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December 31, 2020

Honorable Sonya Harward
Louisville Metro Council Clerk
601 West Jefferson Street
Louisville, Kentucky 40202

Sent via email to metrocouncilclerk@louisvilleky.gov

RE: City of Indian Hills Annexation Request – Phoenix Hill Court

Dear Ms. Harward,

I represent the City of Indian Hills, Kentucky. The owners of eight properties adjacent and contiguous to the City of Indian Hills, fully comprising Phoenix Hill Court, have unanimously asked to become annexed into the City of Indian Hills. The City of Indian Hills has obtained detailed, written consents from each of the property owners, and the City of Indian Hills has passed and enacted an ordinance approving annexation subject to Louisville Metro Council approval.

I am enclosing a certified copy of the ordinance, the survey plat, land description and consent forms reflecting the unanimous consent of the property owners. The City of Indian Hills respectfully requests approval of the annexation by the Louisville Metro Council.

Please let me know at your convenience when this annexation approval will come up for discussion and if I may provide any additional information or assistance. I am also copying the Chair of the Government Oversight and Audit Committee and the Louisville Metro Council representatives for Indian Hills.

Sincerely,



Finn Cato
Counsel, City of Indian Hills

cc: Brent Ackerson, Metro Council District 26, Chair, Government Oversight and Audit Committee
Scott Reed, Metro Council District 16
Paula McCraney, Metro Council District 7
Chip Hancock, Mayor, City of Indian Hills

Enclosure

**CITY OF INDIAN HILLS
ORDINANCE NO. 1, SERIES 2020**

AN ORDINANCE RELATING TO THE APPROVAL OF THE ANNEXATION BY THE CITY OF INDIAN HILLS, KENTUCKY OF A TRACT OF LAND KNOWN AS PHOENIX HILL COURT, CONTIGUOUS TO THE BOUNDARY OF THE CITY OF INDIAN HILLS, KENTUCKY AND REQUEST FOR APPROVAL OF THE ANNEXATION BY THE LOUISVILLE/JEFFERSON COUNTY METRO CITY COUNCIL

WHEREAS, the City of Indian Hills, Kentucky seeks to annex the following described tracts of land in Jefferson County, Kentucky, lots 236, 237, 238, 239, 240, 241, 242 and 243, inclusively, (with improvements), along with the right of way of Phoenix Hill Road and Fallsview Road, known as Phoenix Hill Court, which territory is contiguous with the boundary of the City of Indian Hills, Kentucky, pursuant to KRS 81A.410(1)(a) and Louisville Metro Resolution 056, Series 2014, and

WHEREAS, the territory proposed to be annexed is urban in character and suitable in nature to the City of Indian Hills pursuant to KRS 81A.410(1)(b) and Louisville Metro Resolution 056, Series 2014, and

WHEREAS, the territory to be annexed is not an agricultural district as prohibited by KRS 262.850(10), and

WHEREAS, the territory to be annexed is not included within the boundary of another incorporated city pursuant to KRS 81A.410(2) and Louisville Metro Resolution 056, Series 2014, and

WHEREAS, the City of Indian Hills, Kentucky hereby finds that it serves the public interest of the citizens of the City of Indian Hills to annex the territory known as Phoenix Hill Court because 100% of the property owners of record of the land to be annexed have signed consents asking to be annexed in order to receive city services and have been made aware of anticipated additional taxes pursuant to KRS 87A.412 and Louisville Metro Resolution 056, Series 2014, §I, and

WHEREAS, because 100% of the property owners have given prior consent to the proposed annexation, Louisville/Jefferson County Metro Council shall consider the annexation proposal without asking the City of Indian Hills to hold a public meeting pursuant to KRS 81A.412 and Louisville/Jefferson County Metro Resolution 056, Series 2014, §II, and

WHEREAS, the City of Indian Hills, Kentucky is immediately capable of adequately providing municipal services to the area to the territory to be annexed pursuant to Louisville/Jefferson County Metro Resolution 056, Series 2014, §III, and

WHEREAS, the proposed annexation will not result in a substantial burden to the property owners and/or residents to the newly annexed territory pursuant to Louisville/Jefferson County Metro Resolution 056, Series 2014, §III, and

WHEREAS, no enactment of a notification ordinance is required pursuant to KRS 81A.420(1) because 100% of the property owners in the area to be annexed have signed consents agreeing to the annexation, and

WHEREAS, no notice is required pursuant to KRS 81A.425 because 100% of those property owners in the area to be annexed have signed consents agreeing to the annexation, and

WHEREAS, the City of Indian Hills is not required to wait the sixty (60) day period provided for in KRS 81A.420(2), and

WHEREAS, the City of Indian Hills has received no petition in opposition to the proposed annexation, and

WHEREAS, KRS 67C.111(3) requires that the annexation receive the approval of the Louisville/Jefferson County Metro City Council, now therefore,

BE IT ORDAINED BY THE CITY OF INDIAN HILLS, KENTUCKY:

SECTION 1. It is hereby found, determined, and declared that;

- (a) The territory to be annexed, Phoenix Hill Court, namely lots 236, 237, 238, 239, 240, 241, 242 and 243, inclusively, (with improvements), along with the right of way of Phoenix Hill Road and Fallsview Road, is contiguous to the current boundaries of the City of Indian Hills, Kentucky.
- (b) The territory to be annexed is urban in character, completely residential, and the City of Indian Hills can provide the territory needed city services including garbage collection, road maintenance, police protection, snow removal and street lighting.
- (c) The territory proposed to be annexed is not an agricultural district.
- (d) The territory proposed to be annexed is not included within the boundary of another incorporated city.
- (e) 100% of the property owners in the area to be annexed have signed a consent form asking the City of Indian Hills to annex their properties to receive city services and have been made aware of anticipated additional taxes. **(Exhibit A)**
- (f) The annexation is a normal extension of residential municipal services which the City of Indian Hills is immediately capable of adequately providing and which is further in keeping with the city's mission.
- (g) The proposed annexation will not result in a substantial burden to the property owners and/or residents to the newly annexed territory.
- (h) The City of Indian Hills has received no petition in opposition to the proposed annexation.
- (i) The area to be annexed is subject to KRS 67C.111(3) which requires the approval Louisville/Jefferson County Metro City Council at the request of the City of Indian Hills, Kentucky by ordinance.

SECTION 2. The City of Indian Hills, Kentucky hereby approves the annexation of the certain territory in Jefferson County, Kentucky, known as Phoenix Hill Court, namely lots 236, 237, 238, 239, 240, 241, 242 and 243, inclusively, (with improvements), along with the right of way of Phoenix Hill Road and Fallsview Road, and is more particularly described as follows:

- (a) BEING, the property described in a certain Annexation Plat of same, prepared and stamped by Licensed Professional Land Surveyor Mark Willmoth, Willmoth

International, PSC, Professional Land Surveying, along with a Metes and Bounds description of the annexation area and attached hereto. **(Exhibit B)**

SECTION 3. The City of Indian Hills, Kentucky further requests the approval of the annexation by the Louisville/Jefferson County Metro Council pursuant to KRS 67C.111(3).

SECTION 4. This Ordinance is adopted pursuant to KRS 81A.410, KRS 81A.412 and KRS 67C.111.

SECTION 5. This ordinance shall take effect from and after passage, approval and publication as required by law.

First Reading OCTOBER 15, 2020
Second Reading NOVEMBER 19, 2020
Passed and Approved NOV 19, 2020

Introduced by: LAURA DUNBAR


Chip Hancock, Mayor

Attest: 
Donna M. Sinkhorn, City Clerk

<u>Council</u>	<u>Yea</u>	<u>Nay</u>
<u>Mr. Doheny</u>	<input checked="" type="checkbox"/>	___
<u>Ms. Dreisbach</u>	<input checked="" type="checkbox"/>	___
<u>Ms. Dunbar</u>	<input checked="" type="checkbox"/>	___
<u>Mr. Garlove</u>	<input checked="" type="checkbox"/>	___
<u>Mr. Giesel</u>	<input checked="" type="checkbox"/>	___
<u>Ms. George</u>	<input checked="" type="checkbox"/>	___
<u>Ms. Matton</u>	<input checked="" type="checkbox"/>	___
<u>Mr. Ulmer</u>	<input checked="" type="checkbox"/>	___
<u>Ms. Zinniel</u>	<input checked="" type="checkbox"/>	___