

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2013-01

**AN ORDINANCE ANNEXING INTO THE CITY OF RUSSELLVILLE CERTAIN
PROPERTY LOCATED AT 1710 NASHVILLE ROAD, RUSSELLVILLE, KENTUCKY,
CONTAINING APPROXIMATELY 68.67 ACRES AND WHICH IS COMMONLY
KNOWN AS THE RUSSELLVILLE COUNTRY CLUB**

WHEREAS, EJB Properties, LLC, is the owner (hereinafter, "the Property Owner") of certain property located at 1710 Nashville Street, Russellville, Kentucky, which contains approximately 68.67 acres and is more commonly known as the Russellville Country Club; and

WHEREAS, the Property Owner, has requested and consented to the annexation of said property by and into the City of Russellville, Kentucky, as demonstrated and ratified by the "Consent to Annexation" attached hereto and labeled as Exhibit "1"; and

WHEREAS, the City Council and the Mayor, on behalf of the City of Russellville, deem said annexation as beneficial to the City, its citizens, and that all legal requirements have been met in order to proceed with said annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY AS FOLLOWS:

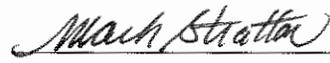
- (1) The "Consent to Annexation" attached hereto as Exhibit "1" meets all legal requirements set forth in KRS 81A.412 and is hereby accepted and agreed to by the City of Russellville.
- (2) The property located at 1710 Nashville Road, Russellville, Kentucky, which is more particularly described in Exhibit "A" attached hereto, is hereby annexed by and into the City of Russellville, Kentucky.

- (3) The adjacent property owners of the annexed property are those which are listed in Exhibit "B".
- (4) The zoning classification for the annexed property shall be "B-2 Commercial" as is set forth in the zoning map attached hereto and labeled as Exhibit "2".
- (5) In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.
- (6) All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.
- (7) This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING conducted on the 5th day of February 2013.

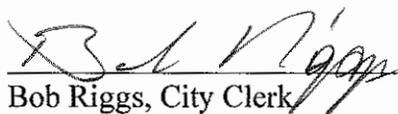
SECOND READING conducted and **PASSAGE** on the 11th day of February 2013.

APPROVED BY:



Mark Stratton, Mayor

ATTEST:



Bob Riggs, City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on February 11, 2013, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES: Jimmy Davenport
Pat Bell
Sandra Kinser
Jack Whipple
Bill Decker
Darlene Gooch

NAYS:

ABSENT:

ABSTAINING:

CONSENT TO ANNEXATION

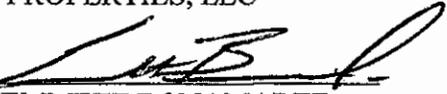
THIS CONSENT TO ANNEXATION is hereby submitted this 4th day of February, 2013, by EJB Properties, LLC, whose address is 1710 Nashville Street, Russellville, Ky 42276 (hereinafter referred to as "the Property Owner") unto the City of Russellville, Ky;

WHEREAS, the Property Owner has requested that its property be annexed into the City of Russellville, Ky, and the Property Owner desires to ratify its Consent to this annexation in writing;

NOW, THEREFORE, the Property Owner agrees and certifies:

1. The Property Owner hereby requests and consents to the annexation of its Property into the City of Russellville, Kentucky pursuant to KRS 81A.412.
2. The Property Owner hereby releases the City of Russellville, and its respective agents, officers, employees and representatives, from any and all claims arising out of or related in any way to the annexation and zoning of the Property.
3. The property is more particularly described on the attached Exhibit "A", and a listing of all adjacent property owners, as determined by the Property Valuation Administrator, is attached as Exhibit "B".
4. This Consent to Annexation shall be perpetual and shall run with the Property, and it shall be binding upon the Property Owner, and its successors and assigns.
5. The Property Owner requests and consents to the proposed zoning classification of General Business for this property.

EJB PROPERTIES, LLC

BY: 
EMMETT BONAMARTE,
AUTHORIZED AGENT

STATE OF KENTUCKY
COUNTY OF LOGAN

Subscribed and sworn to before me by Emmett Bonamarte, is his capacity as the duly authorized Agent for EJB Properties, LLC, to be the duly authorized act and deed of said company this 4th day of February, 2013.


NOTARY PUBLIC

My commission expires 4/26/15.

EXHIBIT 1

Exhibit "A"

Beginning at a stake in the west edge of the Dixie Highway, corner to the Airport tract now owned by Parker; running thence with said road S 22-1/4 E 22.65 chains to a post corner to B. W. Price; thence with his line S 66-1/4 W 6.75 chains to a post corner to the same; thence S 71-3/4 W 14.07 chains to a stake corner to the same, in the pond; thence S 85-3/4 W 1.30 chains to a telephone pole; thence with the course of the telephone line S 73 W 10.60 chains to a stake in the road; thence S 88 1/2 W 4.83 chains to a stake in the east edge of the Orndorff Mill Road; thence with the east edge of said road N 8 1/4 E 21.20 chains to a stake corner to the Airport tract, now Parker; thence with a line of said tract N 68 E 26.21 chains to the beginning, containing 69 1/4 acres.

There is excepted from said property a tract of land sold to Sally Browning Roberson by deed dated April 27, 1972 as recorded in Deed Book 206 page 308 in the Logan County Court Clerk's office.

Being the same property conveyed to E J B Properties, LLC as recorded in Logan County Clerk's Office in Deed Book 409, page 679.

OWNERS

PARCEL_ID	NAME_ONE	MAIL_ADD	CTY_ST_ZIP
069-00-00-010-00	SANSOM J R JR & EDNA FAMILY TRUST	3096 CEDAR GROVE RD	HARTFORD KY 42347-9742
069-04-00-005-00	ROBERTSON JESSE OWEN & GEORGIA	210 TENTH FAIRWAY	RUSSELLVILLE KY 42276
069-04-00-006-00	CHESTNUT PROPERTIES	225 HOPKINSVILLE RD	RUSSELLVILLE KY 42276
069-04-00-007-00	VONLEHMAN STEVE & KATHY	214 TENTH FAIRWAY	RUSSELLVILLE KY 42276
069-00-00-011-04	RAMPON RICHARD E & DOROTHY A	1002 ORNDORFF MILL RD	RUSSELLVILLE KY 42276
069-00-00-011-00	SMITH MIKE TESTAMENTARY TRUST & RANDY SMITH & COREY MORGAN	280 S MAIN	RUSSELLVILLE KY 42276
069-00-00-012-00	RUSSELLVILLE COUNTRY CLUB	PO BOX 515	RUSSELLVILLE KY 42276
069-00-00-011-01	COLBERT ROGER K & JENNY C	160 FAIRWAY DR	RUSSELLVILLE KY 42276
069-00-00-011-08	MARCUM RANDY	63 FAIRWAY DR	RUSSELLVILLE KY 42276
083-00-00-032-04	LIFEPOINT HOSPITALS INC	14400 METCALF AVE	OVERLAND PARK KS 66223
084-00-00-001-00	McGINNIS WILLIAM K & BRENDA	307 DALEVIEW CIRCLE	RUSSELLVILLE KY 42276
069-00-00-013-00	AGRI POWER INC	P O BOX 538	HOPKINSVILLE KY 42241-0538
069-00-00-017-00	RILEY JESSE L SR ESTATE	6039 LAUREL TRAIL	HENDERSON KY 42420
083-00-00-031-01	HAYDEN PATRICK & MEGAN	321 KARLA CIRCLE	RUSSELLVILLE KY 42276
069-00-00-009-00	VAN ZEE CARL	1515 STEWART RD	RUSSELLVILLE KY 42276
069-01-00-301-00	DODSON REGINA	1654 ORNDORFF MILL RD	RUSSELLVILLE KY 42276
069-04-00-001-00	KEMP R N & ROBERT L	P O BOX 493	RUSSELLVILLE KY 42276

PARCEL_ID	NAME_ONE	MAIL_ADD	CTY_ST_ZIP
069-04-00-002-00	KEMP R N & ROBERT L	P O BOX 493	RUSSELLVILLE KY 42276
069-04-00-008-00	JOHNS HAROLD RAY & SUE R	218 TENTH FAIRWAY	RUSSELLVILLE KY 42276
069-04-00-009-00	KEMP R N & JEAN	307 W 6TH ST	RUSSELLVILLE KY 42276
069-04-00-011-00	KEMP R L & BETTY SUE	121 DALEVIEW CIRCLE	RUSSELLVILLE KY 42276
069-04-00-012-00	KEMP R N & ROBERT L	P O BOX 493	RUSSELLVILLE KY 42276
069-04-00-013-00	DODSON JAMES C	238 10TH FAIRWAY	RUSSELLVILLE KY 42276
069-00-00-009-02	ROBEY D L JR & D L III	2160 SCHOCHOH RD	ADAIRVILLE KY 42202
083-00-00-031-03	MEDICAL CLINIC 431 LLP	1719 NASHVILLE ST SU C	RUSSELLVILLE KY 42276
084-00-00-002-02	HOLT LARRY & DEBBIE	105 WOODVIEW DR	RUSSELLVILLE KY 42276
069-04-00-010-00	KEMP R N & JEAN	307 W 6TH ST	RUSSELLVILLE KY 42276
069-04-00-010-01	KEMP R L & BETTY SUE	121 DALEVIEW CIRCLE	RUSSELLVILLE KY 42276
069-00-00-011-02	MARSHALL BOBBY W & SUZANNE M	89 FAIRWAY DR	RUSSELLVILLE KY 42276
069-00-00-011-02	MARSHALL BOBBY W & SUZANNE M	89 FAIRWAY DR	RUSSELLVILLE KY 42276