

RECEIVED AND FILED  
DATE October 10, 2011  
ELAINE N. WALKER  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkinson

CITY OF MIDWAY

**RESOLUTION OF THE CITY OF MIDWAY, KENTUCKY STATING  
THAT BASED ON THE POPULATION, THE GEOGRAPHY AND  
ECONOMIC CONDITION OF THE CITY OF MIDWAY, BY AND  
THROUGH ITS COUNCIL AND MAYOR, SEEKS RECLASSIFICATION  
AS A CITY OF THE FOURTH CLASS**

WHEREAS, the City of Midway will substantially comply with and attain the population requirements as established by Section 156 of the Constitution of the Commonwealth of Kentucky (now repealed);

WHEREAS, the City of Midway has substantially increased its population since the last census, taking into account that college students are considered to be a part of the population of the community where they attend school;

WHEREAS, the City of Midway has because of its unique features and attractions the ability to draw events, tourists and to promote tourism within its City;

WHEREAS, the City of Midway has recently rezoned Midway Station, a 178-acre development, for a mixed use purpose, including, residential, business, professional and industrial use and that said property is under contract between a developer and the Woodford County Economic Development Authority;

WHEREAS, the City of Midway is continually seeking ways in which to promote economic development and to attract employment business within the City and to increase employment opportunities, all of which are restricted due to its current classification as a fifth class city; and

WHEREAS, the City of Midway seeks to attract more employment opportunities, tourism and to promote economic development consistent with its rich history and tradition and in order to ensure the continued viability of Midway;

WHEREAS, Midway's current classification as a city of the fifth class does not provide a suitable framework for its continued and future economic growth and development;

NOW, THEREFORE, in consideration of the foregoing intention and premises, the City of Midway hereby resolves as follows:


Section 1. In consideration of the present and future economic development, conditions and prospects and based upon current and future anticipated population and economic opportunities, the City of Midway seeks to be reclassified as a city of the fourth class; and does hereby authorize and direct the Mayor, City Clerk

and City Attorney to take whatever steps are deemed necessary to effect such reclassification.

Section 2. The foregoing Resolution was read, passed and unanimously adopted by the Midway City Council on the 12th day of February 2011 and was thereafter approved by the Mayor of the City of Midway.

APPROVED this 12th day of February 2011.

CITY OF MIDWAY

  
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TOM BOZARTH, MAYOR


ATTEST:

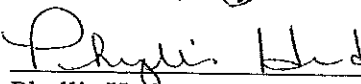
  
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PHYLLIS HUDSON, CITY CLERK

## STATEMENT OF MAYOR AND CLERK, CITY OF MIDWAY, KENTUCKY

Come now Tom Bozarth, Mayor, and Phyllis Hudson, City Clerk, City of Midway, Woodford County, Kentucky, who based on their experience, knowledge and belief as to its current and future circumstances make the following statement regarding their good faith estimate of the population of the City, and advise as follows:

1. The 2000 census report for the City of Midway, Woodford County, Kentucky showed a population at that time of 1,620 residents.
2. The 2000 census is believed to under represent the true and current population of the City of Midway as it does not account for residents living for the majority of the year on campus at Midway College. The college is growing and construction is presently underway for building a new classroom building on the Midway College campus.
3. Since the 2000 census, there has been considerable change in the City of Midway, to-wit: additional areas annexed into the City, the construction of a new wastewater and sewer treatment plant, the rezoning of Midway Station located at the intersection of I-64 and US consisting of 178 acres and a contract for the sale of that property, which property is zoned and planned to be a mixed use purpose that will include residential homes, townhouses and apartments totaling 600 units.
4. The recent construction of a new library branch, and the anticipated construction of a residential care facility on 36 acres recently annexed into the Midway city limits and which will add both residents and jobs in Midway.
5. The revitalization of downtown Midway, including, a new office building, an increase in restaurants and currently a railroad sidetrack that is being built by R.J. Corman Railroad Co. and is scheduled to be completed by April 2011.
6. It is further anticipated that Midway will have a motel or hotel and a number of new restaurants and retail and commercial businesses adjacent to I-64 which will add both jobs and a need for employees to live in or near Midway.
7. The fifth class city framework does not adequately address the City of Midway's needs for ongoing and future economic development, growth and revenue generation, and such present classification inhibits its ability to provide needed services to current and future residents. A reassignment of fourth class status will correct these deficiencies and will promote tourism, economic growth and development in Midway.
8. For the reasons herein stated, it is believed that the City of Midway will substantially attain a population in excess of 3,000 residents, and that a strong public purpose exists for its reclassification and, therefore, the City of Midway should be reclassified as a city of the fourth class.

  
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Tom Bozarth, Mayor

  
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Phyllis Hudson, City Clerk