

JAMES HITE HAYS

ATTORNEY AT LAW

521 MAIN STREET

P. O. BOX 88

SHELBYVILLE, KENTUCKY 40066-0088

TELEPHONE  
(502) 633-3534

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(502) 633-3577

January 3, 2008

RECEIVED AND FILED  
DATE January 4, 2008

Secretary of State Office  
Capital Annex, Room T40  
Frankfort, KY 40601

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandie Adkinson

ATTN: MS. KANDIE ATKINSON

IN RE: City of Simpsonville Annexation Ordinance

Dear Ms. Atkinson:

In compliance with KRS 81A.470 and 81A.475, you will find enclosed a certified copy of a recent annexation by the City of Simpsonville which was published in accordance with Chapter 424 on December 7, 2007. This certification includes a detailed map of the annexed property and a metes and bounds description of said property for your records. Copies of this Annexation Ordinance will be filed in the Shelby County Clerk's Office, Secretary of State's Office and the Governor's Office of Local Development in accordance with the statutes.

If you have any questions whatsoever, please feel free to contact me at your convenience.

Very truly yours,



James Hite Hays  
City of Simpsonville Attorney

JHH/kvj

Enclosure

CITY OF SIMPSONVILLE  
CERTIFICATION OF ANNEXATION ORDINANCE

This is to certify that the attached City of Simpsonville Ordinance 07-~~010~~ is a true and accurate copy of the Ordinance annexing property into the City of Simpsonville. This Ordinance was read on two (2) occasions and passed by unanimous vote on December 4, 2007, and was published in accordance with KRS 424.

CITY OF SIMPSONVILLE

BY: Debbie Batliner  
DEBBIE BATLINER, CITY CLERK

ATTEST:

James Hite Hays  
JAMES HITE HAYS, CITY ATTORNEY

RECEIVED AND FILED  
DATE January 4, 2008

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY: Handie Adkinson

**CITY OF SIMPSONVILLE  
ORDINANCE NO. 2007-010**

**ORDINANCE ANNEXING PROPERTY BY CONSENT**

ORDINANCE ANNEXING 42.8 ACRES OF PROPERTY LOCATED SOUTH OF THE PRESENT CITY LIMITS OF SIMPSONVILLE, KENTUCKY ON THE EAST AND WEST SIDE OF KY 1848 AND ON THE NORTH AND SOUTH OF KY 1399, AND ALSO INCLUDING I-64 INTERCHANGE AT KY HIGHWAY 1848.

BE IT HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF SIMPSONVILLE, KENTUCKY AS FOLLOWS:

Pursuant to KRS 81A.412, the Simpsonville City Commission finds that a 42.8 acre tract of property located south of the present city limits of Simpsonville, Kentucky on the east and west side of KY 1848 and on the north and south of KY 1399, and also including I-64 interchange at KY Highway 1848 is suitable for development for urban purposes without unreasonable delay. Said property is contiguous to the present Simpsonville city limits at the time this ordinance is to be effective. The Simpsonville City Commission further finds that said property is not included within the bounds of any other incorporated city and the owners of said property are (1) Redline Properties LLC, by deed dated April 30, 2007, of record in the Shelby County Clerk's Office in Deed Book 499, Page 668, and (2) The Kentucky Department of Transportation which includes KY 1848, Interstate 64 Interchange and KY 1399, and further with the property owners having executed a written consent to be annexed within the city limits of Simpsonville—see Exhibits A & B attached). See copy of description and plat attached hereto as Exhibits C & D.

Based upon the aforementioned findings, the Simpsonville City Commission declares that it is desirable to annex this unincorporated territory described in the attached exhibits, and it hereby annexes to the City of Simpsonville and its boundary line is extended so as to include within the city limits of Simpsonville the property described on the attached Exhibit D and further described in the map which is attached as Exhibit C to this Ordinance.

This ordinance shall be effective upon adoption by the Simpsonville City Commission and publication in accordance with Chapter 424 of the Kentucky Revised Statutes.

  
\_\_\_\_\_  
**STEVE EDEN, MAYOR**

ATTEST:

  
\_\_\_\_\_  
**DEBBIE BATLINER, City Clerk**

First Reading: 11/6/07

Second Reading: 12/4/07

Published: 12/7/07

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*Properties*

July 30, 2007

Hon. Steve Eden, Mayor  
City of Simpsonville  
PO Box 378  
Simpsonville, KY 40067

Re: Request for Annexation

Dear Mayor Eden:

Redline Properties, LLC acquired 6.88 acres of property located on the north side of KY 1399, south of I-64 and east of the Norfolk Southern Railway by deed dated 30 April 2007 and recorded in Deed Book 499 Page 668 in the Shelby County Clerk's office. A copy of said deed is attached to this letter.

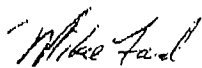
Redline Properties, LLC requests that the City of Simpsonville annex said property into its Corporate Limits as a result of this letter.

It is the intent of Redline Properties, LLC to develop said property into commercial lots that will serve the traveling public. Examples of targeted uses will include but not be limited to restaurants, coffee shops, and hotels. It is anticipated that Redline will submit an application to Triple S Planning and Zoning for a zone change to X-1 (Limited Interchange) Zone or a Commercial Zone that would accommodate the intended uses. Redline Properties, LLC specifically states that it will not develop the property into an Equipment Sales and Rental facility.

Redline makes this request with the understanding that the City of Simpsonville and its Sewer board have the ability and will to permit sanitary sewer into said area if annexation is accomplished.

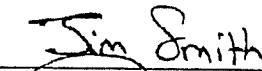
This request for annexation voluntary on the part of Redline Properties, LLC and is being made without duress.

Yours truly,

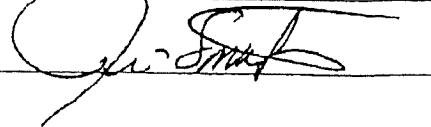


Mike Ford, General Manager  
Redline Properties  
Phone: 859-624-5600  
Fax: 859-624-5615  
Mobile: 859-661-2504

Witness:



Name:



# EXHIBIT B

10/31/2007 13:48 5026333577

HAYS LAW OFFICE

PAGE 02

Oct 31 07 11:41a

City of Simpsonville

(502) 722-8119

p.2



## TRANSPORTATION CABINET

Frankfort, Kentucky 40622  
www.kentucky.gov

**Ernie Fletcher**  
Governor

**Bill Nighbert**  
Secretary

**Crystal Murray Tucker**  
Deputy Secretary

October 30, 2007

Mayor Steve Eden  
City of Simpsonville  
P. O. Box 378  
Simpsonville, KY 40067

RE: Annexation of I-64 / KY 8148 Interchange  
Simpsonville, Kentucky

Dear Mayor Eden:

This correspondence follows discussions between the Cabinet and Hon. James H. Hayes, Simpsonville City Attorney regarding the annexation of the above referenced property.

On behalf of the Transportation Cabinet, please be advised that the Cabinet hereby gives its prior written consent to the proposed annexation, as depicted in the plat and legal description attached hereto. This prior written consent is intended to specifically satisfy the requirements of KRS 81A.412.

If the Kentucky Transportation Cabinet can be of any further assistance in this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Bill Nighbert".

Bill Nighbert  
Secretary  
Kentucky Transportation Cabinet

BN/JRW/cas

# EXHIBIT C

## ANNEXATION DESCRIPTION

### CITY OF SIMPSONVILLE

October 8, 2007

BEGINNING at a point in the north right of way of Interstate Highway 64 at its intersection with the east right of way of the Norfolk Southern Railroad and located at the southwest corner of the territory annexed into the City of Simpsonville by Ordinance No. 89-2, given second reading by the Simpsonville City Commission on February 7, 1989; thence with the existing corporate limit of the City of Simpsonville and the north right of way of Interstate Highway 64 the following calls:

S 77°50'30" E, 989.77 feet to a point,

N 75°03'08" E, 500.91 feet to a point,

N 56°36'06" E, 177.25 feet to a point,

S 77°50'30" E, 170.00 feet to a point,

S 54°11'18" E, 884.29 feet to a point;

thence crossing Interstate Highway 64,

S 12°09'30" W, 300.00 feet to a point in the south right of way of Interstate Highway 64;

thence with south right of way of Interstate Highway 64 the following calls:

N 77°50'30" W, 46.89 feet to a point,

S 77°54'22" W, 672.18 feet to a point,

S 60°31'24" W, 254.55 feet to a point,

S 12°09'30" W, 200.00 feet to a point,

N 77°50'30" W, 110.00 feet to a point,

N 12°09'30" E, 150.00 feet to a point at the intersection of the south right of way of Interstate Highway 64 and the south right of way of KY 1399; thence with the south right of way of KY 1399 the following calls:

N 57°16'05" W, 154.83 feet to a point,

N 37°50'30" W, 403.58 feet to a point,

N 62°20'16" W, 215.56 feet to a point,

S 80°16'54" W, 1207.37 feet to a point; thence crossing KY 1399,

N 9°43'06" W, 50.00 feet to a point at the intersection of the north right of way of KY 1399 and the east right of way of the Norfolk Southern Railroad, thence following the Railroad right of way the following calls:

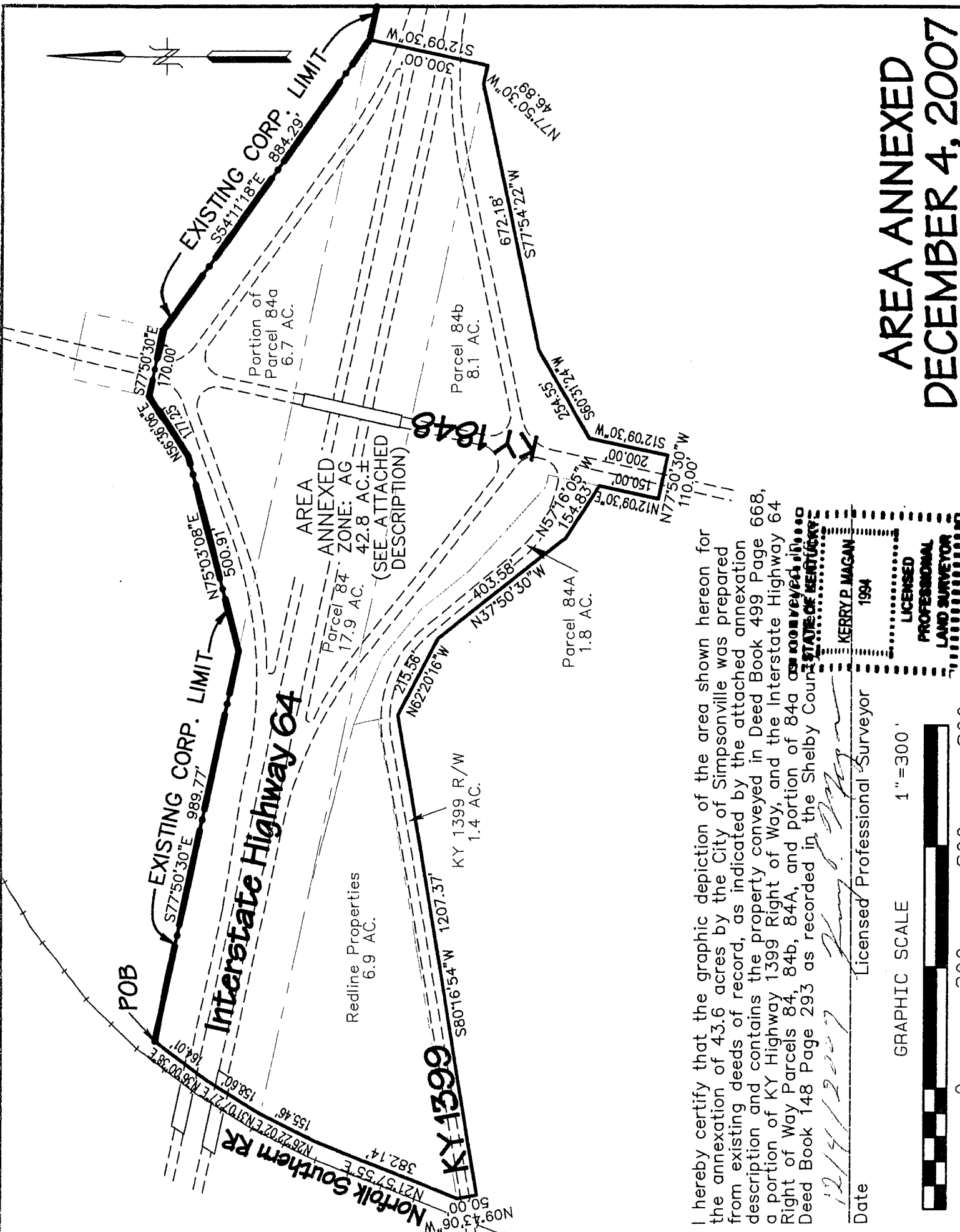
N 21°57'55" E, 382.14 feet to a point,

N 26°22'02" E, 155.46 feet to a point at the intersection of the east right of way of Norfolk Southern Railroad and the south right of way of Interstate Highway 64; thence crossing Interstate Highway 64 the following calls:

N 31°07'27" E, 158.60 feet to a point,

N 36°00'38" E, 164.01 feet to the POINT OF BEGINNING. Containing 42.8 Acres more or less.

# AREA ANNEXED DECEMBER 4, 2007



I hereby certify that the graphic depiction of the area shown hereon for the annexation of 43.6 acres by the City of Simpsonville was prepared from existing deeds of record, as indicated by the attached annexation description and contains the property conveyed in Deed Book 499 Page 668, a portion of KY Highway 1399 Right of Way, and the Interstate Highway 64 Right of Way Parcels 84, 84b, 84A, and portion of 84a as conveyed in Deed Book 148 Page 293 as recorded in the Shelby County Clerk's Office.

12/4/2007  
 KERRY P. MAGAN  
 1994  
 LICENSED  
 PROFESSIONAL  
 LAND SURVEYOR

Date \_\_\_\_\_ Licensed Professional Surveyor

