



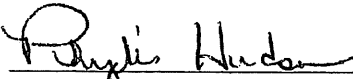
**CITY OF MIDWAY**

P.O. Box 4275  
Midway, Kentucky 40347-4275

*Grayson Vandegrift, Mayor*

I certify I am the duly qualified City Clerk of the City of Midway, Kentucky, and the following two pages of Ordinance No. 2017-01 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on February 20, 2017, all as appears in the official records of said City.

WITNESS, my hand this 21<sup>st</sup> day of February, 2017.

  
Phyllis Hudson, City Clerk

RECEIVED AND FILED  
DATE August 8, 2018

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

**CITY OF MIDWAY**  
**ORDINANCE NO. 2017- 01**

**TITLE: AN ORDINANCE ANNEXING 34.184 ACRES OF THE PROPERTY OWNED BY HOMER MICHAEL FREENY, JR., TRUSTEE OF THE HOMER MICHAEL FREENY, JR. TRUST U/A DATED NOVEMBER 16, 2001 LOCATED AT KENTUCKY HIGHWAY 341 ADJACENT TO MIDWAY STATION INTO THE CURRENT CITY BOUNDARIES AND REZONING THE ANNEXED PROPERTY FROM THE A-1 (AGRICULTURE) TO I-1 (LIGHT INDUSTRIAL) ZONE DESIGNATION PURSUANT TO KRS 100.209.**

Whereas, through its Ordinance No. 2016-12, the City expressed its intention to annex certain property owned by Homer Michael Freeny, Jr., as Trustee of the Homer Michael Freeny, Jr. Trust dated November 16, 2001, said property containing 34.148 acres and now being designated as a part of 832-960 Georgetown Road/KY HWY 341; and

Whereas, in the same Ordinance, the City directed the Versailles-Midway-Woodford County Planning and Zoning Commission to hold a public hearing in accordance with KRS 100.209(1) for the purpose of adopting such comprehensive plan amendment as may be appropriate in light of the City's anticipated annexation of the property and the resulting change in the character of the property and make its recommendations to the City as to the zoning or other land use regulations which will be effective for the property upon its annexation; and

Whereas, the Versailles-Midway-Woodford County Planning and Zoning Commission has conducted the requested hearing, has made Findings of Fact, and has recommended to the City that the 34.184 acres be rezoned from A-1 (Agriculture) to I-1 (Light Industrial) upon its annexation by the City; and

Whereas, the City Council has elected to adopt the Findings of Fact made by the Versailles-Midway-Woodford County Planning and Zoning Commission with regard to this property and to accept the Planning Commission's recommendation to rezone the property upon annexation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MIDWAY, KENTUCKY as follows:**

Section 1. The City of Midway hereby annexes the 34.184 acre tract owned by Homer Michael Freeny, Jr., as Trustee of the Homer Michael Freeny, Jr. Trust dated November 16, 2001 presently designated as a portion of 832-960 Georgetown Road/KY HWY 341 into the City boundaries of the City of Midway, which property is shown upon and described as the attached Exhibit 1.

Section 2. It is desirable to annex the property described in Section 1 above because it is contiguous to City boundaries, and it is planned to be utilized for urban purposes requiring provision of City services and it is urban in character.

Section 3. The zone designation of the property annexed by this Ordinance is hereby changed and the property is hereby rezoned from the A-1 (Agriculture) zone designation to the I-1 (Light Industrial) zone designation in accordance with the Findings of Fact adopted by the City


Council, the recommendation of the Planning Commission, and that it complies with the 2011 Comprehensive Plan and therefore meets the requirements of KRS 100.213.

Section 4. The Zoning Map of the City of Midway shall be amended to reflect such zoning change.

Section 5. This ordinance shall become effective after passage and upon publication as required by law.

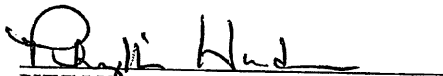
Introduced and given first reading at a meeting of the City Council of the City of Midway, Kentucky, held on the 6 day of February, 2017, and fully adopted after the second reading at a meeting of said council held on the 20 day of February, 2017.

CITY OF MIDWAY



GRAYSON VANDERGRIFT, MAYOR

ATTEST:



PHYLLIS HUDSON, CITY CLERK

**Exhibit 1**

**LEGAL DESCRIPTION OF A 34.184 ACRE TRACT  
HOMER MICHAEL FREENY, JR TRUST PROPERTY  
KY HWY 341-GEORGETOWN ROAD  
MIDWAY, WOODFORD COUNTY, KENTUCKY 40347**

That tract of land lying north of Midway in Woodford County, Kentucky, north of US Hwy 421 and I-64 and southeast of KY Hwy 341-Georgetown Road, said tract being a portion of the Homer Michael Freeny, Jr. Trust property (DB 282, PG 189), said tract being more fully bounded and described as follows;

"BEGINNING at a steel pin found at the northwest corner of Lot 1, Unit 3 of Midway Station as shown in Cab."E", Sl. 160 in the Woodford Co. Clerk's office, said point being a corner to Lakeshore Warehouse East (DB 296, PG 450) and the northeast corner of Roach (DB 260, PG 452), thence from said point and with the northeast line of Roach for two calls;

(1) N 65° 07' 47" W 823.91 feet to a steel pin set at the southeast corner of a proposed revision of a lease area for Crown Communications (Lessee) and thence with Crown Communications (Lessee)

(2) N 65° 07' 47" W 177.01 feet to a magnail set in KY 341-Georgetown Road, thence with Ky341-Georgetown Road and the east line of Jerry L. and Margie V. Atwood (DB188, PG 365) for two calls;

(1) N 25° 49' 31" E 172.15 feet to a magnail set at the northwest corner of Crown Communications (Lessee) and

(2) N 25° 49' 31" E 546.01 feet to a magnail set, thence leaving KY 341-Georgetown Road and with a new line through Homer Michael Freeny, Jr. Trust property for five calls;

(1) S 65° 07' 47" E 22.67 feet to a steel pin set, thence

(2) S 65° 07' 47" E 939.96 feet to a steel pin set, thence

(3) S 65° 07' 47" E 1,114.04 feet to a steel pin set, thence

(4) S 26° 18' 17" W 380.60 feet to a steel pin set and

(5) S 26° 16' 37" W 337.69 feet to a steel pin found in the northeast line of the aforementioned Lakeshore Warehouse East property, thence with the northeast line of Lakeshore Warehouse East

N 65° 07' 47" W 1,069.91 feet to the point of beginning and containing 34.184 acres more or less and subject to any and all legal easements or rights-of-way whether of record or not."

Based on a random traverse urban survey performed by Tim Thompson, LS 1304 in July 2016, using Trimble 5800 GPS unit and dual frequency receiver. The basis of bearing is KY Grid North based on GPS RTK. The relative positional accuracy for this survey is less than 0.4 feet.

Steel pins set are 3/4 inch diameter by eighteen inch long rebar with ID cap "LS 1304". Magnails set are 1/4 inch diameter by two inches long with a 1-1/2 inch ID washer with "LS 1304".

EDA-Freeny-ZMA.DOC  
October 25, 2016

Tim Thompson  
232 Henton Court  
Versailles, KY 40383

**LAND SURVEYOR'S CERTIFICATION:**

THIS PLAT IS BASED ON AN URBAN RANDOM TRAVERSE SURVEY PERFORMED BY TIM THOMPSON IN JULY 2016, USING TRIMBLE 5800 GPS UNIT AND DUAL FREQUENCY RECEIVER. THE BASIS OF BEARINGS IS KY GRID NORTH BASED ON GPS RTK. THE RELATIVE POSITIONAL ACCURACY FOR THIS SURVEY IS LESS THAN 0.4 FOOT.

STEEL PINS SET ARE 3/4" IN DIAMETER BY 18" LONG WITH ID CAP # 1304, AND MAG NAILS SET ARE 1/4" IN DIAMETER BY 2" LONG WITH 1-1/2" DIAMETER ID WASHER #1304.

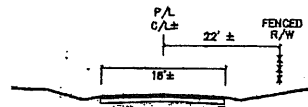
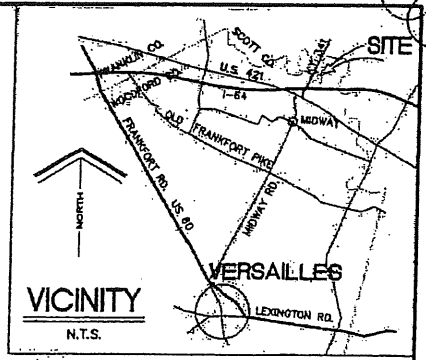
*TS* 10/26/16

TIM THOMPSON LS # 1304

DATE

**PURPOSE**

THE PURPOSE OF THIS PLAT OF SURVEY IS TO DEFINE TRACT 5 AND TRACT 6 AS SHOWN AND TO REDEFINE THE CROWN COMMUNICATIONS LEASE AREA AS RECORDED IN DB 239, PG 519 TO THE DIMENSIONS SHOWN AS TRACT 7.



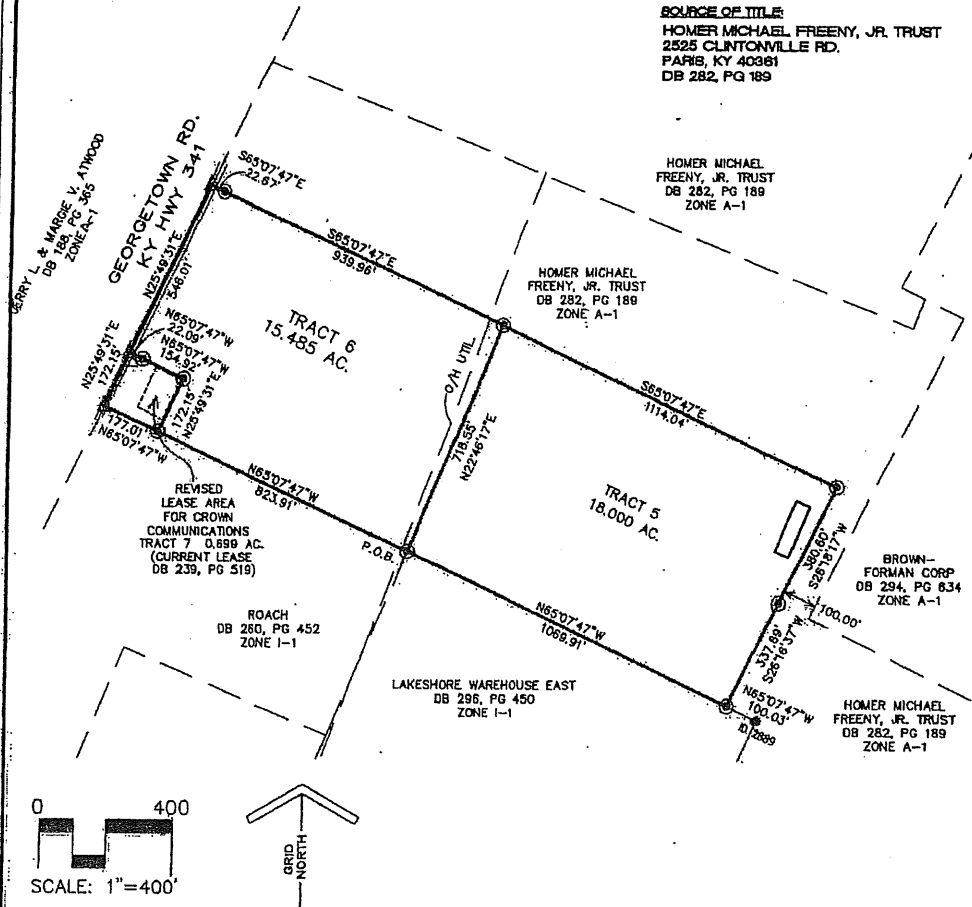
**GEORGETOWN RD.**  
N.T.S.

**SITE STATISTICS**

TOTAL AREA	34.184 AC.
TRACT 5	18.000 AC.
TRACT 6	15.485 AC.
TRACT 7	0.699 AC.
ZONE	A-1

**SOURCE OF TITLE:**

HOMER MICHAEL FREENY, JR. TRUST  
2525 CLINTONVILLE RD.  
PARIS, KY 40361  
DB 282, PG 189



SCALE: 1"=400'

DATE: OCT. 21, 2016

**TIM THOMPSON**  
Professional Engineer  
Land Surveyor

232 Henton Court  
Versailles, KY 40383  
(859) 873-5252



FILE: MIDWAY-STATION-EDA.DWG

THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150

PLAT OF SURVEY OF A PORTION OF  
**HOMER MICHAEL FREENY, JR. TRUST**  
PROPERTY  
GEORGETOWN RD., (KY HWY 341)  
MIDWAY, KENTUCKY 40347

SURVEY FOR  
WOODFORD ECONOMIC DEVELOPMENT AUTHORITY  
103 SOUTH MAIN ST., STE 204  
VERSAILLES, KY 40383

CITY OF MIDWAY  
ORDINANCE NO. 2016-12

TITLE: AN ORDINANCE DECLARING THE CITY OF MIDWAY'S INTENT TO ANNEX 33.485 ACRES OF THE PROPERTY OWNED BY HOMER MICHAEL FREENY, JR., TRUSTEE OF THE HOMER MICHAEL FREENY, JR. TRUST U/A DATED NOVEMBER 16, 2001 LOCATED AT KENTUCKY HIGHWAY 341 ADJACENT TO MIDWAY STATION INTO THE CURRENT CITY BOUNDARIES.

WHEREAS, Homer Michael Freeny, Jr., Trustee of the Homer Michael Freeny, Jr. Trust U/A dated November 16, 2001 ("Freeny tract") is the owner of two (2) tracts of property adjacent to the Midway City limits and adjacent to Midway Station ( approximately 18.00 ac. & 15.485 ac., respectively) that he proposes that the City of Midway annex into its services boundary area; and

WHEREAS, the City desires to annex the Freeny tract of 33.485 acres into its City limits and the owner consents to such annexation; and

WHEREAS, the property to be annexed lies outside the current City of Midway urban services boundary and is not designated for urban services uses in the current comprehensive plan; and

WHEREAS, KRS 100.209 permits a City to amend its comprehensive plan and zoning map to incorporate and establish zoning or other land use regulations for property proposed for annexation prior to the adoption of the annexation ordinance; and

WHEREAS, in light of the size and location of the tract to be annexed, and its potential importance to the future growth and development of the City (including the fostering and creation of jobs), the Midway City Council has determined that it is appropriate to utilize the procedure described in KRS 100.209(1) prior to taking any final action upon the ordinance of annexation,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MIDWAY, KENTUCKY  
as follows:

Section 1. This ordinance expresses the intention of the City of Midway to annex all of that real estate contained within the boundaries set out in Section 2 of this ordinance.

Section 2. In accordance with KRS 81A.420, the City of Midway hereby expresses its intent to annex the Freeny tract of 33.485 acres on Kentucky Highway 341 (Old Georgetown Road), and being described in the attached Exhibit A.

Section 3. It is desirable by the City of Midway to annex the property described in Section 2 above because it is contiguous to its boundaries and the owners and/or developers plan to utilize the property for urban uses, including industrial uses, requiring provision of City services and it is suitable for development for urban purposes without unreasonable delay.

Section 4. No part of the property is included within the boundaries of another incorporated city.

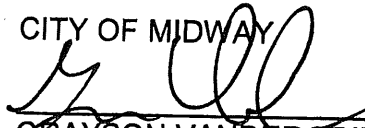
Section 5. Upon the adoption of this Ordinance, the Versailles-Midway-Woodford County Planning Commission is directed to hold a public hearing in accordance with KRS 100.209(1) for the purpose of adopting such comprehensive plan amendment as may be appropriate in light of the City of Midway's anticipated annexation of the property and the resulting change in the character of the property and making its recommendations to the City as to the zoning or other land use regulations which will be effective for the property upon its annexation.

Section 6. This ordinance shall become effective after passage and upon publication as required by law.



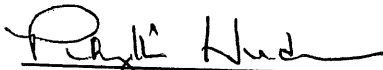
Introduced and given first reading at a meeting of the City Council of the City of Midway, Kentucky, held on the 7 day of November, 2016, and fully adopted after the second reading at a meeting of said council held on the 21 day of November, 2016.

CITY OF MIDWAY



GRAYSON VANDERGRIFT, MAYOR

ATTEST:



PHYLLIS HUDSON, CITY CLERK

x:\wdox\clients\63962\0010\00754934.docx

October 18, 2016

City of Midway, Kentucky  
Midway City Hall  
101 East Main Street  
Midway, Kentucky 40347

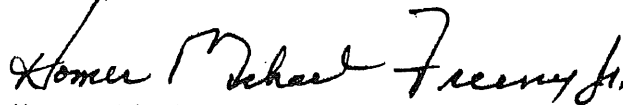
Dear Mayor and Council Members:

This letter is a petition by Homer Michael Freeny, Jr., Trustee under the Homer Michael Freeny, Jr. Trust U/A dated November 16, 2001, the sole owner of the property more particularly described on Exhibit A to be annexed to the City of Midway. The undersigned is the sole owner of the property within the area to be annexed and does hereby consent to such annexation.

The property described on Exhibit A is adjacent to the city limits of the City of Midway and is suitable for urban development. We request that annexation proceedings be conducted in accordance with KRS 100.209.

Should you require additional information or documentation, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Homer Michael Freeny, Jr." The signature is written in black ink and is positioned above the printed name.

Homer Michael Freeny, Jr., Trustee of the Homer  
Michael Freeny, Jr. Trust U/A dated November 16, 2001

**LEGAL DESCRIPTION OF A 34.184 ACRE TRACT  
HOMER MICHAEL FREENY, JR TRUST PROPERTY  
KY HWY 341-GEORGETOWN ROAD  
MIDWAY, WOODFORD COUNTY, KENTUCKY 40347**

That tract of land lying north of Midway in Woodford County, Kentucky, north of US Hwy 421 and I-64 and southeast of KY Hwy 341-Georgetown Road, said tract being a portion of the Homer Michael Freeny, Jr. Trust property (DB 282, PG 189), said tract being more fully bounded and described as follows;

“BEGINNING at a steel pin found at the northwest corner of Lot 1, Unit 3 of Midway Station as shown in Cab."E", Sl. 160 in the Woodford Co. Clerk's office, said point being a corner to Lakeshore Warehouse East (DB 296, PG 450) and the northeast corner of Roach (DB 260, PG 452), thence from said point and with the northeast line of Roach for two calls;

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N 65° 07' 47" W 1,069.91 feet to the point of beginning and containing 34.184 acres more or less and subject to any and all legal easements or rights-of-way whether of record or not.”

Based on a random traverse urban survey performed by Tim Thompson, LS 1304 in July 2016, using Trimble 5800 GPS unit and dual frequency receiver. The basis of bearing is KY Grid North based on GPS RTK. The relative positional accuracy for this survey is less than 0.4 feet.

Steel pins set are 3/4 inch diameter by eighteen inch long rebar with ID cap “LS 1304”. Magnails set are 1/4 inch diameter by two inches long with a 1-1/2 inch ID washer with “LS 1304”.

**LAND SURVEYOR'S CERTIFICATION:**

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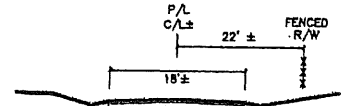
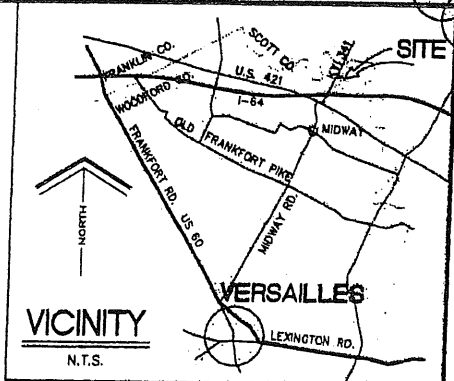
*TS* 10/26/16

TIM THOMPSON LS # 1304

DATE

**PURPOSE**

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**SITE STATISTICS**

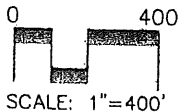
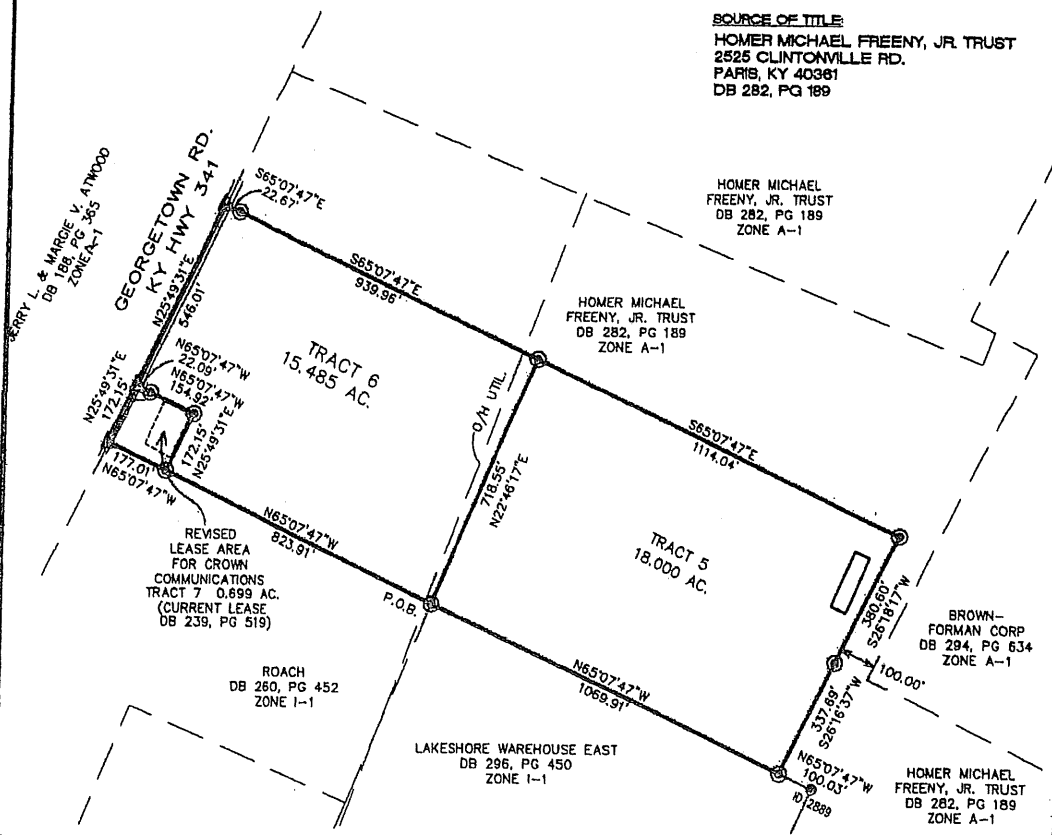
TOTAL AREA	34.184 AC.
TRACT 5	18.000 AC.
TRACT 6	15.485 AC.
TRACT 7	0.699 AC.
ZONE	A-1

**GEORGETOWN RD.**

N.T.S.

**SOURCE OF TITLE**

HOMER MICHAEL FREENY, JR. TRUST  
 2525 CLINTONVILLE RD.  
 PARIS, KY 40361  
 DB 282, PG 189



SCALE: 1"=400'

DATE: OCT. 21, 2016

**TIM THOMPSON**  
 Professional Engineer  
 Land Surveyor

232 Henton Court  
 Versailles, KY 40383  
 (859) 873-5252

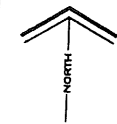
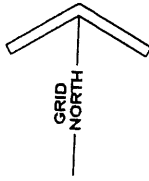


FILE: MIDWAY-STATION-EDA.DWG

THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150

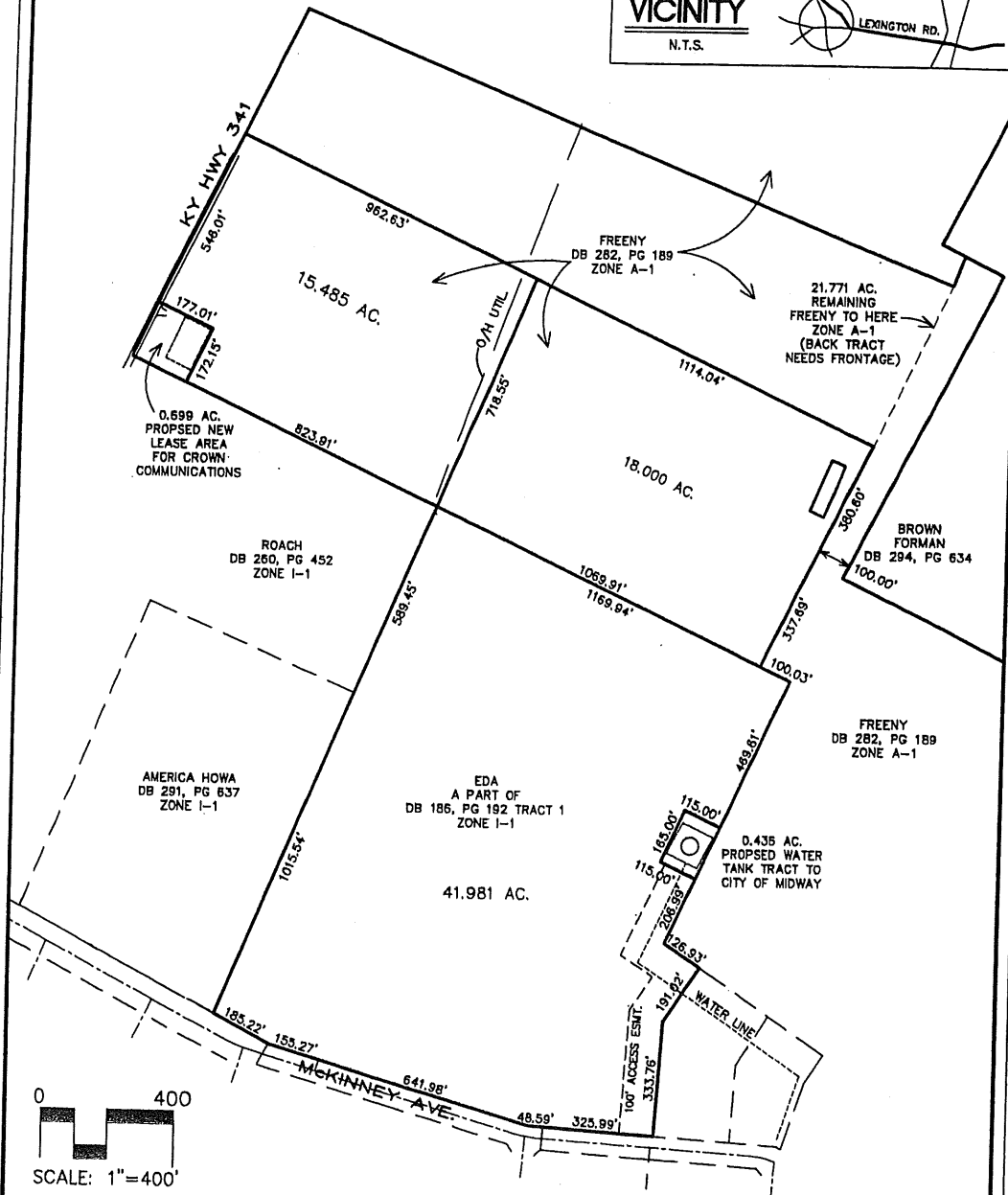
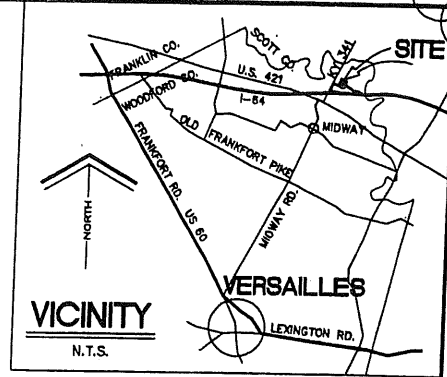
PLAT OF SURVEY OF A PORTION OF  
**HOMER MICHAEL FREENY, JR. TRUST**  
 PROPERTY  
 GEORGETOWN RD., (KY HWY 341)  
 MIDWAY, KENTUCKY 40347

SURVEY FOR  
 WOODFORD ECONOMIC DEVELOPMENT AUTHORITY  
 103 SOUTH MAIN ST., STE 204  
 VERSAILLES, KY 40383



VICINITY

N.T.S.



SCALE: 1"=400'

DATE: AUG. 24, 2016

**TIM THOMPSON**  
Professional Engineer  
Land Surveyor

232 Henton Court  
Versailles, KY 40383  
(859) 873-5252



FILE: MIDWAY-STATION-EDA.DWG

PLAT EXHIBIT FOR  
WOODFORD CO. ECONOMIC  
DEVELOPMENT AUTHORITY  
OF EDA PROPERTY AND  
A PORTION OF  
**HOMER MICHAEL FREENY, JR.**  
PROPERTY  
GEORGETOWN RD., (KY HWY 341)  
MIDWAY, KENTUCKY 40347

RECEIVED

DEC 02 2016

VERSAILLES-MIDWAY  
WOODFORD CO. - P & Z

APPLICATION FOR ZONING MAP AMENDMENT  
VERSAILLES-MIDWAY-WOODFORD COUNTY, KENTUCKY

Application No. 2016-78

The undersigned, owner(s) of the following legally described property hereby request the consideration of a change in zoning district classification as specified below:

1. Name of Legal Owner Homer Michael Freeny, Jr., Trustee  
 Mailing Address 2525 Clintonville Road, Paris, Kentucky  
 Phone No. \_\_\_\_\_ E-mail Address: \_\_\_\_\_
2. Name of Applicant (If different than owner) Woodford Economic Development Authority  
 Mailing Address 103 S. Main St., Rm. 204, Versailles, Kentucky 40383  
 Phone No. \_\_\_\_\_ E-mail Address: \_\_\_\_\_
3. Attorney or Representative (optional) Robert C. Stiliz, Jr.  
 Address 301 E. Main St., Ste. 800, Lexington, Kentucky 40507  
 Phone No. 859-296-2300 E-Mail Address: rstilz@ksattorneys.com
3. Address of Subject Property: \_\_\_\_\_
4. Legislative Authority: \_\_\_\_\_ Versailles  Midway \_\_\_\_\_ Fiscal Court
5. Exact Location and Size of Subject Property: 34.184 acres on KY. Hwy. 341 (Old Georgetown Road), Midway, Kentucky
6. Existing Zoning District and Existing Use: Use is agricultural and zoning is A-1
7. Proposed Zoning District and Proposed Use: Industrial Use; I-1 zone district
8. Section of Zoning Map being Amended: #4
9. Deed Book # and Page # of Property Description and/or Plat Cabinet & Slide #.  
 DB# 282 PG# 189 Plat Cab. \_\_\_\_\_ SL # \_\_\_\_\_
10. Supporting Information: The following items must be attached or submitted with the application:
  - A. A Preliminary Development Plan and/or Preliminary Subdivision Plat (14 copies)
  - B. A list of all property owners and mailing addresses within, contiguous to, and directly across the street from the subject property for which the proposed rezoning is requested.
  - C. A statement of how the proposed rezoning relates to the current Comprehensive Plan.
  - D. Reasons why the zoning should be changed (KRS 100.213).

Application No.: 2016-78

**CERTIFICATION:**

I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and correct. I further certify that I am OWNER \_\_ or HOLDER \_\_ of an agreement to purchase this property since October 18, 2016.

**Signature(s) and Date**

*[Handwritten Signature]*  
Applicant (Sign & Print) Woodford EDA

12/5/16  
Date

\_\_\_\_\_  
Owner (Sign & Print)

\_\_\_\_\_  
Date

Application No.: 2016-78

**For Official Use Only – (Planning Commission)**  
Versailles-Midway-Woodford County, Planning Commission- Kentucky

Date Filed: 12/2/16

Date of Notice in Newspaper: 12/29/16

Date of Notice to Adjacent Property Owner(s): 12/22/16

Date of Public Hearing(s): 1/12/17

Recommendation of Planning Commission: Approval  Denial

Reason for Recommendation In agreement with amended Comprehensive Plan (1/12/17) Workplace Land Use District and Applicant's Findings of Fact.

Jan. 12, 2017  
Date

Latricia B. Nelson for  
Planning Commission/Chairman  
Chad Wells, Chairman

**For Official Use Only – (Legislative Authority)**

Zoning Map Section # \_\_\_\_\_

Date of Recommendation Received: 1/19/2017

Date of Notice in Newspaper: 3-2-17

Date of Public Hearing: \_\_\_\_\_

Date of 1<sup>st</sup> Reading: 2/6/2017

Date of 2<sup>nd</sup> Reading: 2/20/2017

Date of Final Publication in Newspaper: \_\_\_\_\_

Action by Legislative Authority: Approval  Denial

Reason for Recommendation \_\_\_\_\_

2-21-17  
Date

Rylye Hud  
Clerk

NOTE: Three copies of this form and supporting information must be filed with the Versailles-Midway-Woodford County Planning Commission and all fees paid before the application shall be placed on the agenda.



**VERSAILLES-MIDWAY-WOODFORD COUNTY  
PLANNING COMMISSION**

**In The Matter Of: Homer Michael Freeny, Jr., Trustee and Woodford County Economic Development Authority application to amend the 2011 Comprehensive Plan (the "Comprehensive Plan") as it relates to the property at Kentucky Highway 341 consisting of 34.184 acres, to be considered with the application to rezone the subject property from the current zone of A-1 (Agriculture) to I-1 (Light Industrial), and as requested by the City of Midway pursuant to KRS 100.209.**

**FINDINGS OF FACT AND RECOMMENDATION AS TO ZONE CHANGE**

Based upon the Application for Zoning Map Amendment and the Zone Change Staff Report, as introduced at the public hearing, the Planning Commission **FINDS** as follows:

1. Homer Michael Freeny, Jr., Trustee and Woodford County Economic Development Authority filed an application for zoning map amendment for 34.184 acres of land located along Kentucky Highway 341 (Old Georgetown Road) from the current zone of A-1 (Agriculture-1) to I-1 (Light Industrial); and an application for preliminary development plan approval for that property.
2. The property is currently located outside the Midway City Limits and outside the Midway Urban Services Boundary. The City of Midway has adopted Ordinance No. 2016-003 expressing its intent to annex the Property into the Midway City Limits and requested the Planning Commission amend the Comprehensive Plan to include the Property in the Midway Urban Services Boundary. The Legal Description of the Area to be included within the Midway Urban Services Boundary is attached and also marked Exhibit A.
3. The First Amended Final Development Plan filed with the zone change application includes a Vicinity Map, that shows property lines, streets, buildable locations, parking, landscaping and the existing and proposed zoning. This Development Plan is submitted to comply with the supporting information requirement of a Development Plan showing the existing and proposed buildings and structures, buffer areas, entrances, parking and landscaping.
4. The Application for Zoning Map Amendment and First Amended Final Development Plan were reviewed by the Technical Review Committee and all requested modifications have been made.
5. The Applicant seeks a zoning map amendment pursuant to KRS 100.209, as discussed in the Staff Report. This statute authorizes an amendment to a

comprehensive plan and a rezoning recommendation to be made for land that a city intends to annex to allow such land to have an urban use designation at the time of annexation.

6. By separate applications, and in keeping with KRS 100.209, the Applicant has applied to amend the Comprehensive Plan to include the subject property within the Midway Urban Services Boundary, and has filed with that application Ordinance No. 2016-12 to this effect that the Midway City Council has adopted.
7. As per the Staff Report and testimony at the public hearing, the rezoning application is in agreement with the following Goals and Objectives of the 2011 Comprehensive Plan:
  - a. Meets the Goal for Industrial Development and Objectives #1, #3, and #4;
  - b. Meets the Goal for General Land Development and Objectives #1 and # 4 thereof;
  - c. Meets the Goal for Employment and all three of its Objectives;
  - d. Area Wide Development Policies, Workplace District General Development Policies/Guidelines and Workplace District infrastructure Policies have been addressed and satisfied.
8. Upon the amendment to the Comprehensive Plan to include this property within the Midway Urban Services Boundary, this zone change application will be in agreement with the land use element of the Comprehensive Plan.
9. The City of Midway has recently expressed its intention to annex the Property and is included in the area to be furnished urban services. The City of Midway has verified that public water and sewer are available to the property. The property is appropriate for more intense development than currently allows making that classification inappropriate. These circumstances result in a major change to the economic and physical character of the area subject to this request that was unanticipated by the un-amended comprehensive plan.
10. Any concerns regarding noise emanating from the property by industrial use of the property have been adequately addressed by the fact that the request is for light industrial use which does not allow for uses that involve potential nuisances such as noise and the location of the property is within Midway Station, a park designed for industrial uses.
11. Storm water drainage from the property is adequately addressed at the site development phase including engineered construction plans. The applicant

will comply with storm water management of the Versailles-Midway-Woodford County Subdivision Regulations so that there is no net increase in the rate of storm water runoff from the predevelopment stage to post development stage.

12. The Staff Report recognizes that the Comprehensive Plan acknowledges the decline in industrial jobs and the need to increase such jobs as well. The applicant's proposal addresses that need by providing 262 new jobs to residents of Kentucky.
13. The site is contiguous to Industrial zoned land. The proposed new area for zoning is an extension of an existing I-1 zone. The site provides the community with a workplace development of a sizeable tract of land that currently does not exist, contiguous to existing industrial sites, and which can provide meaningful and needed employment within the community.

**Based upon the foregoing, the record of this request, and the testimony at the public hearing, the Planning Commission FINDS that that the request meets the criteria contained in KRS 100.213 in that it is in compliance with the 2011 Comprehensive Plan as amended and the requested classification is appropriate and the existing zoning classification is inappropriate, in part based on changes to the character of the area unanticipated by the un-amended Comprehensive Plan**

#### **RECOMMENDATION TO THE MIDWAY CITY COUNCIL**

**Based on the foregoing Findings of Fact, the Planning Commission RECOMMENDS that the MIDWAY CITY COUNCIL APPROVE the rezoning of the subject property from A-1 (Agriculture) to I-1 (Light Industrial), and APPROVES the First Amended Final Development Plan subject to zoning map amendment approval.**

Done this \_\_\_\_ day of \_\_\_\_\_, 2017.

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J. D. Wolf, Chair  
Versailles- Midway- Woodford County  
Planning Commission

**LEGAL DESCRIPTION OF A 34.184 ACRE TRACT  
HOMER MICHAEL FREENY, JR TRUST PROPERTY  
KY HWY 341-GEORGETOWN ROAD  
MIDWAY, WOODFORD COUNTY, KENTUCKY 40347**

That tract of land lying north of Midway in Woodford County, Kentucky, north of US Hwy 421 and I-64 and southeast of KY Hwy 341-Georgetown Road, said tract being a portion of the Homer Michael Freeny, Jr. Trust property (DB 282, PG 189), said tract being more fully bounded and described as follows;

“BEGINNING at a steel pin found at the northwest corner of Lot 1, Unit 3 of Midway Station as shown in Cab."E", Sl. 160 in the Woodford Co. Clerk's office, said point being a corner to Lakeshore Warehouse East (DB 296, PG 450) and the northeast corner of Roach (DB 260, PG 452), thence from said point and with the northeast line of Roach for two calls;

(1) N 65° 07' 47" W 823.91 feet to a steel pin set at the southeast corner of a proposed revision of a lease area for Crown Communications (Lessee) and thence with Crown Communications (Lessee)

(2) N 65° 07' 47" W 177.01 feet to a magnail set in KY 341-Georgetown Road, thence with Ky341-Georgetown Road and the east line of Jerry L. and Margie V. Atwood (DB188, PG 365) for two calls;

(1) N 25° 49' 31" E 172.15 feet to a magnail set at the northwest corner of Crown Communications (Lessee) and

(2) N 25° 49' 31" E 546.01 feet to a magnail set, thence leaving KY 341-Georgetown Road and with a new line through Homer Michael Freeny, Jr. Trust property for five calls;

(1) S 65° 07' 47" E 22.67 feet to a steel pin set, thence

(2) S 65° 07' 47" E 939.96 feet to a steel pin set, thence

(3) S 65° 07' 47" E 1,114.04 feet to a steel pin set, thence

(4) S 26° 18' 17" W 380.60 feet to a steel pin set and

(5) S 26° 16' 37" W 337.69 feet to a steel pin found in the northeast line of the aforementioned Lakeshore Warehouse East property, thence with the northeast line of Lakeshore Warehouse East

N 65° 07' 47" W 1,069.91 feet to the point of beginning and containing 34.184 acres more or less and subject to any and all legal easements or rights-of-way whether of record or not.”

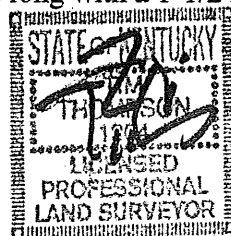
Based on a random traverse urban survey performed by Tim Thompson, LS 1304 in July 2016, using Trimble 5800 GPS unit and dual frequency receiver. The basis of bearing is KY Grid North based on GPS RTK. The relative positional accuracy for this survey is less than 0.4 feet.

Steel pins set are 3/4 inch diameter by eighteen inch long rebar with ID cap “LS 1304”. Magnails set are 1/4 inch diameter by two inches long with a 1-1/2 inch ID washer with “LS 1304”.

EDA-Freeny-ZMA.DOC

October 25, 2016

Tim Thompson  
232 Henton Court  
Versailles, KY 40383



**LAND SURVEYOR'S CERTIFICATION:**

THIS PLAT IS BASED ON AN URBAN RANDOM TRAVERSE SURVEY PERFORMED BY TIM THOMPSON IN JULY 2016, USING TRIMBLE 5800 GPS UNIT AND DUAL FREQUENCY RECEIVER. THE BASIS OF BEARINGS IS KY GRID NORTH BASED ON GPS RTK. THE RELATIVE POSITIONAL ACCURACY FOR THIS SURVEY IS LESS THAN 0.4 FOOT.  
 STEEL PINS SET ARE 3/4" IN DIAMETER BY 18" LONG WITH ID CAP # 1304, AND MAG NAILS SET ARE 1/4" IN DIAMETER BY 2" LONG WITH 1-1/2" DIAMETER ID WASHER #1304.

*[Signature]* *7/13/18*  
 TIM THOMPSON LS # 1304 DATE

**PURPOSE**

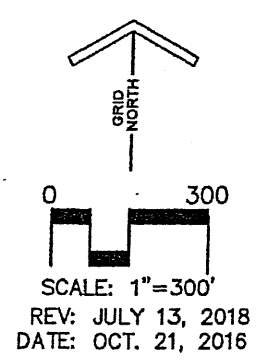
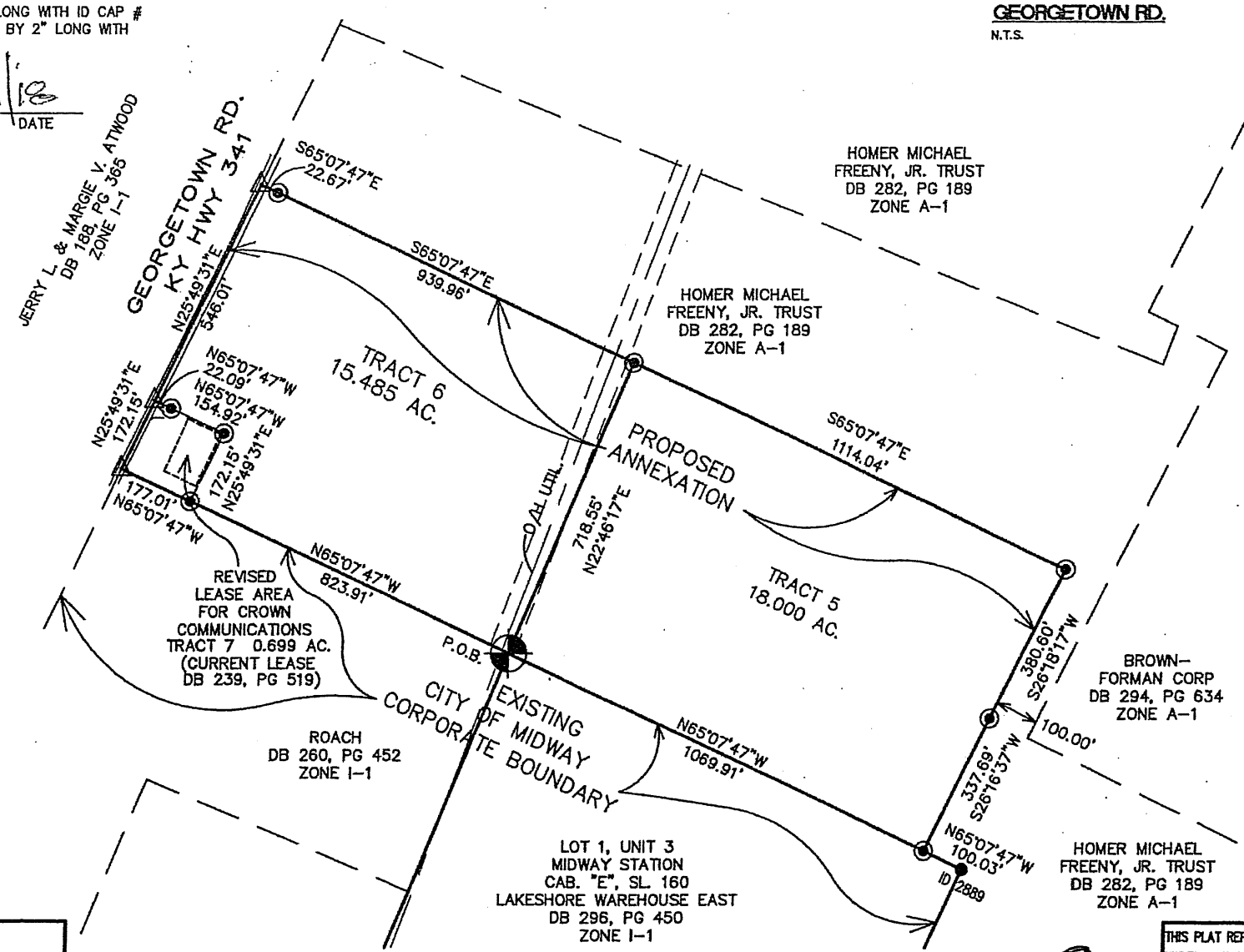
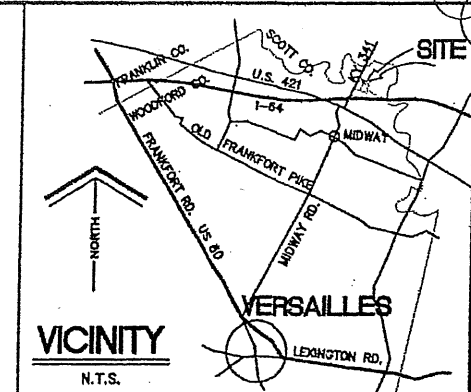
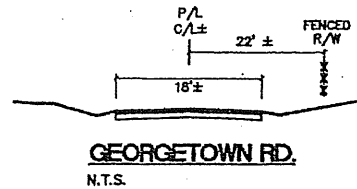
THE PURPOSE OF THIS PLAT OF SURVEY IS TO DEFINE TRACT 5 AND TRACT 6 AS SHOWN AND TO REDEFINE THE CROWN COMMUNICATIONS LEASE AREA AS RECORDED IN DB 239, PG 519 TO THE DIMENSIONS SHOWN AS TRACT 7.

**SITE STATISTICS**

TOTAL AREA	34.184 AC.
TRACT 5	18.000 AC.
TRACT 6	15.485 AC.
TRACT 7	0.699 AC.
ZONE	A-1

KENTUCKY STATE PLANE COORDINATES  
 SINGLE ZONE  
 NAD 83  
 N 3950564.7509  
 E 5231677.5541

**SOURCE OF TITLE:**  
 HOMER MICHAEL FREENY, JR. TRUST  
 2525 CLINTONVILLE RD.  
 PARIS, KY 40361  
 DB 282, PG 189



**TIM THOMPSON**  
 Professional Engineer  
 Land Surveyor  
 232 Henton Court  
 Versailles, KY 40383  
 (859) 873-5252  
**T.S.**  
 FILE: MIDWAY-STATION-EDA.DWG



THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150  
**PLAT OF SURVEY OF A PORTION OF  
 HOMER MICHAEL FREENY, JR. TRUST  
 PROPERTY**  
 GEORGETOWN RD., (KY HWY 341)  
 MIDWAY, KENTUCKY 40347  
 SURVEY FOR  
 WOODFORD ECONOMIC DEVELOPMENT AUTHORITY  
 103 SOUTH MAIN ST., STE 204  
 VERSAILLES, KY 40383

ADDITIONAL DOCUMENTS  
INCLUDED WITH SUBMISSION.

To research the filing, contact the  
Office of Secretary of State.