

CITY OF MIDDLETOWN
ORDINANCE NO. 14-17
AN ORDINANCE ANNEXING THE SUBDIVISION KNOWN
AS BECKLEY WOODS INTO THE CITY OF MIDDLETOWN

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adkinson

WHEREAS, the City of Middletown hereby finds that it serves the public interest of the citizens of the City of Middletown to annex the territory known as Beckley Woods Subdivision, because over 83% of the residents living there have signed consents asking to be annexed so they can get city services;

AND WHEREAS, annexing this residential area would be a natural extension of city services such as garbage collection and road maintenance, to area residents who need them and the tax burden in providing such services will not be burdensome to the residents to be annexed;

AND WHEREAS, pursuant to KRS 81A.410; 420; 425; 470; 475 and KRS 67C.111, Middletown declared its intention to so annex in Ordinance 14-16, published the required notice in the Courier-Journal of such intent, held a public hearing (giving each property owner certified notice of said hearing); and, finally, also asked the permission of Louisville Metro to annex, which permission was granted by the Louisville Metro Council in its Ordinance 160, Series 2014, passed on the 9th day of October, 2014;

AND WHEREAS, over 60 days has expired since the public notices were published and the public hearing held at which the intent to annex Ordinance 14-16 was enacted and no petition in opposition has been received,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MIDDLETOWN, KENTUCKY,

1. It is hereby found, determined, and declared that;
 - (a) The area to be annexed is contiguous to the current boundaries of the City of Middletown.
 - (b) The area to be annexed is urban in character and completely residential and the City of Middletown can provide the area needed city services including, garbage collection, road maintenance, snow removal and street lighting.
 - (c) More than 83% of the residents in the area to be annexed have signed a consent form asking the City to annex their home.
 - (d) The annexation is a normal extension of residential City services by the City of Middletown, which the City finds is in keeping with the City's mission.
 - (e) The area to be annexed is subject to the KRS 67C.111; which required the approval of Metro Louisville and the City Council of Louisville Metro has so approved.
 - (f) The City of Middletown has notified each and every resident (via first class, certified mail) of the area to be annexed of its intention to so annex; along with a copy of the intent to annex Ordinance 14-16 and notification of the tax burden imposed and of a public hearing on this issue at which public comment was heard and recorded and no petition opposing the annexation has been filed.

2. The City of Middletown does hereby annex the territory known as Beckley Woods Subdivision, which territory is in Jefferson County and is more particularly described as follows:

(a) BEING, the property described in a certain Plat of same, prepared and stamped by Licensed Professional Land Surveyor Morris A. Talbott, RLS No. 2421; attached as Exhibit One.

(b) BEING, the same property also described in a Metes and Bounds Description of same, also prepared and stamped by Licensed Professional Land Surveyor Morris A. Talbott, RLS No. 2421; attached as Exhibit Two.

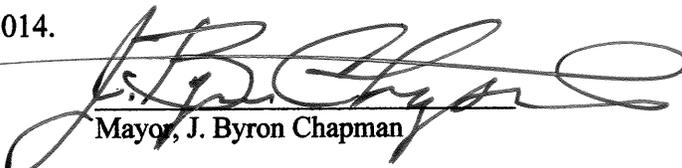
3. This Ordinance is adopted pursuant to KRS 81A.410; 420; 425; 470; 475 and KRS 67C.111.

4. In accordance with KRS 83A.060(7); the City Commission does hereby declare an emergency and therefore waive the second reading of this ordinance. As grounds, the City Commission does hereby find that unless this ordinance is passed immediately, the City cannot meet the filing deadlines with the Department of Insurance and will not be able to obtain the income from the insurance premium tax, which is required to fund the services in the annexed areas. In addition, unless the ordinance can be passed immediately, the City will miss the filing deadlines to get the real property rolls corrected to allow the real estate tax to be collected to fund the services in the annexed areas.

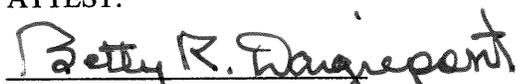
CERTIFICATION AND ATTESTATION

Comes the Mayor of the City of Middletown, Byron Chapman, and the City Clerk of the City of Middletown, Betty Daigrepoint, after first being duly sworn, do hereby attest that on the 27th day of October, 2014, a special meeting of the City of Middletown was held to consider approving Ordinance 14-17, annexing an area known as Beckley Woods into the City of Middletown. Further, the undersigned do also attest that at said meeting on the 27th day of October, 2014, motion was made by Commissioner Agar to adopt Ordinance 14-17, motion was seconded by White and the vote in favor of adopting Ordinance 14-17 (on an emergency basis as set out in Section 4 above) was passed with 5 commissioners in favor and . Finally, the undersigned both also attest that this document is a true, complete and certified copy of City of Middletown Ordinance 14-17.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MIDDLETOWN
KENTUCKY, this 27th day of Oct, 2014.


Mayor, J. Byron Chapman

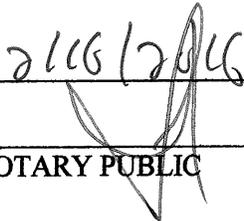
ATTEST:


City Clerk, Betty Daigrepoint

STATE OF KENTUCKY)
)
COUNTY OF JEFFERSON) SS

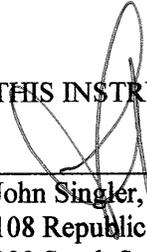
The foregoing Ordinance was hereby certified as the true, accurate and certified original copy of City of Middletown Ordinance 14-17 on this the 27th day of Oct. 2014, by Mayor Byron Chapman and City Clerk Betty Daigrepoint.

MY COMMISSION EXPIRES: 2/16/2016.



NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:



John Singler, Attorney at Law
108 Republic Plaza Bld.
200 South Seventh Street
Louisville, Kentucky 40202
(502) 587-6901

CITY OF MIDDLETOWN, KENTUCKY

BOUNDARY DESCRIPTION

FOR

AREA OF PROPOSED ANNEXATION

Beginning at a point in the existing Middletown City boundary line on the South side of Shelbyville Road, said point being approximately 1,460 feet East of I-265 (Gene Snyder Freeway), said point having KY State Plane Coordinates, North Zone, N 272447.56 feet and E 1281769.02 feet; thence, with the existing City boundary line, crossing Shelbyville Road and running coincident with the West boundary line of Beckley Woods Subdivision, N19°15'32"E, a distance of 721.49 feet to a point at the Southwest corner of Lot 149, Beckley Woods Subdivision as recorded in Plat Book 32, Page 63, Office of the Clerk, Jefferson County, Kentucky; thence, with the proposed City boundary line and with the Southern line of Lot 149, S70°44'28"E, a distance of 70.72 feet to a point at the Southeast corner of Lot 149, said point also being in the West line of Beckley Woods Drive, a 70 foot wide road right-of-way as shown on Plat Book 32, Page 63; thence, continuing with the proposed City boundary line and with the West right-of-way line, with a curve to the right having a chord bearing of N49°26'11"E, a distance of 66.52 feet and a radius of 639.60 feet to a point in the right-of-way line; thence, continuing with the proposed City boundary line and the East line of Lot 149, N52°25'02"E, a distance of 49.62 feet to a point at the Southeast corner of Lot 150, Beckley Woods; thence, continuing with the proposed City boundary line and the South line of Lot 150, N37°34'52"W, a distance of 156.84 feet to a point in the existing Middletown City boundary line; thence, with the existing City boundary line and the West line of Beckley Woods, aforesaid, N19°15'32"E, a distance of 914.97 feet to the South right-of-way line of Old Station Road, said point also being the Northwest corner of Lot 163, Beckley Woods, aforesaid, said point also having Kentucky State Plane Coordinates, North Zone, N 274166.93 feet and E 1282369.75 feet; thence, departing from the existing City boundary line and with the proposed City boundary line and crossing Old Station Road, N26°44'42"E, a distance of 63.23 feet to a point in the North right-of-way line of Old Station Road; thence, continuing with the proposed City boundary line and the North right-of-way line, S63°15'18"E, a distance of 287.01 feet to a point at the Southwest corner of Lot 127, Beckley Woods, as recorded in Plat Book 31, Page 48; thence, with the proposed City boundary line and the West boundary line of Beckley Woods, N32°09'22"E, a



distance of 74.60 feet; thence, N46°18'52"E, a distance of 202.78 feet to a point; thence, N23°29'58"W, a distance of 307.39 feet to a point at the Southwest corner of Lot 121, Beckley Woods aforesaid, said point also being the Southernmost corner of Lot 128-A as recorded in Deed Book 5318, Page 237, Office of the Clerk, Jefferson County, Kentucky; thence, with the proposed City boundary line and the West line of Lot 128-A, N42°22'48"W, a distance of 85.00 feet to a point at the Southernmost Corner of Lot 128-B, said Lot also shown in Deed Book 5318, Page 237; thence, continuing with the proposed City boundary line and the West line of Lot 128-B, N26°51'21"W, a distance of 93.41 feet to a point; thence continuing with the same, N47°37'12"E, a distance of 105.00 feet to a point in the West right-of-way line of Timberlake Trail, a 60 foot road right-of-way shown on the Plat of Beckley Woods, Plat Book 31, Page 49, Office of the Clerk, Jefferson County, Kentucky; thence, continuing with the proposed City boundary line and the West right-of-way line of Timberlake Trail, N42°22'48"W, a distance of 235.00 feet to a point; thence, continuing with the same, with a curve to the right having a chord bearing of N11°55'53"W, a chord distance of 125.21 feet and a radius of 123.56 feet to a point; thence, continuing with the same, with a curve to the right, having a chord bearing N31°46'41"E, a chord distance of 83.21 feet and a radius of 181.36 feet to a point; thence, departing from the right-of-way line of Timberlake Trail and continuing with the proposed City boundary line, and with the West boundary line of Beckley Woods, aforesaid, N44°57'38"W, a distance of 144.99 feet to a point; thence, continuing with the same, N44°08'22"E, a distance of 136.08 feet to a point; thence continuing with the same, N18°31'02"E a distance of 42.93 feet to a point; thence, continuing with the same, N71°28'58"W, a distance of 110.00 feet to a point; thence, continuing with the same, N37°01'53"E, a distance of 113.46 feet to a point; thence, continuing with the same, with a curve to the right, having a chord bearing of N18°31'02"E, a chord distance of 94.82 feet and a radius of 50.00 feet to a point; thence, continuing with the same, N00°00'11"E, a distance of 113.46 feet to a point at the Northwest corner of Lot 71, Beckley Station, aforesaid; thence, continuing with the proposed City boundary Line and with the North boundary line of Beckley Woods, aforesaid, S71°28'58"E, a distance of 1061.91 feet to a point in the North line of Lot 60, Beckley Woods, recorded in Plat Book 31, Page 48, Office of the Clerk, Jefferson County, Kentucky; thence, continuing with the proposed City Boundary line and the North line of Beckley Woods, S70°47'58"E, a distance of 575.52 feet to a point at the Northeast corner of Lot 55, Beckley Woods; thence, continuing with the same, S21°47'12"W, a distance of 945.70 feet to a point in the East line of Lot 20, Beckley Woods, aforesaid; thence, continuing with the same, S21°29'32"W, a distance of 742.54 feet to a point in the Southern right-of-way line of Lake Forest Lane; thence, continuing with the proposed City Boundary line and the South Right-of-Way Line, N63°15'18"W, a

distance of 620.43 feet to a point; thence, continuing with the proposed City Boundary line and the East Boundary line of Beckley Woods, Plat Book Book 32, Page 64, S18°59'47"W, a distance of 812.85 feet to a point; thence, continuing with the same, N70°44'28"W, a distance of 220.88 feet to a point; thence, continuing with the same, N39°45'08"W, a distance of 79.22 feet to a point in the existing East right-of-way line of Beckley Woods Drive, aforesaid; thence, continuing with the proposed City Boundary line and the right-of-way line, with a curve to the right, having a chord bearing of S49°45'45"W, a chord distance of 84.55 feet and a radius of 912.74 feet to a point; thence, continuing with the same, S52°25'02"W, a distance of 21.44 feet to the Northernmost corner of Lot 143, Beckley Woods, aforesaid; thence, continuing proposed City Boundary line and with the East boundary line of Beckley Woods, S19°15'32"W, a distance of 835.64 feet to a point on the South side of Shelbyville Road, said point being in the existing City Boundary line and having Kentucky State Plane Coordinates, North Zone, N 272425.14 feet and E 1282048.40 feet; thence, with the existing City Boundary line, N83°37'13"W, a distance of 128.17 feet to a point; thence, continuing with the same, N86°55'10"W, a distance of 152.22 feet to the point of beginning.

The foregoing description includes the lots or parcels of land together with adjacent streets serving the lots in accordance with City of Middletown, Kentucky Ordinance 14-16 and further described as follows:

Lots 1 through 63; and Lots 93 through 117 as shown on the Plat of Beckley Woods, recorded in Plat Book 31 Page 48, Office of the Clerk, Jefferson County, Kentucky.

Lots 64 through 71; Lots 73 through 92; and Lots 117 through 120 as shown on the Plat of Beckley Woods, recorded in Plat Book 31 Page 49, Office of the Clerk, Jefferson County, Kentucky.

Lots 150 through 163 as shown on the Plat of Beckley Woods, recorded in Plat Book 32 Page 63, Office of the Clerk, Jefferson County, Kentucky.

Lots 134 through 148 as shown on the Plat of Beckley Woods, recorded in Plat Book 32 Page 64, Office of the Clerk, Jefferson County, Kentucky.

Lots 128-A and Lot 128-B as shown on the Minor Subdivision Plat recorded in Deed Book 5318, Page 237, Office of the Clerk, Jefferson County, Kentucky.

This survey is for annexation purposes only, meeting the requirements of KRS 81A.470. This is not a boundary survey and does not meet the requirements of KRS 18:150.

This survey was performed without the benefit of a Title Report and is subject to all Rights-of-Way, easements, off conveyances and restrictions of record.

Description Prepared By:

Morris A. Talbott, PLS No. 2421
Advanced Engineering and Land Surveying, LLC
319 Tucker Station Road
Louisville, KY. 40243
(502) 244-3876
aels@bellsouth.net

CITY OF MIDDLETOWN, KENTUCKY

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FOR

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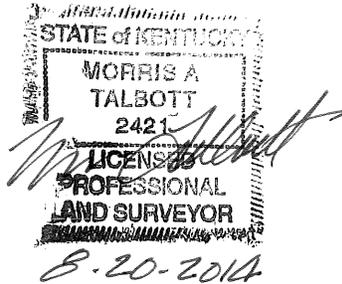
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Louisville, KY. 40243
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aels@bellsouth.net



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.