



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

April 29, 2015

Allison Lundergan Grimes
Commonwealth of Kentucky Secretary of State
700 Capital Avenue, Suite 152
Frankfort, KY 40601

RECEIVED AND FILED

DATE May 5, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Johnson

RE: 2014 Annexation Approvals by the Metro Council of the Louisville/Jefferson County Metro Government ("Metro Council")

Dear Secretary of State:

KRS 67C.111(3) provides:

(3) Upon the adoption of a consolidated local government in a county containing a city of the first class, there shall be no annexations for a period of twelve (12) years by any city remaining in the county. After that time, any proposed annexation by a city in that county shall first receive the approval of the legislative council of the consolidated local government prior to the city proceeding under the provisions of KRS Chapter 81A. The city shall request the approval of the consolidated legislative council by ordinance. The consolidated legislative council's decision shall be made by ordinance and within sixty (60) days of the receipt of the request by the affected city. If an ordinance has not been enacted by the consolidated legislative council within sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved by the consolidated legislative council.

In 2014, the Metro Council approved six (6) different ordinances authorizing annexations within Louisville Metro as follows:

1. Metro Ordinance No. 087, Series 2014, authorizing Jeffersontown to annex 2 tracts of land as requested by Jeffersontown in Ordinance No. 1304-2014, and approved by Jeffersontown in Ordinance Nos. 1303-2014 and 1306-2014.
2. Metro Ordinance No. 215, Series 2014, authorizing Jeffersontown to annex property described as Chenoweth Hills Estates as requested by Jeffersontown in Ordinance No. 1318-2014 and approved by Jeffersontown in Ordinance No. 1326-2015.
3. Metro Ordinance No. 214, Series 2014, authorizing St. Matthews to annex 416 Springwood Lane, and 4905 and 4125 Massie Avenue, as requested by St. Matthews in Ordinance No. 14-13 and approved by St. Matthews in Ordinance No. 14-12.

4. Metro Ordinance No. 055, Series 2014, authorizing St. Matthews to annex 11 houses on Springwood Lane, as requested by St. Matthews in Ordinance No. 13-07 and approved by St. Matthews in Ordinance No. 14-01.
5. Metro Ordinance No. 160, Series 2014, authorizing Middletown to annex the Beckley Woods Subdivision, as requested by Middletown in Ordinance No. 14-16 and approved by Middletown in Ordinance No. 14-17.
6. Metro Ordinance No. 147, Series 2014, authorizing St. Matthews to annex the City of Richlawn, as requested by the City of St. Matthews in Ordinance No. 14-10 and the City of Richlawn in Ordinance No. 2014-04. The annexation question was submitted to the voters of the City of Richlawn on Election Day in November 2014. See page 17 of the Jefferson County Board of Elections Official Results of the General Election held November 4, 2014, which indicate that the Richlawn annexation by St. Matthews was opposed by more than 55% of the voters. Therefore, pursuant to KRS 81A.420(3), the annexation was ineffectual.

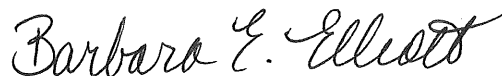
Enclosed with this letter are certified copies of the Metro Ordinances referenced in subparagraphs 1 through 5 above, the election results referenced in paragraph 6 above, and the materials submitted to Metro by the cities of Jeffersontown, St. Matthews and Middletown seeking Metro Council authorizations for the annexations. These materials include the items required to be filed by these cities with the Secretary of State and the County Clerk.

Due to the unique nature of a consolidated local government, Louisville/Jefferson County Metro Government is not deannexing the property sought to be annexed by cities located in Jefferson County. While the boundaries of the annexing cities will expand as a result of these annexations, the boundaries of Louisville Metro will remain unchanged. As such, there is no requirement that Metro submit or record any documentation under KRS Chapter 81A. We are providing the Metro Ordinances and other enclosed documentation to your office as a matter of information and convenience.

Finally, please note that regardless of when the cities' ordinances approving the annexations may have been adopted, annexations within Louisville Metro may not take effect until on or after January 6, 2015, which is 12 years after Louisville/Jefferson County Metro Government came into existence.

If you need any additional information, please call me at (502) 574-8134. Thank you for your assistance in this matter.

Sincerely,



Barbara E. Elliott
Assistant Counsel to the Mayor

Cc: Stephen Ott, Metro Council Clerk
Sarah Martin, Assistant Jefferson County Attorney

Materials accompanying paragraph #1



LOUISVILLE METRO COUNCIL
CLERK'S OFFICE

H. STEPHEN OTT
CLERK OF THE COUNCIL

RECEIVED AND FILED
DATE May 9, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Robinson

I, H. STEPHEN OTT, CLERK OF THE METRO COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND CUSTODIAN OF THE ORIGINAL ROLLS OF THE CITY OF LOUISVILLE ORDINANCES, JEFFERSON COUNTY ORDINANCES, LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES, PUBLIC RECORDS, PAPERS AND DOCUMENTS OF THE FORMER BOARD OF ALDERMEN OF THE CITY OF LOUISVILLE, FISCAL COURT OF JEFFERSON COUNTY AND LOUISVILLE METRO GOVERNMENT, AND PURSUANT TO SECTION 83A.060 OF THE KENTUCKY REVISED STATUTES, I DO HEREBY CERTIFY THAT THE ATTACHED IS A FULL AND TRUE COPY OF:

ORDINANCE No. 087, Series 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY JEFFERSONTOWN OF TWO TRACTS OF LAND WHOSE OWNERS HAVE CONSENTED TO ANNEXATION.

DATED THIS 27TH DAY OF APRIL 2015

H. STEPHEN OTT, COUNCIL CLERK
LOUISVILLE METRO COUNCIL
LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT

SEAL

ORDINANCE NO. 087, SERIES 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY JEFFERSONTOWN OF TWO TRACTS OF LAND WHOSE OWNERS HAVE CONSENTED TO ANNEXATION.

Sponsored By: Councilmembers Kelly Downard and Kevin Kramer

WHEREAS, on April 1, 2014 the City Council of City of Jeffersontown, Kentucky voted in favor of an ordinance to annex two tracts of land identified by the Jefferson County Clerk at Deed Book 9206, page 314 and at Deed Book 4072, page 38; and

WHEREAS, the City Council of City of Jeffersontown stated in its ordinance that the property owners of the territory sought to be annexed executed a written consent in favor of annexation by the City of Jeffersontown; and

WHEREAS, the City of Jeffersontown stated in its ordinance that it is "ready and able to immediately begin furnishing municipal services" to the area proposed for annexation; and

WHEREAS, the City of Jeffersontown filed a request on April 25, 2014 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the property described above; and

WHEREAS, KRS 67C.111(3) requires the City of Jeffersontown obtain approval of the annexation from Louisville Metro Council prior to the City of Jeffersontown proceeding with the annexation requirements under KRS Chapter 81A; and

WHEREAS, KRS 67C.111(3) gives Louisville Metro Council the authority to approve or deny annexation requests "by ordinance and within sixty (60) days of the receipt of the request" and if Louisville Metro Council does not act within "sixty (60)

days, the request for a city to proceed with an annexation proposal shall be deemed to be approved"; and

WHEREAS, Louisville Metro Council has been advised by legal counsel that KRS 67C.111(3) bars annexations by the City of Jeffersontown until January 2015; and

WHEREAS, for the reasons stated above Louisville Metro Council wishes to proceed with approval of the City of Jeffersontown's annexation ordinance to become effective upon the date provided in KRS 67C.111(3).


BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: Metro Council hereby approves the annexation proposed by the City of Jeffersontown in its ordinance number 1304 on April 1, 2014 (attached hereto) pursuant to its authority under KRS 67C.111(3).

SECTION II: This ordinance shall take effect on the date provided in KRS 67C.111(3).




H. Stephen Ott
Metro Council Clerk



Approval Date



Jim King
President of the Council



Approval Date

LOUISVILLE METRO COUNCIL
READ AND PASSED
June 5, 2014

APPROVED AS TO FORM:



Michael J. O'Connell
Jefferson County Attorney

June 6, 2014

Approval Date

Ordinance Annexation Proposal from J-town ROC sjm May 2014

APR 25 2014 AM 10:48

**CITY OF JEFFERSONTOWN
JEFFERSON COUNTY, KENTUCKY**

OFFICE OF METRO COUNCIL CLERK

RECEIVED

DATE 4/25/2014 TIME: 10:48AM

ORDINANCE NO. 1304, SERIES 2014

Stephen Ott

AN ORDINANCE RELATING TO REQUESTING THE APPROVAL BY THE LOUISVILLE/JEFFERSON COUNTY METRO COUNCIL OF THE ANNEXATION BY THE CITY OF JEFFERSONTOWN OF A TRACT OF LAND OWNED BY SYNERGY LOGISTICS, LLC, ALONG WITH A TRACT OF LAND OWNED BY PHILLIP H. AND DORIS M. KOSHEWA WHICH LAND IS CONTIGUOUS WITH THE EXISTING BOUNDARY OF THE CITY OF JEFFERSONTOWN, BUT NOT CONTIGUOUS TO THE BOUNDARY OF THE FORMER CITY OF LOUISVILLE, AND BEING IN THE UNINCORPORATED AREA OF THE FORMER COUNTY OF JEFFERSON

WHEREAS, the City of Jeffersontown seeks to annex the following described tracts of land (with improvements) which tracts are not contiguous with the boundary of the former City of Louisville; and,

WHEREAS, One Hundred Percent (100%) of the property owners residing within the annexation area have executed their written consent to the subject annexation by the City of Jeffersontown; and,

WHEREAS, the City of Jeffersontown is ready and able to immediately begin furnishing municipal services to the area upon annexation of the area; and,

WHEREAS, KRS 67C.111 requires that the annexation receive the approval of the legislative council of the consolidated local government (the Louisville/Jefferson County Metro City Council) prior to the City proceeding under the provisions of KRS Chapter 81A.

NOW THEREFORE, IT IS ORDAINED BY THE CITY OF JEFFERSONTOWN, KENTUCKY, AS FOLLOWS:

Section 1. The City of Jeffersontown hereby seeks and requests the approval of the Louisville/Jefferson County Metro Council of the annexation of that certain property of Synergy Logistics, LLC of record in the Office of the Jefferson County Clerk at Deed Book 9206, Page 314, along with that portion of Blankenbaker Road lying between Electron Drive and Blankenbaker Parkway.

Section 2. The City of Jeffersontown hereby seeks and requests the approval of the

Louisville/Jefferson County Metro Council of the annexation of that certain property of Phillip H. and Doris M. Koshewa, husband and wife, of record in the Office of the Jefferson County Clerk at Deed Book 4072, Page 38, along with that portion of Electron Drive adjoining the parcel.

Section 3. The parcels identified in Sections 1 and 2 are contiguous with one another, and both are independently contiguous with the City of Louisville and are urban in character. The owners of both parcels have consented in writing to the requested annexation.

Section 4. This ordinance shall take effect upon its adoption and publication as required by law.

INTRODUCED AND READ AT A CITY COUNCIL MEETING OF THE CITY COUNCIL OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 18th DAY OF MARCH, 2014.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 1st DAY OF April, 2014.

VETOED:

APPROVED:

BILL DIERUF, MAYOR



BILL DIERUF, MAYOR

DATE: _____

DATE: 4/2/14

ATTEST:

Bill Fox

BILL FOX, CITY CLERK