

**ORDINANCE NO. 2010-09**

**AN ORDINANCE OF THE CITY OF MIDWAY, KENTUCKY, ANNEXING  
APPROXIMATELY 31 ACRES OF LANE ADJACENT TO CITY LIMITS**

**WHEREAS**, The Heritage Homeplace of Midway College, Inc., the sole owner of the land and unincorporated territory described below has voluntarily requested by letter dated September 2, 2010 and consents to have its property annexed in the city limits of the City of Midway; and

**WHEREAS**, the aforesaid owner of the land and unincorporated area referenced below consisting of approximately 31 acres of land adjacent and contiguous to the City of Midway limits has or will be applying to have the subject property zoned from A-1 To R-3; and

**WHEREAS**, the subject property proposed to be annexed as shown on the map attached hereto as per statutory annexation procedures prescribed by KRS 81A.412 and KRS 100.209(1) is more fully described below, to wit:

See Exhibit "A" attached hereto

**AND WHEREAS**, the proposed annexation meets the requirements of KRS 81A.410 and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412; and

**WHEREAS**, it is declared pursuant to KRS 81A.420 that the City of Midway intends to annex this unincorporated territory into its city limits subject to comprehensive map amendment and zoning change from A-1 to R-3 and Public Hearing pursuant to KRS 100.209 before the Versailles-Midway-Woodford County Planning and Zoning Commission for consideration of an amendment of the comprehensive plan and recommendation of the Commission as to zone classification and zoning map amendment;

**NOW THEREFORE BE IT ORDAINED** by the Council of the City of Midway that:

Section 1. The unincorporated territory described above being adjacent and contiguous to the corporate limits of the City of Midway, Kentucky is hereby annexed into the boundaries of the City of Midway to include the territory and land as set forth in the map and legal description herein mentioned.

Section 2. The Versailles-Midway-Woodford County Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 on October 14, 2010 and recommended that the zoning classification of subject property be changed to R-3.

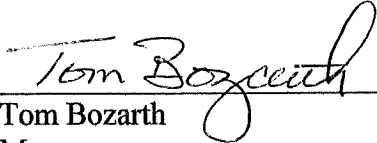
RECEIVED AND FILED  
DATE December 29, 2010

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie G. G. G.

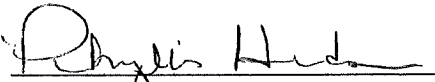
Section 3. The City Clerk shall cause this Ordinance to be published in accordance with applicable law and to forward all maps and documents required by statute to the appropriate state agencies and departments necessary to include the aforesaid property in the City of Midway's limits and incorporated area in conformity with state law.

Section 4. This Ordinance shall become effective upon passage and publication as required by law.

Given at first reading on September 7, 2010, and duly adopted by the Midway City Council after second reading on the 1<sup>st</sup> day of November 2010.

  
\_\_\_\_\_  
Tom Bozarth  
Mayor

Attest:

  
\_\_\_\_\_  
Phyllis Hudson  
City Clerk Treasurer

## EXHIBIT A

September 6, 2010

RE: Legal Description for Zone Change (A-1 to R-3)  
"The Home Place", Christian Care Communities  
Deed Book 239, Page 1 (formerly)  
Weisenberger Mill Road (671 East Stephens Street)  
Woodford County, Kentucky

Beginning at an iron pin (set, PLS 2005) in the southerly right-of-way line of Weisenberger Mill Road at the northeast corner of Lot 13 of the Final Record Plat for Mill Road Place Subdivision in the City of Midway, Kentucky; thence leaving said Mill Road Place with said southerly right-of-way of Weisenberger Mill Road for the following three calls –

S 43° 57' 02" E, 97.12 feet to a point; thence S 49° 58' 12" E, 122.30 feet to a point; thence S 53° 41' 46" E, 262.21 feet to an iron pin (set, PLS 2005), corner to Robert S. West, Jr. (D.B. 132, P. 215); thence leaving said Weisenberger Mill Road with the line of said West S 25° 19' 16" W, 1618.04 feet to an iron pin (found, PLS 1304), corner to said West; thence with said West N 70° 19' 29" W, 958.43 feet to an open pipe (found, PLS 2005 from survey for William Shaw and Mill Road Place Subdivision in the year of 1982) in the line of Woodstone Farm LLC c/o Susan Coats (D.B. 223, P. 611); thence leaving said West with the line of said Woodstone N 24° 10' 35" E, 1192.98 feet to a point in the line of said Woodstone and southwest corner of Lot 7 of the Mill Road Place Subdivision; thence leaving said Woodstone with the line of Lots 7, 8, 9 and 10, respectively, of Mill Road Place S 65° 49' 25" E, 468.03 feet to a point and corner to said Lot 10; thence continuing with said Lot 10 and Lots 11, 12, and 13 of Mill Road Place for the following thirteen calls –

N 70° 02' 19" E, 127.48 feet to a point; thence N 66° 58' 26" E, 54.85 feet to a point; thence N 59° 11' 44" E, 53.29 feet to a point; thence N 43° 34' 52" E, 46.55 feet to a point; thence N 12° 16' 13" E, 49.61 feet to a point; thence N 02° 46' 32" W, 49.67 feet to a point; thence N 16° 40' 59" W, 39.75 feet to a point; thence N 23° 46' 06" W, 35.36 feet to a point; thence N 20° 10' 28" W, 41.45 feet to a point; thence N 06° 06' 40" W, 46.00 feet to a point; thence N 15° 33' 27" E, 42.63 feet to a point; thence N 31° 36' 51" E, 62.79 feet to a point; thence N 34° 41' 25" E, 89.22 feet to the Point Of Beginning and containing 31.000 Acres.

The above description is for a Zone Change Application and not intended to be used for conveyance purposes. The mathematics in the above description is derived from the Kentucky State Plane Coordinate System (North Zone) and in accord with the Woodford County GIS Program.

Prepared by: Malcolm Endicott, 126 South Main Street, Versailles, KY



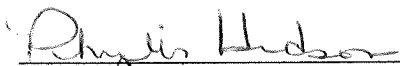
## City of Midway

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

Tom Bozarth, Mayor

I certify I am the duly qualified City Clerk of the City of Midway, Kentucky, and the foregoing three pages of Ordinance No. 2010-09 is a true, correct and complete copy duly adopted by the Midway City Council at a duly convened meeting held on November 1, 2010, all as appears in the official records of said City.

WITNESS, my hand this 10<sup>th</sup> day of December 2010

  
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Phyllis Hudson City Clerk

### Council Members

Sandra M. Cooke, Doris J. Leigh, Aaron Hamilton, Diana Queen, Sharon Turner, Charlann Womble  
City Hall: (859) 846-4413 • Fax: (859) 846-4411 • [www.midwayky.net](http://www.midwayky.net)



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.