

**CITY OF JEFFERSONTOWN
JEFFERSON COUNTY, KENTUCKY**

ORDINANCE NO. 1422, SERIES 2021

**AN ORDINANCE TO ANNEX TO THE CITY OF
JEFFERSONTOWN A CERTAIN TRACT OF LAND IN THE
COUNTY OF JEFFERSON, ADJOINING THE PRESENT
CITY OF JEFFERSONTOWN AND BEING ADJACENT TO
AND CONTIGUOUS WITH THE PRESENT BOUNDARY OF
SAID CITY AND MORE PARTICULARLY HEREINAFTER
DESCRIBED**

WHEREAS, over Ninety-Two Percent (92%) of the property owners residing within the annexation area, commonly known as “Kirby Estates Subdivision”, have executed their written consent to the subject annexation by the City of Jeffersontown, and;

WHEREAS, the City Council finds that the area described below, the “Annexation Area,” is urban in character and suitable for immediate annexation, is adjacent to and contiguous with the existing boundary of the City of Jeffersontown; and

a. The Annexation Area is adjacent to and contiguous to the existing boundaries of the City of Jeffersontown; and,

b. The Annexation Area is, by reason of population density the use of the land is urban in character and available for urban purposes without unreasonable delay; and

c. No part of the Annexation Area is included within the boundary of another incorporated city; and

d. More than Ninety (90) percent of the landowners have petitioned the City of Jeffersontown to annex the area described herein; and

WHEREAS, the City Council desires to go forward with the annexation of the subject property,

NOW THEREFORE, IT IS ORDAINED BY THE CITY OF JEFFERSONTOWN, KENTUCKY, AS FOLLOWS:

Section 1. It is deemed desirable to annex to the City of Jeffersontown, Kentucky, and by this Ordinance extend the boundaries of the City of Jeffersontown to include same, that certain tract of land which is now embraced within the County of Jefferson and which is adjacent to and contiguous with the present city boundary and which, by reason of population density and land hold improvements is urban in character and suitable for immediate development, which territory is accurately described and defined as follows on the attached Exhibit A:

Section 2. The zoning on the subject property shall remain as currently zoned, until changed by the City of Jeffersontown. Nothing herein shall be construed to limit or restrict any contractual, common law, or other rights and/or privileges Jeffersontown may have with respect to the provision of drainage within the city limits as expanded by this Ordinance.

Section 3. The City Clerk is authorized and directed to publish this Ordinance under KRS Chapters 81A, 83A, and 424 and it shall take effect from and after its passage, signing and publication as required by law.

INTRODUCED AND READ AT A CITY COUNCIL MEETING OF THE CITY COUNCIL OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 7th DAY OF SEPTEMBER, 2021.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 4th DAY OF JANUARY, 2022

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VETOED:

BILL DIERUF, MAYOR

DATE: _____

APPROVED:



BILL DIERUF, MAYOR

DATE: 1/5/22

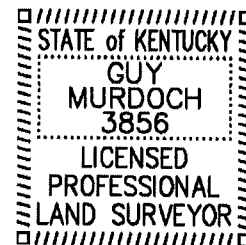
ATTEST:



BILL FOX, CITY CLERK

Description for City of Jeffersontown
Annex Ordinance 1422, Series 2021

Beginning at a point in the existing boundary of the City of Jeffersontown at State Plane Coordinate N: 3957133.90, E: 4967673.86 (NAD83, KY Single Zone, US Survey Feet) also being the southeast corner of Kirby Estates, as recorded in P.B. 31, Page 3 in the office of the Clerk of Jefferson County, Kentucky;
thence with the existing city boundary N87°44'33"W, 2,075.87' to the centerline of Kirby Lane;
thence with the center of Kirby Lane the following two (2) calls:
N02°20'55"E, 555.71';
S86°48'05"E, 783.95' to the centerline of Stoney Brook Drive;
thence departing Kirby and running with the center of Stoney Brook N01°21'48"E, 512.46';
thence departing Stoney Brook and running with Kirby Estates S86°35'04"E, 1,341.70' to the existing boundary of the City of Jeffersontown;
thence running with Kirby Estates and the existing boundary line S04°36'46"W, 1,028.99' to the point of beginning and containing 41.322 acres.

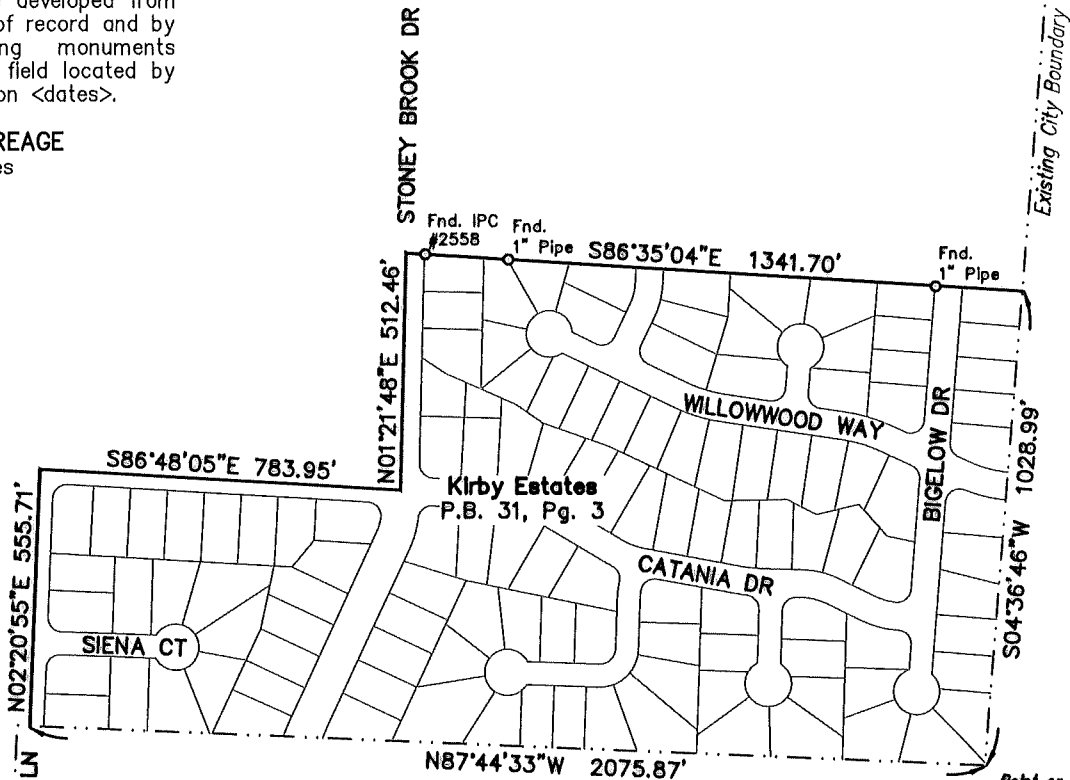


NOTES

The bearing datum is based NAD 83 Kentucky State Plane Single Zone, US Survey Feet by GNSS observation.

The lines shown on this survey were developed from the deeds of record and by the existing monuments which were field located by GNSS GPS on <dates>.

TOTAL ACREAGE
41.322 Acres



Point on Original City of
Jeffersontown boundary
P.O.B. TRACT 1
N 3957133.90
E 4967673.86



GRAPHIC SCALE IN FEET

LAND SURVEYOR'S CERTIFICATE

This plat does not represent a property survey and the monuments shown if any are to be used as reference ties for the annexation to the City of Jeffersontown boundary by Ordinance No. _____ Series 2021.

This plat was prepared to the standards of KRS 81A.470. I hereby certify that this plat was made under my supervision and is correct to the best of my knowledge and belief.

G. Murdoch
Professional Land Surveyor

9/1/2021
Date

STATE of KENTUCKY
GUY
MURDOCH
3856
LICENSED
PROFESSIONAL
LAND SURVEYOR

CITY OF JEFFERSONTOWN, KENTUCKY
ORDINANCE # SERIES 2021
KIRBY ESTATES SUBDIVISION ANNEXATION



Engineering • Planning
1046 E. Chestnut Street, Louisville, Kentucky 40204
Phone: 502-585-2222 www.qk4.com

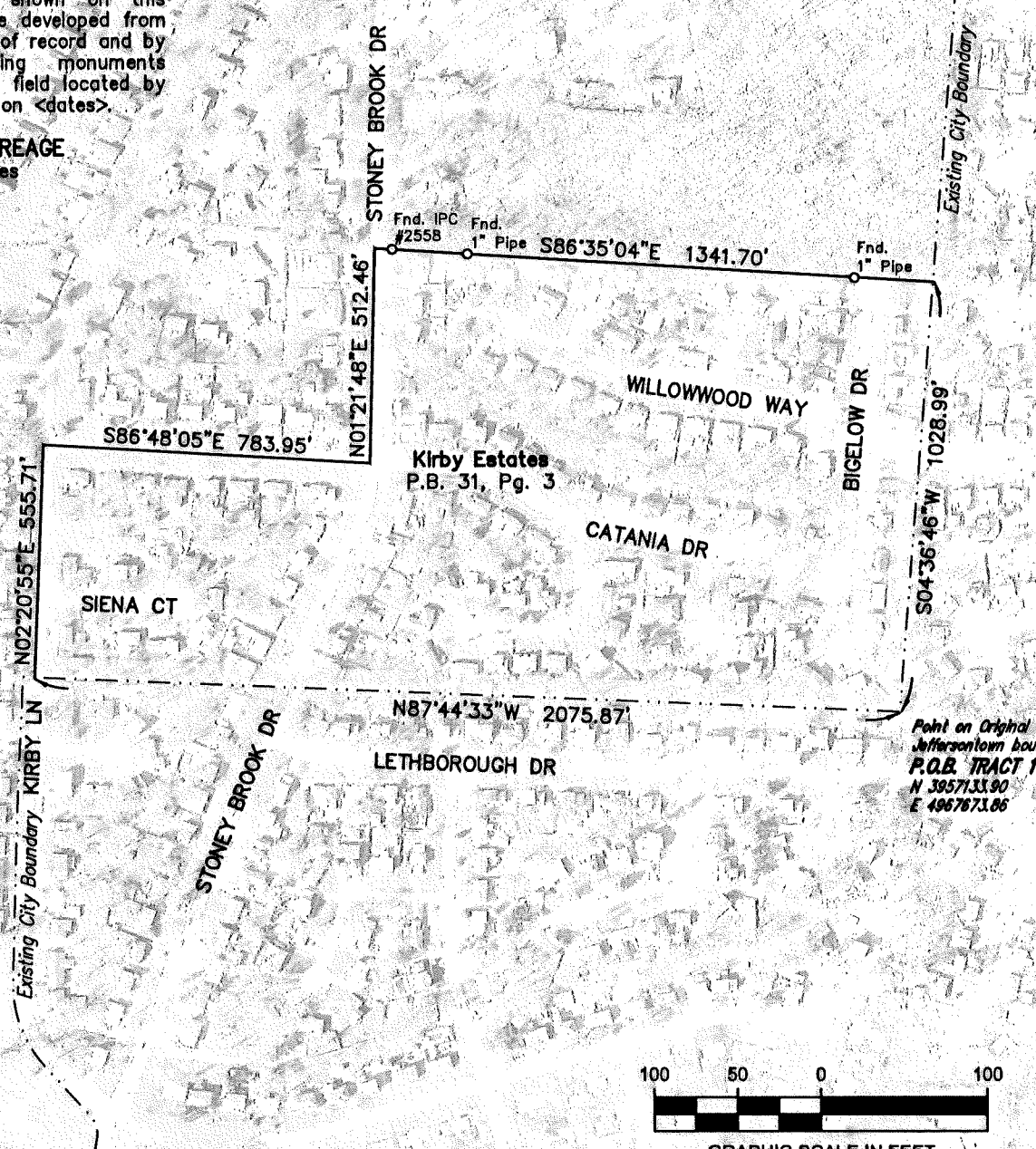
SCALE 1"=400' PROJ. NO.21584 DATE: 9/1/2021

NOTES

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CITY OF JEFFERSONTOWN, KENTUCKY
ORDINANCE # SERIES 2021
KIRBY ESTATES SUBDIVISION ANNEXATION



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Guy Murdoch
Professional Land Surveyor

9/1/2021
Date

STATE of KENTUCKY
GUY
MURDOCH
3856
LICENSED
PROFESSIONAL
LAND SURVEYOR

SCALE 1"=400' PROJ. NO.21584 DATE: 9/1/2021

ORDINANCE NO. 183, SERIES 2021

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF JEFFERSONTOWN OF A TRACT OF LAND ADJOINING JEFFERSONTOWN, WHICH LAND IS CONTIGUOUS WITH THE EXISTING BOUNDARY OF THE CITY OF JEFFERSONTOWN, BUT NOT CONTIGUOUS TO THE BOUNDARY OF THE FORMER CITY OF LOUISVILLE, AND BEING IN THE UNINCORPORATED AREA OF THE FORMER COUNTY OF JEFFERSON (AS AMENDED).

SPONSORED BY: COUNCIL MEMBER KEVIN KRAMER

WHEREAS, on September 21, 2021 the City Council of the City of Jeffersontown, Kentucky voted in favor of an ordinance to annex the property depicted in the annexation request packet received from the City of Jeffersontown and more particularly described therein, which is incorporated herein by reference as if set forth in full (a copy of which is attached hereto); and

WHEREAS, the area proposed for annexation consists of approximately 41 acres including 119 single family homes which make up the entirety of the subdivision known as Kirby Estates; and

WHEREAS, the City of Jeffersontown stated in its Ordinance No. 1421, Series 2021, that the Ninety-Two Percent (92%) of the property owners residing within the territory sought to be annexed executed written consents in favor of annexation by the City of Jeffersontown (a copy of the signature is attached hereto); and

WHEREAS, the City of Jeffersontown believes it is in a position to provide municipal services to the area proposed for annexation; and

WHEREAS, the written consent form signed by the property owners acknowledged the annexation would result in property tax increase as well as additional city services to be provided by the City of Jeffersontown; and

WHEREAS, the City of Jeffersontown was required to hold a public meeting regarding the proposed annexation because it did not obtain One Hundred Percent (100%) consent of the affected property owners, and did so on Wednesday, February 26, 2021, at the Jeffersontown City Hall, wherein no opposition was raised; and

WHEREAS, the City of Jeffersontown filed a request on October 21, 2021 with the Office of the Metro Council Clerk requesting that the Legislative Council of the Louisville/Jefferson County Metro Government (the "Metro Council") approve the annexation of the property described above (a copy of which is attached hereto); and

WHEREAS, KRS 67C.111(3) requires the City of Jeffersontown obtain approval of the annexation from Metro Council prior to the City of Jeffersontown proceeding with the annexation requirements under KRS Chapter 81A; and

WHEREAS, various municipal agencies were provided the opportunity to review and comment upon the City of Jeffersontown's request for approval of its annexation of the Kirby Estates property; and

WHEREAS, Louisville and Jefferson County Metropolitan Sewer District ("MSD") provided a responsive comment asserting its duties and rights to continue provision of drainage services to the properties within Kirby Estates and charge fees in exchange therefore and its rights to continued ownership and operation of its assets located in the subject area, which duties and rights MSD asserts are recognized and protected by common law, statutory law, and public policy; and

WHEREAS, Louisville Metro does not intend for the approval of the annexation request of Kirby Estates by Jeffersontown to affect, impair, impede, waive, or otherwise

alter MSD's asserted rights or resolve any potential dispute between or among the owners of Kirby Estates properties, MSD and the City of Jeffersontown; and

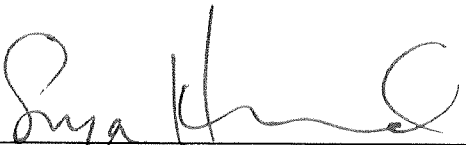
WHEREAS, KRS 67C.111(3) gives Metro Council the authority to approve or deny annexation requests "by ordinance and within sixty (60) days of the receipt of the request" and if Metro Council does not act within "sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved"; and

WHEREAS, for the reasons stated above Metro Council wishes to proceed with approval of the City of Jeffersontown's annexation ordinance to become effective upon passage and approval.

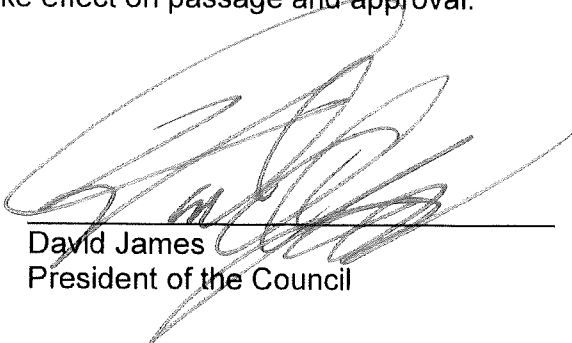
NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: Metro Council hereby approves the annexation of the property depicted in the annexation request packet received from the City of Jeffersontown and more particularly described therein proposed by the City of Jeffersontown in its Ordinance Number 1421, Series 2021 on September 21, 2021 (attached hereto) pursuant to its authority under KRS 67C.111(3).

SECTION II: This ordinance shall take effect on passage and approval.



Sonya Howard
Metro Council Clerk



David James
President of the Council

December 2, 2021
Approval Date