

**CITY OF OAK GROVE, KENTUCKY
ORDINANCE NO. 2023-19**

**AN ORDINANCE OF VOLUNTARY ANNEXATION OF APPROXIMATELY .36 ACRES
INTO THE CITY OF OAK GROVE, KENTUCKY**

WHEREAS, this matter is before the City Council of the City of Oak Grove pursuant to a request by Bill Mace that his property located adjacent to the City of Oak Grove, which is of record in the Christian County Court Clerk's Office, in Deed Book 772 at page 277-279, be annexed into the corporate city limits of the City of Oak Grove, Kentucky; and

WHEREAS, the City Council finds that this annexation is a voluntary annexation, being considered at the request of the property owner; and

WHEREAS, the City Council further finds that this property is adjacent and contiguous to the City Boundaries and by reason of population density, commercial, residential, and other use of the property, said property is urban in character and is otherwise suitable for development for urban purposes without unreasonable delay. This property is not in any other boundary of an incorporated city, and all of these above findings are in keeping with KRS 81A.410 and KRS 81A.412 and other applicable Kentucky laws. For such reasons:

NOW, THEREFORE, be it ordained by the City of Oak Grove; Kentucky as follows:

SECTION ONE

The unincorporated property owned by Bill Mace, Deed Book 772 at pages 277-279, more particularly described below, shall be and is hereby incorporated into the City Limits of the City of Oak Grove as voluntary annexation pursuant to KRS 81A.412 and that all the requirements of Kentucky law have been met in this voluntary annexation request.

SECTION TWO

The property to be annexed is more particularly described as follows:

Being Lot number 5 on the plan of Lennis Ross property, Division NO 3, as shown by a plat of record in Plat Cabinet 3, File 123, Clerk's Office for Christian County, Kentucky, to which plat reference is hereby made for a more complete legal description.

Being the same property conveyed unto Terry L Dalton and wife, Loretta J Dalton, by warranty deed from Thomas William Johnson and wife Debbie Ann Johnson, dated June 11, 1993, of record in Deed Book 502, page 180, in the Clerk's office for Christian County, Kentucky.

SECTION THREE

If any section, subsection, sentence, clause, or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmities shall not affect the validity of the remaining portions of this ordinance.

SECTION FOUR

Any and all existing ordinances inconsistent with this ordinance are hereby repealed.

SECTION FIVE

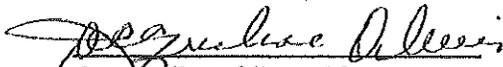
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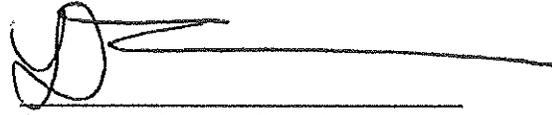
Approved on First Reading this 3rd day of October 2023

Approved on Second Reading this 17 day of October 2023.

APPROVED:

ATTEST:


Jacqueline Oliver, Mayor
City of Oak Grove, Kentucky


Lorelynn Fisher, City Clerk
City of Oak Grove, Kentucky

PUBLISHED: In the Kentucky New Era, this 4 day of November 2023.

This advertisement was paid for by the City of Oak Grove using taxpayers' dollars in the amount of \$317.03.



05/09/2023

Re: Lot 5 of Rossvlew Estates (1307 Hugh Hunter Rd), Oak Grove, KY

Tax Map -- 163-06 00 Parcel -- 003.00

Dear City of Oak Grove,

I, Bill Mace, owner of 1307 Hugh Hunter Rd (Lot 5 Rossvlew Estates) in Oak Grove, KY (see the attached plat highlighted in yellow) am proposing to have this property annexed into the city and rezoned to R-3.

I appreciate your time and cooperation in this matter.

Sincerely,

Bill Mace

Bill Mace Homes

AFFP
Ord 2023-19

Affidavit of Publication

STATE OF KY)
COUNTY OF CHRISTIAN) SS

no/n/n/n/n/n/n/n

Keishla Hicks, being duly sworn, says:

That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 04, 2023

Publisher's Fee: \$ 317.63

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Keishla Hicks

Subscribed to and sworn to me this 4th day of November 2023.

Melanie S. Miller

00007747 70814062



LORELYNN FISHER
City of Oak Grove
8505 Pembroke Oak Grove Rd
Oak Grove, KY 42282

LEGAL NOTICE

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WHEREAS, the City Council finds that this annexation is a voluntary annexation, being considered at the request of the property owner; and
WHEREAS, the City Council further finds that this property is adjacent and contiguous to the City boundaries and by reason of population density, commercial, residential, and other use of the property, said property is urban in character and is otherwise suitable for development for urban purposes without unreasonable delay. This property is not in any other boundary of an incorporated city, and all of these above findings are in keeping with KRS 81A.410 and KRS 81A.412 and other applicable Kentucky laws. For such reasons:

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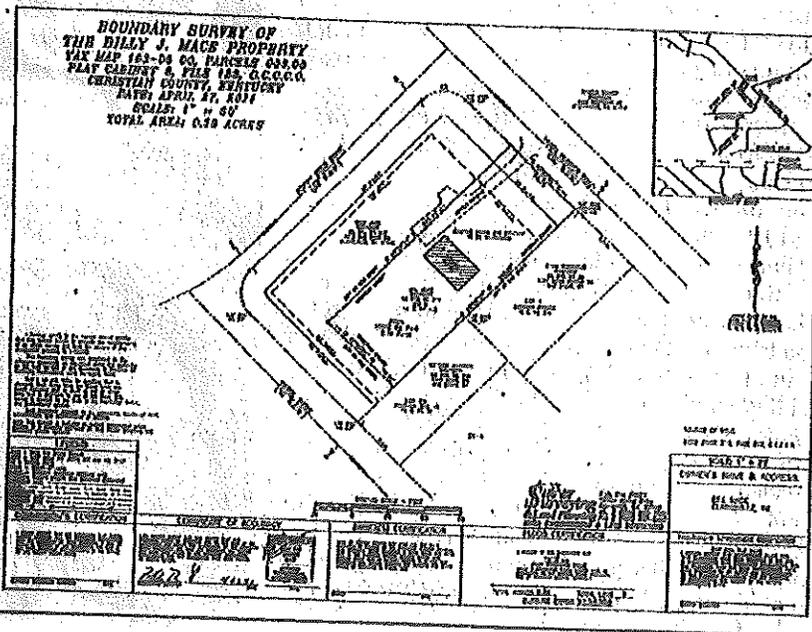
APPROVED:

ATTEST:

/s/ Jacqueline Oliver, Mayor
City of Oak Grove, Kentucky

/s/ Lorelynn Fisher, City Clerk
City of Oak Grove, Kentucky

PUBLISHED: In the Kentucky New Era, this 4th day of November, 2023.
This advertisement was paid for by the City of Oak Grove using taxpayers' dollars in the amount of \$17.63





Commonwealth of Kentucky
City of Oak Grove



I, Lorelynn Fisher, City Clerk, for the City of Oak Grove, Kentucky hereby certify that the foregoing is a true and accurate original document of Ordinance 2023-19, which was published in the Kentucky New Era on November 4, 2023, in the amount of \$317.63. I am the official custodian for this ordinance which is maintained at Oak Grove City Hall-8505 Pembroke Oak Grove Rd Oak Grove, KY 42262.

Lorelynn Fisher, City Clerk
City of Oak Grove, KY

November 17, 2023
Date

STATE OF KENTUCKY

CHRISTIAN COUNTY

SWORN AND SUBSCRIBED BEFORE ME THIS 17 DAY OF November 2023.

NOTARY PUBLIC Lisa L. Beckman COMMISSION# KYNP50110

COMMISSION EXPIRATION DATE May 3rd 2026



CONSENT TO ANNEXATION, RELEASE AND RESTRICTIVE COVENANT

THIS CONSENT TO ANNEXATION, RELEASE AND RESTRICTIVE COVENANT made and entered into this 22 day of June, 2023, by and between **BILL MACE** (hereinafter collectively "Grantor") and **THE CITY OF OAK GROVE, KENTUCKY**, whose address is 8505 Pembroke Oak Grove Rd P.O. Box 250, Oak Grove, Kentucky 42262, ("Grantee");

WHEREAS, by virtue of the deed from BILL MACE, Grantors are the sole owners of certain real property located at 1307 Hugh Hunter Rd, Oak Grove, Christian County, Kentucky (the "Property");

WHEREAS, in consideration of the Grantee's extension of services to the Property, the Grantor has requested Grantee to annex the Property to the City of Pembroke, Kentucky;

WHEREAS, in further consideration of the Grantee's extension of services of to the Property, Grantor acknowledges that the Property may not be assigned a zoning designation in accordance with Grantor's wishes, and Grantors release Grantee from any liability associated with the annexation and zoning of the Property;

IT IS THEREFORE AGREED AS FOLLOWS:

1. Grantor hereby requests and consents to annexation of the Property to the City of Oak Grove, Kentucky, pursuant to KRS 81A.412. Grantor shall be prohibited from opposing said annexation. In the event

Grantor executes a remonstrance petition opposing said annexation, their signatures shall be deemed invalid and of no effect pursuant to KRS 81A.420.

2. Grantor hereby releases Grantee, the Hopkinsville-Christian County Planning Commission (a/k/a Community Development Services), and their 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 in Exhibit A attached hereto.

4. Grantor shall not transfer the Property or any portion thereof without first notifying Grantee in writing and advising the proposed transferee of the terms hereof. Grantor shall not transfer the Property or any portion thereof until their transferee executes a similar document which releases the above released parties from any and all liability arising out of the annexation and zoning of the Property.

5. This Consent to Annexation, Release and Restrictive Covenant shall be perpetual and shall run with the Property, and shall be binding upon Grantor, and their heirs, personal representatives, successors, and assigns.

6. Grantor certifies that the Property is not a part of an agricultural district established pursuant to KRS 262.850 and that the

Property will not be included hereafter in an agricultural district. In the event Grantor executes a petition to include the Property in an agricultural district, their signatures shall be deemed invalid and of no effect, and the Property shall not be included in the agricultural district.

7. In the event that the Property is an agricultural district, this document "Consent to Annexation, Release and Restrictive Covenant" will serve as written authorization to decertify and/or remove the Property as described herein from any agricultural district established by KRS 262.850, latest revisions. At Grantee's request, the Grantor shall provide a letter requesting decertification of said agricultural district.

8. Grantor hereby certifies that the Consent to Annexation, Release and Restrictive Covenant form will also serve as their intent to annex property which may not be fully described or outlined in the property description found in subsection 3 of this form. The Grantor further certifies and agrees that the signing of a Consent to Annexation, Release and Restrictive Covenant form without a specific description does not void nor invalidate the Consent to Annexation, Release and Restrictive Covenant signed by the Grantor but does provide their intent to sign a subsequent document which specifically outlines through a metes and bounds description of the property to be included in the annexation.

PREPARED BY:

Mark A. Gilbert
DEATHERAGE, MYERS & LACKEY, PLLC
701 South Main Street
P.O. Box 1065
Hopkinsville, Kentucky 42241
Phone: (270) 886-6800
Fax: (270) 885-7127



Doc No: 10054277 DocType: ORD
Recorded: 05/29/2024 10:50:04 AM

Christian County Kentucky
Melinda A. Humphries, Clerk By: K.COLEMAN
BK 157 PG 420 - 427 (8)

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WHEREAS, the City Council finds that this annexation is a voluntary annexation, being considered at the request of the property owner; and

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Delivered to Oak Grove City et

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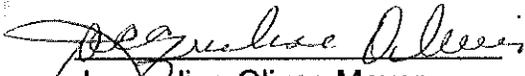
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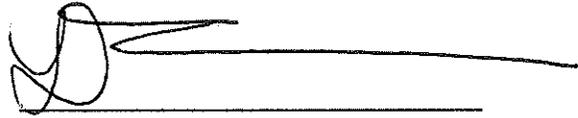
Approved on First Reading this 3rd day of October 2023

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APPROVED:

ATTEST:


Jacqueline Oliver, Mayor
City of Oak Grove, Kentucky


Lorelynn Fisher, City Clerk
City of Oak Grove, Kentucky

PUBLISHED: In the Kentucky New Era, this 4 day of NOVEMBER 2023.

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AFFP.

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STATE OF KY }
COUNTY OF CHRISTIAN } SS

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[Signature]

00007747 70814062



LORELYNN FISHER
City of Oak Grove
8505 Pembroke Oak Grove Rd
Oak Grove, KY 42262



Commonwealth of Kentucky
City of Oak Grove



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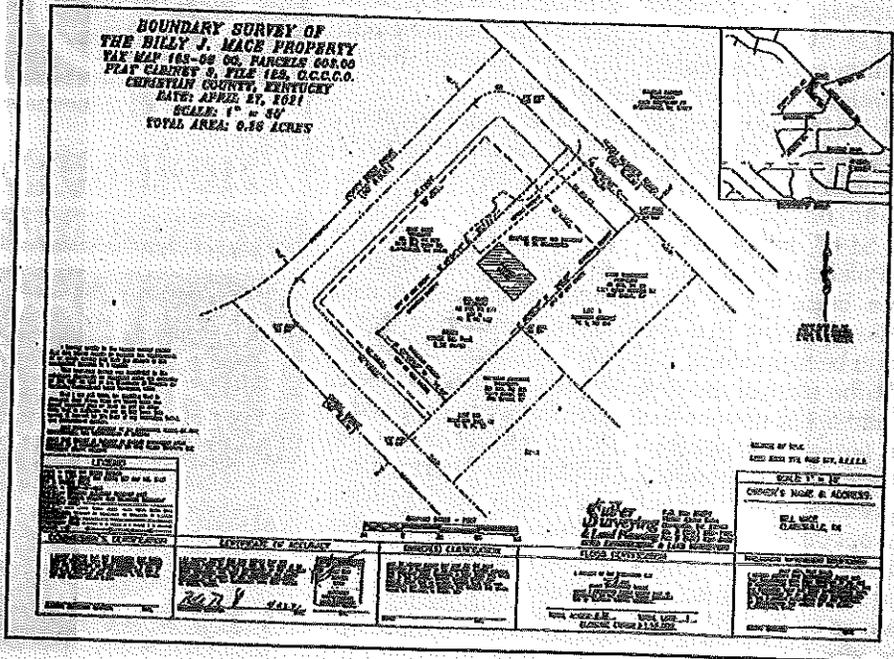
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