

JAMES HITE HAYS

ATTORNEY AT LAW
521 MAIN STREET
P. O. BOX 88

SHELBYVILLE, KENTUCKY 40066-0088

FAX
(502) 633-3577

TELEPHONE
(502) 633-3534

April 17, 2006

Commonwealth of Kentucky
Office of the Secretary of State
Suite 152, State Capitol
700 Capitol Avenue
Frankfort, KY 40601-3493

Attn: Ms. Kandie Adkinson

IN RE: City of Simpsonville
Ordinance No. 93-1

Dear Kandie :

Thank you for your letter dated March 15, 2006, concerning the City of Simpsonville Ordinance No. 93-1. This was prepared by a previous attorney, and I agree with you the intent language is confusing. I attempted to resolve this confusion by asking the City Commission to amend and further clarify this original Ordinance. As you can see the intent was replaced by the actual annexation of the property, and I hope that this will satisfy your requirement.

Thank you for your attention to this matter, and once I have resolved the other issues we have talked about I will contact you further.

Very truly yours,



James Hite Hays
City of Simpsonville Attorney

JHH/kvj

Enclosure

RECEIVED AND FILED
DATE April 18, 2006

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
Kandie Adkinson



TREY GRAYSON
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY
OFFICE OF THE SECRETARY OF STATE

March 15, 2006

SUITE 152, STATE CAPITOL
700 CAPITAL AVENUE
FRANKFORT, KY 40601-3493
(502) 564-3490
FAX: (502) 564-5687
WEBSITE: WWW.KYSOS.COM

Hon. Hite Hays
P.O. Box 88
Shelbyville, KY 40066-0088

Dear Sir:

We are enclosing information regarding annexation filings for the city of Simpsonville.

Two filings, 2001-006 & 2004-006, met statutory compliance and have been added to the city file. Although we received the certified ordinances January 6, 2006, we have noted on our website database that the surveyor's signature was affixed February 28, 2006. If this is not acceptable, please let us know.

Ordinance No. 93-1 is an "intention to annex" rather than the actual ordinance annexing the tract. Kentucky Revised Statute KRS 81A.420 addresses "intent" ordinances; there is no requirement for filing "intents" in Frankfort since the proposed boundary change may not occur after newspaper publication. There may be adjustments to the proposed annexation or the annexation may be defeated in an election. Please submit the ordinance finalizing the annexation proposed in 93-1.

Although we received and accepted documents identified as Ordinance No. 2000-014, we did not receive a map depicting Tract No. 2. Upon receipt we will attach it to the ordinance.

We thank you for working with us to ensure the Simpsonville file contains accurate information on boundary changes. Our records are copied for various agencies—some of which generate your city boundary maps. Other agencies use your filings for population estimates and urban growth projects. In order for us to provide the most accurate city information available, it is imperative all cities comply with the provisions stated in KRS 81A.470.

Have a good day. If you have questions, just give us a call.

Sincerely,

Kandie Adkinson, Administrative Supervisor,
Land Office Division

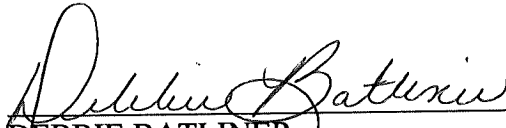


AN EQUAL OPPORTUNITY EMPLOYER M/F/D

CERTIFICATION

I certify that I am the duly qualified City Clerk of the City of Simpsonville, Kentucky, and the foregoing pages of Ordinance No. 93-1 is a true, correct and complete copy duly adopted by the Simpsonville City Counsel at a duly convened meeting held on the 1st day of June, ¹⁹⁹³2000, all as appears in the official records of said City.

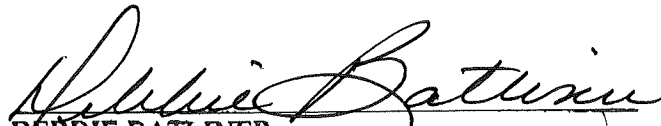
Witness my hand and seal this 4 day of JAN, 2006.


DEBBIE BATLINER
Simpsonville City Clerk

CERTIFICATION

I certify that I am the duly qualified City Clerk of the City of Simpsonville, Kentucky, and the foregoing pages of Ordinance No. 93-1 is a true, correct and complete copy duly adopted by the Simpsonville City Counsel at a duly convened meeting held on June 1, 1993, all as appears in the official records of said City, and further amended and approved on April 4, 2006.

Witness my hand and seal this 4th day of April, 2006.


DEBBIE BATLINER
SIMPSONVILLE CITY CLERK

CITY OF SIMPSONVILLE
ORDINANCE NO. 93-1

AN ORDINANCE ANNEXING APPROXIMATELY 46.034 ACRES INTO THE CITY LIMITS OF SIMPSONVILLE, KENTUCKY.

WHEREAS, the City of Simpsonville has the authority as a City of the Fifth Class, and pursuant to the Kentucky Revised Statutes Chapter 81A to annex unincorporated 46.034 acres into the City of Simpsonville which is contiguous in nature and urban in character, and further,

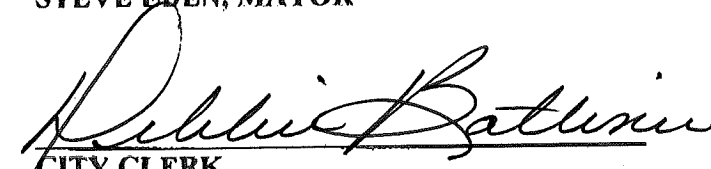
WHEREAS, it is necessary and desirous to accomplish same in the general interest and for the general well being of the residents of the City of Simpsonville and the residents of the annexed 46.034 acres,

NOW THEREFORE, be it ordained by the Commission of the City of Simpsonville, Kentucky, that the territory described below is hereby annexed with the City of Simpsonville, to-wit:

SEE EXHIBIT 'A' ATTACHED FOR DESCRIPTION

WHEREAS, the original 93-1 Ordinance above referred to the words "intention of the city of Simpsonville to annex" when in fact they were actually annexing said property. In order to clarify this terminology the above wording of the Ordinance is to replace the original Ordinance dated June 1, 1993. This was passed by the City Commission of the City of Simpsonville by unanimous vote on April 4, 2006.


STEVE EDEN, MAYOR


CITY CLERK

RECEIVED AND FILED
DATE April 18, 2006

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Garth Adkinson

AN ORDINANCE OF THE CITY OF SIMPSONVILLE, KENTUCKY, DECLARING INTENT TO ANNEX CERTAIN UNINCORPORATED TERRITORY PURSUANT TO THE PROVISIONS OF KRS 81A.420 AND DEFINING THE BOUNDARY OF THE TERRITORY PROPOSED TO BE ANNEXED.

BE IT ORDAINED BY THE CITY OF SIMPSONVILLE, KENTUCKY, ACTING BY AND THROUGH ITS LAWFUL LEGISLATIVE BODY, THE SIMPSONVILLE CITY COMMISSION, AS FOLLOWS:

Whereas it has been determined by the City Commission of Simpsonville, Kentucky, and it is hereby declared, that it is desirable to annex the unincorporated territory hereinafter described, which territory lies adjacent and contiguous to the city, and that it is in the public interest and necessary to the proper development and growth of the City of Simpsonville that said territory be annexed into the city;

Now therefore, pursuant to KRS 81A.410 and 81A.420, it is hereby declared to be the intention of the City of Simpsonville to annex the following described territory, bounded as follows:

Beginning at a point in the city limits of Simpsonville, Kentucky, said point being located 250 feet from the center of Todds Point road and in the line of Frances Smith Threlkeld; thence with the city limits of Simpsonville
 S 01 degrees 25' 30" W (250.00 feet from and parallel to the center of Todds Point road) for a distance of 80.04 feet. Thence leaving the city limits and with the line of the Mary Pearce tract S 89 degrees 17' 53" E 366.08 feet to a corner to the Mary Pearce tract and the Middletown Manufacturing tract. Thence
 N 00 degrees 17' 53" E 20.00 feet to a point,
 S 89 degrees 17' 53" W 375.50 feet to a post and
 S 00 degrees 01' 12" E 647.51 feet to a point at the intersection of the city limits of Simpsonville with the line of the Middletown Manufacturing tract. Thence leaving the line of the Middletown Manufacturing tract and with the city limits of Simpsonville
 N 89 degrees 27' 11" W 211.43 feet to a point and
 S 01 degrees 53' 23" W 541.92 feet to a point in the line of the city limits of Simpsonville and in the north right-of-way of the CSX railroad. Thence with the north right-of-way of the CSX railroad the following calls:
 S 64 degrees 07' 10" W 115.39 feet,
 S 60 degrees 27' 47" W 163.80 feet,
 S 55 degrees 45' 43" W 165.53 feet,
 S 52 degrees 26' 43" W 164.40 feet,
 S 51 degrees 27' 48" W 360.95 feet. Thence along the line of Billy Gene Hornback
 N 02 degrees 15' E 2503.81 feet to a corner to the Maurice L. Miller farm. Thence
 S 89 degrees 31' 17" E 922.47 feet to a point. Thence
 S 00 degrees 22' 42" E 697.74 feet to a post corner to Frances Smith Threlkeld. Thence
 N 89 degrees 17' 53" E 743.04 feet to the point of beginning and containing 46.034 acres.

A plat of the said territory proposed to be annexed is appended and made a part hereof by reference.

This Ordinance shall be effective upon its final passage and publication and the City Clerk is authorized and directed to publish this Ordinance in the Sentinel-News of Shelbyville.

GIVEN FIRST READING & PASSED: The 4th day of May, 1993

GIVEN SECOND READING & ADOPTED: The 1st day of June 1993

APPROVED: _____

John Frazee

Mayor

ATTEST: _____

Tina Ball

City Clerk

WRITTEN DESCRIPTION

for

TODDS STATION SUBDIVISION

BEGINNING at a point in the northerly right-of-way line of L & N Railroad, said point also being the most southerly corner of Lot 119 of Todds Station Subdivision, Phase II as recorded in Plat Cabinet 6, Slide 297 in the office of the Clerk of Shelby County, Kentucky; thence leaving said northerly right-of-way line North 02 degrees 15 minutes 00 seconds East, 2,503.81 feet to a point, said point being the northwest corner of Lot 16 Amended Todds Station Subdivision, Phase 1 as recorded in Plat Cabinet 6, Page 121 in the aforesaid Clerk's office; thence South 89 degrees 31 minutes 17 seconds East, 922.73 feet to a point; thence South 00 degrees 22 minutes 42 second East, 697.74 feet to a point; thence North 89 degrees 17 minutes 53 seconds East, 993.08 feet to a point along the west right-of-way line of Todds Point Road (A.K.A. Highway 1848); thence along said west right-of-way line South 01 degrees 25 minutes 30 seconds West, 80.04 feet to a point; thence leaving said west right-of-way line South 89 degrees 17 minutes 53 seconds West, 616.25 feet to a point; thence North 00 degrees 17 minutes 53 seconds East, 20.00 feet to a point; thence South 89 degrees 17 minutes 53 seconds West, 375.50 feet to a point, said point being a common corner with the northwest corner of the tract conveyed to Middletown Manufacturing by deed of record in Deed Book 180, Page 561 in the aforesaid Clerk's office; thence South 00 degrees 01 minutes 12 seconds East, 832.52 feet to a point; thence North 89 degrees 27 minutes 10 seconds West, 217.59 feet to a point, said point being a common corner with the northwest corner of the tract conveyed to Paul Evans by deed of record in Deed Book 197, Page 83 in the aforesaid Clerk's office; thence South 01 degrees 53 minutes 23 seconds West, 356.87 feet to a point along the aforesaid northerly right-of-way line of L & N Railroad; thence along said northerly right-of-way line courses as follows: South 64 degrees 38 minutes 44 seconds West, 115.59 feet to a point; thence South 60 degrees 27 minutes 47 seconds West, 163.80 feet to a point; thence South 55 degrees 45 minutes 43 seconds west, 165.53 feet to a point; thence South 52 degrees 06 minutes 02 seconds West, 164.54 feet to a point; thence South 51 degrees 27 minutes 48 seconds West, 360.95 feet to the point of BEGINNING, containing 47.40 acres.

STATE OF KENTUCKY
DAVID B.
WINKLER
3492
LICENSED
PROFESSIONAL
LAND SURVEYOR

David B. Winkler

2-28-06

March 15, 2006

Hon. Hite Hays
P.O. Box 88
Shelbyville, KY 40066-0088

Dear Sir:

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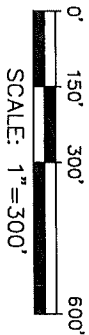
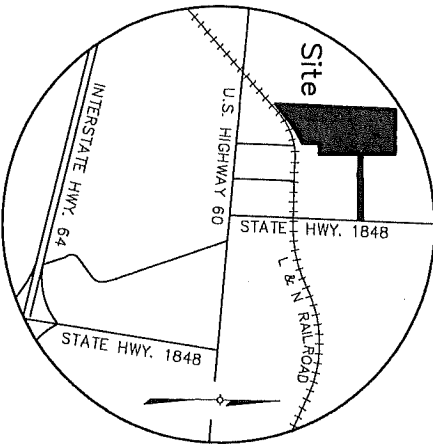
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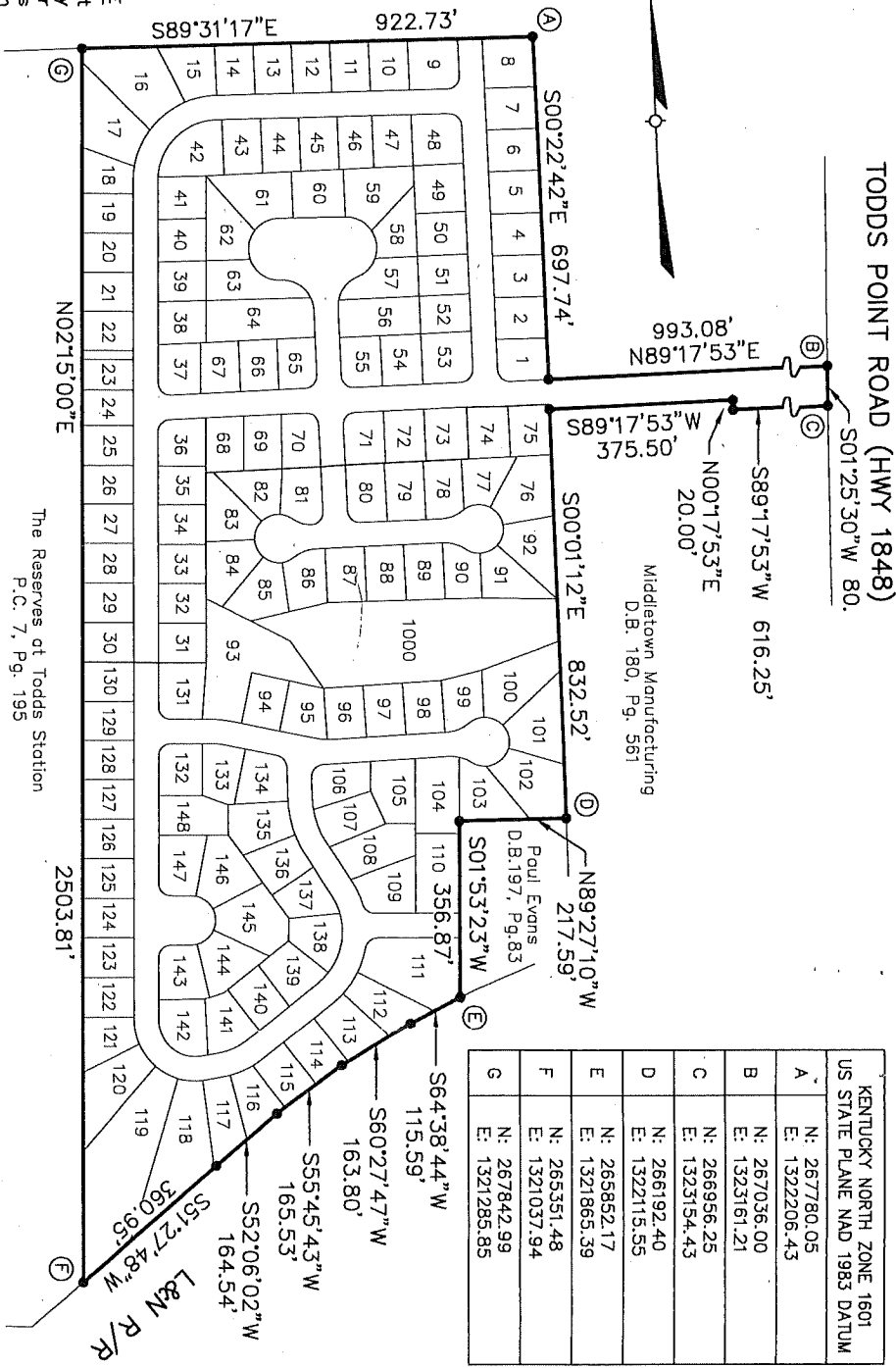
Kandie Adkinson, Administrative Supervisor,
Land Office Division



STATE OF KENTUCKY
 DAVID B. WINKLER
 3492
 LICENSED PROFESSIONAL LAND SURVEYOR

LAND SURVEYOR'S CERTIFICATE
 I hereby certify that this plat and survey were made under my supervision and that the angular and linear measurements as witnessed by monuments shown hereon, are true and correct to the best of my knowledge and belief. This survey and plat meets or exceeds the minimum standards of governing authorities.

Surveyor's Signature *David B. Winkler* #3492 2-28-06
 PLS# Date



The Reserves at Todds Station
 P.C. 7, Pg. 195

TODDS STATION
 SUBDIVISION

PROPERTY ANNEXATION
 LOCATED AT THE REAR OF
 7387 SHELBYVILLE ROAD
 SHELBYVILLE, SHELBY CO., KENTUCKY

KENTUCKY NORTH ZONE 1601 US STATE PLANE NAD 1983 DATUM	
A	N: 267780.05 E: 1322206.43
B	N: 267036.00 E: 1323161.21
C	N: 266956.25 E: 1323154.43
D	N: 266192.40 E: 1322115.55
E	N: 265852.17 E: 1321865.39
F	N: 265351.48 E: 1321037.94
G	N: 267842.99 E: 1321285.85

PREPARED BY:
 LAND DESIGN & DEVELOPMENT, INC.
 Engineering Land Surveying Landscape Architecture
 8014 Vinecrest Avenue Louisville, Kentucky 40222
 phone (502) 426-5374 fax (502) 426-5375
 DATE: FEB. 28, 2006