

EVANS, WILLOCK & GRAHAM

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NORMAN W. GRAHAM

May 15, 1996

Ms. Elizabeth Horn
Office of the Kentucky Secretary of State
Room 152
The Capitol Building
Frankfort, KY 40601

RE: Annexation
City of Prospect, Kentucky

RECEIVED & FILED
MAY 17 3 27 PM '96
JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY: *K. Adkinson*

Dear Ms. Horn:

The City of Prospect has annexed certain territory containing 46.928 acres adjacent to the existing city boundaries pursuant to Ordinance No. 318, Series 1996, adopted on March 18, 1996, and published on April 17, 1996.

In accordance with the provisions of KRS 81A.470, I am enclosing herewith an accurate map of the annexed territory, a metes and bounds legal description of the territory annexed, and a certified copy of the ordinance.

I have also enclosed a photocopy of this letter, which I request that you stamp "received" and date and return to me in the envelope provided. If you have any questions with respect to the above, please contact me at (502) 569-2030. Thank you for your attention to this matter.

Sincerely,

EVANS, WILLOCK & GRAHAM



Norman W. Graham

NWG/lea
Enclosure

cc: Lawrence C. Falk, Mayor, City of Prospect

C:\WPDOCS\GRAHAM\2229

I hereby certify that the two pages included herewith constitute a true and correct copy of Ord. No. 318, Series 1996.

CITY OF PROSPECT

Ann R. Simms
Ann R. Simms, City Clerk
City of Prospect

ORDINANCE NO. 318, SERIES 1996

AN ORDINANCE ANNEXING TO THE CITY OF PROSPECT A CERTAIN TRACT OF LAND LYING TO THE WEST OF THE EXISTING CITY BOUNDARY IN SUTHERLAND SUBDIVISION.

WHEREAS, pursuant to KRS 81A.412, a city may annex any area which meets the requirements of KRS 81A.410, if each of the owners of record of the land to be annexed gives prior consent in writing to the annexation; and,

WHEREAS, each of the owners of record of the land to be annexed herein has given his consent in writing to such annexation; and,

WHEREAS, the City of Prospect has determined that the area to be annexed herein meets the requirements of KRS 81A.410 because: the area is adjacent to and contiguous with current City of Prospect boundaries; by reason of its anticipated population density as an area of Sutherland subdivision the area is suitable for development for urban purposes without unreasonable delay; and, no part of the area to be annexed is included within the boundary of another incorporated city; and,

WHEREAS, the City of Prospect has reviewed and considered KRS 81A.005(3) which states, in general and subject to certain exceptions, that no area may be incorporated or annexed by another city once the ordinance stating the intention of the city of the first class to annex an area has been given its first reading or enacted by the legislative body of the city of the first class; and,

WHEREAS, the City of Prospect has reviewed and considered City of Louisville proposing Ordinance No. O-140-5-84, and the City of Prospect has determined that the area to be annexed herein is not contiguous with existing City of Louisville boundaries or with City of Louisville boundaries that could be established as a consequence of annexation of areas pursuant to the City of Louisville proposing Ordinance; and,

WHEREAS, the City of Prospect therefore finds that the annexation described herein does not violate KRS 81A.005.

NOW THEREFORE, BE IT ORDAINED by the City of Prospect that:

Section I. There is hereby annexed to the City of Prospect, Kentucky, and the boundary is hereby extended as to to include within the boundaries of the City of Prospect, a certain tract of land which is adjacent to and contiguous with the present City boundary line and more particularly described as follows:

BEGINNING at a pipe in the west corner of a tract conveyed to Britthaven of Kentucky, Inc. as recorded in Deed Book 5378, Page 696 in the aforementioned clerk's office, said point being in the east line of Bass Avenue, thence with the east line of Bass Avenue the following courses:

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CITY OF PROSPECT
KENTUCKY

North 51°56'09" West, 69.63 feet to a pipe;
North 64°45'20" West, 204.98 feet to a pipe;
North 74°39'02" West, 137.02 feet to a pipe in the south line of a tract conveyed to Hayes Kennedy Park, Jefferson County, Kentucky, as recorded in Deed Book 4255, Page 83 in the aforementioned clerk's office; thence with the south line of Hays Kennedy Park North 28°29'32" East, 808.72 feet to a pin; thence North 30°45'25" West, 297.42 feet to a point in the south line of a tract conveyed to River Fields, Inc. as recorded in Deed Book 6537, Page 794 in the aforementioned clerk's office; thence with the south line of River Fields, Inc. North 10°45'24" East, 825.90 feet to a point; thence leaving the south line of River Fields, Inc. South 79°14'36" East, 146.91 feet to a point; thence with the arc of a curve to the right having a radius of 50.00 feet and a chord of South 81°36'04" East, 79.43 feet to a point; thence North 60°59'08" East, 90.00 feet to a point in the southwest line of a tract conveyed to Michael and Marjorie McCall as recorded in Deed Book 6568, Page 236 in the aforementioned clerk's office; thence with the southwest line of McCall South 29°00'52" East, 619.86 feet to a point; thence leaving McCall tract, South 29°00'52" East, 17.74 feet to a pipe; thence South 33°11'32" East, 1579.97 feet to a stone; thence South 32°35'12" East, 793.61 feet to a point; thence South 32°01'03" East, 547.40 feet to a point; thence South 53°29'19" West, 18.44 feet to a point; thence North 32°01'03" West, 536.64 feet to a point; thence North 32°35'12" West, 805.59 feet to a point; thence South 57°16'47" West, 838.71 feet to a stone; thence North 30°45'25" West, 990.91 feet to a point in the north line of Britthaven aforementioned; thence with the north line of Britthaven South 29°56'00" West, 527.81 feet to the point of beginning containing 46.928 acres.

BEING a portion of certain tracts conveyed to NTS/Sutherland, Inc. (f/k/a as STM/Sutherland, Inc.) by Deeds of record in Deed Book 5911, Pages 722, Deed Book 5911, Page 729, and Deed Book 5930, Page 709, in the office of the Clerk of Jefferson County, Kentucky.

Section II. All Ordinances heretofore duly adopted and in force in the present City of Prospect shall equally apply to the area described in this Ordinance.

This Ordinance shall take effect from and after its passage, signing, and publication as required by law.

First reading held this 19 day of February, 1996.

Passed and approved this 18 day of March, 1996.

ATTEST:



CITY CLERK

A:2129



LAWRENCE C. FALK, Mayor

LEGAL DESCRIPTION

ORDINANCE NO. 318, SERIES 1996

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COMMONWEALTH OF KENTUCKY
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OLDHAM COUNTY
JEFFERSON COUNTY

COVERED
BRIDGE
ROAD

ROSE ISLAND ROAD

U.S. 42

SCALE: 1"=1000'

CITY OF PROSPECT, KY ANNEXATION

- ① N 60°59'08" E 90.00'
- ② S 81°36'04" E 79.43' R=50.00'
- ③ S 79°14'36" E 146.91'

EXISTING CITY OF PROSPECT BOUNDARY

TRUE
POINT OF
BEGINNING

S 29°00'52" E 619.86'
 S 29°00'32" E 17.74'
 S 33°11'32" E 1579.97'

NTS SUTHERLAND, INC.
 D.B. 5911 P. 722
 D.B. 5930 P. 709
 D.B. 46,928 AC. N 30°45'25" W 990.91'

N 10°45'24" E 825.90'
 S 29°00'52" E 619.86'

N 28°29'32" E 808.72'
 N 74°39'02" W 137.02'
 N 64°45'20" W 204.98'
 N 51°56'09" W 69.63'

N 28°29'32" E 808.72'
 S 29°56'00" W 527.81'
 S 32°35'12" W 805.59'

S 32°35'12" E 793.61'
 N 32°01'03" W 536.64'

S 53°29'19" W 128.4'
 S 53°29'19" W 18.44'

DUROC AVE

BASS AVE

RIVER ROAD

OHIO RIVER

LOW WATER MARK

GRAPHIC SCALE

