

**COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2023-13**

**AN ORDINANCE OF INTENT TO ANNEX
AN AREA OF PROPERTY IN THE RIGHT OF WAY OF A PORTION OF KENTUCKY
STATE ROUTE 229 AND A PORTION OF STATE ROUTE 1006**

BE IT ORDAINED BY THE CITY OF LONDON, KENTUCKY AS FOLLOWS:

WHEREAS, the City of London, Kentucky has:

1. Determined that the area hereinafter described is desirable to be annexed, the same being in an unincorporated area accurately described below and accurately depicted on Annexation Maps prepared by a Kentucky-licensed surveyor dated January 17, 2023 (the "Annexation Maps Tract 1, annexation Map Tract 2 and Annexation Map Tract 3"), which are incorporated herein by reference collectively as EXHIBIT A, and that the Descriptions of Tract 1, Tract 2 and Tract 3, which are incorporated herein by reference collectively as EXHIBIT B), a part of which is adjacent and/or contiguous to the preexisting boundaries of the City of London, Kentucky as established by Ordinance No. 2017-12.
2. This matter is before the City Council of the City of London after a determination was made by the Council by Resolution that these roadway areas described below in particular survey descriptions contained in EXHIBIT B, be annexed into the corporate city limits of the City of London, Kentucky so that the City of London might expand and to allow for the possibility of further annexation of business and residential as desired.
3. The City Council finds that this annexation is an involuntary annexation, but has been considered at previous City Council Meetings, and that the Commonwealth of Kentucky is the sole owner of the property described herein.
4. As evidenced by the description below, this property is contiguous to the existing boundary of the City of London as established by City Ordinance No. 2017-12.
5. The City Council, in compliance with KRS 81A.410(1)(b), finds the entire territory to be annexed by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, is urban in character or suitable for development for urban purposes without unreasonable delay.

6. The City Council, based on the Annexation Map, finds the property territory owned by the Commonwealth of Kentucky to be annexed are state roads, consisting of portions of State Route 229 and State Route 1006.

7. The City Council, based on the Annexation Map, finds no part of the territory to be annexed to be in an Agricultural District as the term is used in KRS 262.850.

8. The City Council, based on documents and correspondence of record, finds the territory proposed to be annexed has access to services of multiple utilities and all of this property is presently used as Roads by the Commonwealth of Kentucky.

9. The City Council, based on the Annexation Maps and descriptions, and photographic evidence of record, finds there are no homes in the areas to be annexed, but that the annexation of these roads will allow for further economic and commercial development in the greater London area.

10. The City Council, based on photographs of record, finds there is no electrical substations in the area to be annexed.

11. The City Council, based on aerial photographs of record, finds there are no residential homes in the area to be annexed.

12. The City Council, based on the Annexation Map, and photographic evidence of record finds the roads to be annexed are contiguous to the present City of London boundaries.

13. The City Council, based on the Annexation Map, and photographic evidence of record, finds the area to be annexed are roads owned by the Commonwealth of Kentucky but will allow for commercial businesses in the vicinity of the territory to be annexed.

14. The City Council, based on the Annexation Map, and photographic evidence of record finds there are numerous businesses and commercial properties adjacent to or in the vicinity of the territory proposed to be annexed, but that some of those properties are already a part of the City limits of the City of London, all evidencing urban character of development in the vicinity.

15. The City Council has reviewed a Map, as well as survey descriptions, all prepared by Kentucky Surveys, Inc., reflecting the present boundaries of the City of London and the location of the property to be annexed.

16. The City Council further finds that all of the foregoing adjudicative facts support annexation of the subject territory being in compliance with KRS 81A.410(1) as being urban in character or suitable for urban development purposes without unreasonable delay.

17. The City Council is aware of no evidence to indicate utility infrastructure owned by another city is in the territory proposed for annexation.

18. This property is not in any other boundary of an incorporated city.

All of these above findings are in keeping with KRS 81A.410 and KRS 81A.412 and other applicable Kentucky law.

For such reasons:


BE IT ORDAINED BY THE CITY OF LONDON, KENTUCKY AS FOLLOWS:

1. The highway right-of-way property owned by the Commonwealth of Kentucky and described below is intended to be annexed into the City of London with all appropriate notice provided in compliance with KRS 81A.425. Said notice shall be sent to the Commonwealth of Kentucky whose property is proposed to be annexed by first-class mail no later than FOURTEEN ("14") days PRIOR to the meeting at which the ordinance proposing the annexation shall receive its SECOND READING. Per KRS 81A.425, the City Clerk shall certify that notice was sent to the Commonwealth of Kentucky and such certified notice shall be made a part of the official record of the meeting at which the ordinance proposing the annexation receives its SECOND READING. Said notice shall include the time, date, and location of the meeting at which the proposed ordinance shall receive its second reading, and a copy of the proposed ordinance.

However, such notice is a courtesy in that such property owner has provided an irrevocable consent to annexation and, thus, no further notice is required as expressly recognized in KRS 81A.425(5).

3. The properties to be annexed are more particularly described on the attached and incorporated EXHIBIT A and the Descriptions of Tract 1, 2, and 3 in collective Exhibit B and those descriptions are incorporated herein as a part of this Ordinance as if copied in their entirety.

20. This Intent to Annex Ordinance shall become effective immediately upon publication.


MAYOR RANDALL WEDDLE

DATE: 3/17/2023

ATTEST: Carolyn Adams
CAROLYN ADAMS INTERIM, CITY CLERK

DATE: 3-17-2023

FIRST READING DATE: FEBRUARY 6, 2023
SECOND READING DATE: MARCH 6, 2023

PUBLICATION DATE: MARCH 22, 2023

COMMONWEALTH OF KENTUCKY
CITY OF LONDON

**SUMMARY OF ORDINANCE NO. 2023-13 ENTITLED
“INTENT TO ANNEX AN AREAS OF PROPERTY IN THE RIGHT OF WAY OF
PORTIONS OF KENTUCKY STATE ROUTE 229 AND PORTIONS OF STATE ROUTE
1006”**


This Summary is prepared by City Attorney Larry G. Bryson who is certified to practice law in this Commonwealth. This Ordinance is described in three (3) tracts. All of the survey descriptions are described in directional degrees, minutes, seconds and feet. All roadways are State Routes (“SR”). Only roadway areas are being annexed in this Ordinance.

Tract 1: Begins at the present City Ordinance (“CO”) 2017-12 corner of SR 229 to existing City boundary described in CO 984, then back to and following SR 229; the entire area of 229 roadway being annexed is 17.384 acres.

Tract 2: Begins at the present City limits of SR 1006 as described in CO 984, and following 1006 to the existing City limits, then with SR 1006 to boundary described in CO 984, then following 1006 again, the entire area of SR 1006 being annexed is 8.064 acres.

Tract 3: Begins at a corner of present CO 984, with a point common to 1006 and US 25 (South Laurel Road), then south with 1006, then back to existing City limits (described in CO 984), then with the City limits description in CO 984, then crossing 1006 with description in CO 984; the entire area of this roadway being annexed is 14.281 acres.

A more detailed description and maps reflecting the areas being annexed and the full text of the Ordinance are available for review at the Office of the London City Clerk during normal business hours. This Ordinance will be effective upon publication of this Summary.


London City Attorney Larry G. Bryson