

## CITY OF LONDON, KENTUCKY

**A SUMMARY OF ORDINANCE NO. 2023-35 ENTITLED  
"AN ORDINANCE FINALLY ANNEXING AN AREA OF PROPERTY IN THE STATE  
RIGHT OF WAY OF KENTUCKY STATE ROUTE 25 AND STATE ROUTE 1006 OWNED  
BY THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF TRANSPORTATION  
AND CTA, LLC"**

This Summary is of Ordinance No 2023-35 as above named, is prepared by Larry G. Bryson who states that he is licensed to practice law in the Commonwealth and who states that this is an accurate summary of said Ordinance.

1. The first and second reading of the "intent" to annex this property were on March 11 and April 10, 2023; the publication was on April 19, 2023.
2. The London Zoning and Planning Commission conducted a public hearing of the zoning of this property with notice to all legally required to receive notice together with the posting of a zoning notice sign and publication in the Sentinel Echo.
3. Other than the roadways involved (US 25 and State Route 1006 and a small section of property owned by the Commonwealth), the annexation of property owned by CTA, LLC is a voluntary annexation.
4. No petition has been filed objecting to this annexation or the assigned zoning.
5. The City Council made all the legal determination necessary for the annexation and zoning of the property and adopted Exhibits A and Exhibit B (maps and survey descriptions) as an accurate description of this property to be finally annexed. Specifically, the Council finds that the CTA, LLC property is commercial in nature and assigned a "C-2" Zoning and that the roadways and other are governmental property and assigned a "G" Zone.
6. This property is finally annexed with the recommended zoning assignments and with proper notice and approval of the Kentucky Secretary of State and the London Planning Map be amended to reflect the same. The final annexation is to be effective upon publication. A full text of the Ordinance is available at the Office of London City Clerk.



---

Larry G. Bryson  
London City Attorney

**COMMONWEALTH OF KENTUCKY  
CITY OF LONDON ORDINANCE NO. 2023-35**

**AN ORDINANCE FINALLY ANNEXING AN AREA OF PROPERTY IN THE  
RIGHT-OF-WAY OF KENTUCKY STATE ROUTE 25 AND STATE ROUTE 1006 OWNED  
BY THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF TRANSPORTATION  
AND CTA, LLC**

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

*WHEREAS, the City of London, Kentucky has:*

1. The City of London held a First Reading of Ordinance No. 2023-06 on March 11, 2023 and had a Second Reading on April 10, 2023, both of which were passed by this City Council and said was published in the *Sentinel-Echo* on April 19, 2023.
2. The City of London Zoning and Planning Commission scheduled a public hearing on June 29, 2023 at 6:00 p.m. (EDT) at 501 South Main Street, London, Ky., pursuant to Section 201.3 of the City of London Zoning Ordinance for zoning of all of this property. Proper advance statutory notice was mailed first class mail to the Commonwealth of Kentucky and the Property owner who requested the voluntary annexation; notice was also given to adjoining property owners on June 5, 2023 pursuant to KRS 100.212; a sign was posted giving notice of the public hearing, as was newspaper notice of the public hearing.
3. The map of the area to be annexed is attached hereto as Exhibit A. There are three (3) tracts of property: the roadway areas of SR 1006 and SR 25, a small tract of property owned by the Commonwealth of Kentucky that is not roadway and the property owned by CTA, LLC. The map of the area was prepared by Curtis Felts, Registered Land Surveyor, of Kentucky Surveys, Inc., on December 13, 2022 and is identified as Exhibit A hereto.
4. Exhibits B and C are survey descriptions of the tracts of property owned by the Commonwealth of Kentucky and CTA, LLC. These were prepared by Curtis Felts, Registered Land Surveyor, of Kentucky Surveys, Inc., on December 22, 2022.
5. Exhibits A, B, and C are attached hereto and incorporated herein and made a part of this written and approved Ordinance.

6. Because this property, with the exception of the property owned by the Commonwealth of Kentucky, is a voluntary annexation; notice of the right to petition against said annexation is not applicable. The City Council has no knowledge of opposition by the Commonwealth of Kentucky to the annexation of this property. CTA, LLC requested that their privately owned property be annexed and is not opposed to the annexation.
7. The City Council has determined that the area hereinafter described is desirable to be annexed, and the property owner has requested to be annexed, the same property being in an unincorporated area accurately described below and accurately depicted on an Annexation Map prepared by a Kentucky-licensed surveyor dated the 13<sup>th</sup> day of December, 2022 (the "Annexation Map Sheet"), a part of which is adjacent and/or contiguous to the preexisting boundaries of the City of London, Kentucky as established by Ordinance No. 984.
8. The City Council of the City of London after a determined that this area described below in particular survey descriptions contained in EXHIBITS B and C, and 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. The City Council finds that this annexation is a voluntary annexation, and has been considered at previous City Council Meetings, and that CTA, LLC is the sole owner of the property described herein, except for the roadway areas.
9. The City Council, in compliance with KRS 81A.410(1)(b), finds the entire territory to be annexed by reason of commercial use of land, is urban in character or suitable for development for urban purposes without unreasonable delay.
10. The City Council, based on the Annexation Map, finds the property territory is owned by CTA, LLC., being of record in the Laurel County Court Clerk's Office and containing approximately 1.831 acres. The property owned by the Commonwealth of Kentucky is approximately 0.029 acres.
11. 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.

12. 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 commercial property.

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

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

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

16. The City Council, based on the Annexation Map, and photographic evidence of record finds this property is contiguous to the present City of London boundaries.

17. The City Council, based on the Annexation Map, and photographic evidence of record, finds the area to be annexed is commercial property owned by CTA, LLC., and that the area of property owned by the Commonwealth of Kentucky is in a commercial area, but is owned by a government.

18. The City of London Zoning Commission recommended that the CTA property be zoned Commercial- 2 ("C-2") and that the property owned by the Commonwealth be zoned Governmental ("G").

19. The City Council, based on the Annexation Map, and photographic evidence of record finds there are numerous businesses and commercial properties on and near the CTA, LLC property proposed to be annexed, evidencing the urban character of development in the vicinity.

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

21. 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.

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

23. 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:***

1. The property owned by CTA, LLC and described herein is intended to be annexed into the City of London with all appropriate notice provided in compliance with KRS 81A.425. The properties (SR 1006 and SR 25 and the 0.029 acres) owned by the Commonwealth of Kentucky and the property owned by CTA, LLC are intended to be annexed into the City of London, with all appropriate notices provided in compliance with KRS 81A.425.
2. The property to be annexed is more particularly described on the attached and incorporated EXHIBITS A, B and C and those descriptions are incorporated herein as a part of this Ordinance as if copied in their entirety.
3. All requirements of the Kentucky Secretary of State shall be met, in keeping with Kentucky law.
4. The City of London Planning Map shall be amended to reflect the addition of this property into the City of London with the zoning reflected as stated herein.
5. This Final Annexation Ordinance shall become effective immediately upon publication.

FIRST READING DATE: AUGUST 23, 2023 SECOND READING DATE: SEPTEMBER 5, 2023

PUBLICATION DATE: SEPTEMBER 13, 2023

  
MAYOR RANDALL WEDDLE

DATE: 9/6/2023

ATTEST:   
Katelin McPeek, City Clerk

DATE: 9/6/2023