-owned public corporation or agency, concurrently with such acquisition;

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.

Section 3: The property more particularly described on Exhibits "C" (legal description) and "D" (plat), respectively attached hereto and shown on the zoning map incorporated in Zoning Ordinance 794 and all amendments thereto by reference, specifically the 7.24 acre tract is zoned Government.

Section 4: The Planning and Zoning Department of the City of Murray is hereby directed to amend the official zoning map and the Comprehensive Plan of the City of Murray, Kentucky so as to

reveal the zoning provisions of this ordinance.

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.

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"

Being a tract of land in the County of Calloway, State of Kentucky, located approximately 2.1 miles west of the intersection of 12th Street and Main Street in the City of Murray, being adjacent to the city limits of City of Murray, being P.V.A. parcel #042-0-001, and being 1161.26 feet north of the northeast corner of the intersection of Robertson Road North and KY Hwy. 94 West, said tract being identified as 'Tract 1' on a plat of subdivision filed in Plat Book 47 Page 49 Slide 4565 in the Calloway County Clerk's office and further described as follows::

Beginning at a ¼ inch diameter rebar at the southwest corner of the Briarcrest Subdivision (Plat Book 40 Page 69 Slide 3885), being in the east and south line of the present City Limits of Murray approximately 30 feet east of the centerline of Robertson Road North, also being the northwest corner of the herein described tract;

thence with the south line of the Briarcrest Subdivision South 88 degrees 22 minutes 11 seconds East a distance of 969.99 feet to a ¼ inch diameter rebar with cap (P.L.S. #3837) at the northeast corner of the herein described tract, being the northwest corner of the Dale Willis Property (Deed Book 925 Page 715);

thence with the west line of the Willis Property South 01 degrees 16 minutes 14 seconds West 325.01 feet a ¼ inch diameter rebar with cap (P.L.S. #3837) at the southeast corner of the herein described tract, being a common corner with the City West LLC. Property (Deed Book 938 Page 109);

thence with the north line of the City West LLC. Property and the north line of the City Of Murray Property (Deed Book 1008 Page 459) North 88 degrees 22 minutes 11 seconds West 970.71 feet to a ¼ inch diameter rebar with cap (P.L.S. #3837) approximately 30 feet east of the centerline of Robertson Road North, also being the southwest corner of the herein described tract;

thence with the east right of way of Robertson Road North approximately 30 feet east of the centerline thereof North 01 degrees 23 minutes 54 seconds East a distance of 325.00 feet to the point of beginning.

The above-described tract of land contains 7.24 Acres more or less as surveyed by Christopher B. Jones, PLS #3837 on June 15th 2012.

Being all of the property recorded to The Murray Independent School District, 205 South 13th Street, Murray, KY 42071 and The Calloway County School District, 2110 College Farm Road, Murray, KY 42071, in Deed Book 944 Page 188 as recorded in the Calloway County Clerk's office, The

above-described property may be subject to any previously conveyed easements, right of ways, or further encumbrances either recorded or unrecorded.

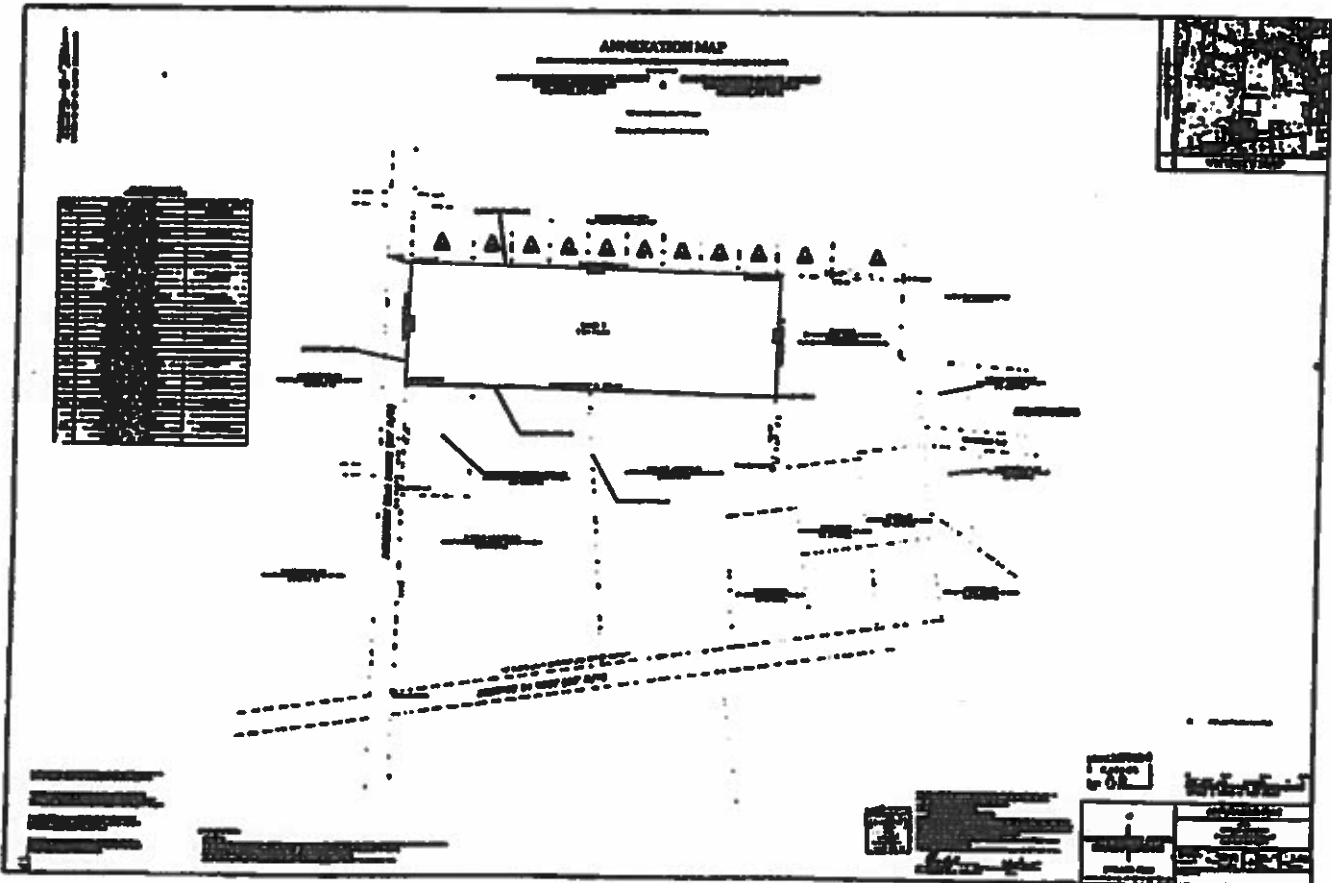


EXHIBIT "B"