

Ott, Stephen

From: Schuyler Olt <solt@jeffersontownky.gov>
Sent: Thursday, November 3, 2016 2:08 PM
To: Ott, Stephen; Downard, Kelly; Mulvihill, Patrick
Cc: Bill Dieruf
Subject: Hillridge Annexation
Attachments: JTown Hillridge Annex Transmittal.pdf

Dear Stephen,

Attached is Ordinance 1351, Series 2016, requesting the approval of Metro Council to annex an area known as the Hillridge Subdivision, along with related materials. Kindly docket this in accordance with your policies and procedures.

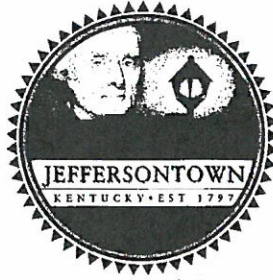
Sincerely,

Sky

Schuyler J. Olt
City Attorney

City of Jeffersontown, Kentucky
City Hall
10416 Watterson Trail
Jeffersontown, KY 40299-3749
Tel. (502) 267-8333
Fax. (502) 267-0547

Bill Dieruf
Mayor



Where Community and Commerce Meet

Schuyler Olt
City Attorney

OFFICE OF METRO COUNCIL CLERK
RECEIVED
DATE 11/3/2016 TIME: 1520
X. Stephen Ott

November 3, 2016

Mr. H. Stephen Ott
Clerk, Louisville Metro Council
601 West Jefferson Street
Louisville, KY 40202

Re: *Request for Annexation Approval; Jeffersontown Ordinance No. 1351, Series 2016*

Dear Mr. Ott:

Please find enclosed a copy of Jeffersontown Ordinance No. 1351, Series 2016, requesting the approval of Metro Council to annex a certain area commonly known as Hillridge Subdivision Estates. I have also enclosed a series of documents providing responses to the various categories of information which Metro Council requests in considering the approval of annexations. By all means they are to be forwarded to Councilmen Mulvihill and Downard and all members of the Annexation Committee.

Should you have any questions or need additional information, please feel free to contact me. With deep appreciation for your efforts,

Sincerely,

Schuyler J. Olt
City Attorney

MEMORANDUM

TO: LOUISVILLE METRO COUNCIL
FROM: SCHUYLER J. OLT, CITY ATTORNEY, CITY OF JEFFERSONTOWN
RE: REQUEST FOR APPROVAL OF ANNEXATION
DATE: OCTOBER 28, 2016

This Memorandum is respectfully submitted on behalf of the City of Jeffersontown, Kentucky, in order to provide supplementary information with regard to Jeffersontown's effort to annex the area known as Hillridge Subdivision, a residential subdivision which is contiguous to the southern boundary of Jeffersontown. Attached to this Memorandum are various exhibits relative to the Request.

A. The Nature of the Area to be Annexed.

Attached to this Memorandum as **Exhibit A** is the certified survey and property description of the property to be annexed. As you will see, this area of 116 acres is comprised of 293 single family homes. It is currently contiguous to the City of Jeffersontown, and not a part of any other incorporated municipality. It is entirely urban residential in character, and contains no industrial, commercial, or agricultural properties. Approximately 4153 linear feet of the area currently abuts the existing city limits. Given this close and integral proximity to the City, Jeffersontown is uniquely situated to immediately provide all municipal services to this area as soon as the annexation would become effective.

The area to be annexed is commonly known as the Hillridge Subdivision. It was developed by Don Ridge's Palmetto Land Company beginning in 1965. Thereafter, its residents frequently sought to become a part of Jeffersontown. In 1972 and 1974, the City of Jeffersontown declined to annex, citing a delay in receiving tax receipts following annexation. Those efforts were renewed in 1983, at which time the City of Jeffersontown agreed to incorporate the area. However, the area became a part of the infamous "annexation wars" which took place during the early Eighties when the City of Louisville also voted to annex the area.

Neither effort ultimately proved successful, and the area remained in the unincorporated county, which is true today. A last effort was made in 1998, but could not be completed before the interlocal moratorium went into effect, followed by the statutory moratorium with merger.

B. Residential Support for the Annexation.

The steps taken to explore this annexation have been methodical and deliberate. The effort began by residents conducting a “Hillridge Neighborhood Meeting” in March 2016, and Mayor Dieruf attended this meeting. In the course of the meeting, Jeffersontown asked that the Homeowners circulate a petition expressing residents’ support for the annexation.. By virtue of this petition, 97.15 per cent of the residents expressed their support to become citizens of Jeffersontown.

Following the March meeting, various departments of Jeffersontown city government were accessed to give opinions as to feasibility and potential costs to the city were the annexation to proceed. Based upon these evaluations, the city is convinced that the additional cost of city services—police, EMS, drainage, street paving and maintenance, sidewalk maintenance, garbage and waste pickup, snow removal, sign installation and maintenance, and street lights, along with other ancillary minor services—will be reasonably offset by property taxes and insurance premium taxes paid by the new residents. Because of their close proximity to the city, there does not appear to be a need to add staff in any department of city government, including police. Certainly, even if the cost of services were to exceed revenues generated, any excess would not have a material impact on the budget of the city, or the ability of the city to provide its current level of city services to existing residents of the city.

Thereafter, the City formally called a meeting of Hillridge residents to present information related to annexation. Notice of the meeting was given via first-class mail to each property owner in the subdivision. The meeting was held at the Jeffersontown City Hall on Wednesday, September 7, 2016 at 6PM, and was well attended. Councilman Kramer, who represents the area, attended and participated in the meeting. Mayor Dieruf chaired the meeting and provided the bulk of the information concerning tax rates, services, policing, garbage collection, snow removal, city facilities and recreational opportunities. No opposition to the annexation was voiced and several residents spoke favorably regarding the prospect of becoming part of Jeffersontown. As a final note, all members of Metro Council who sit on the annexation committee were also invited to the meeting.

Following this meeting, proposed Ordinances were prepared. The residents were given notice of the City Council meeting to be held on October 4, 2016, where the two Ordinances pertaining to the Annexation (the Ordinance expressing intent to annex and the Ordinance requesting the approval of Metro Council) would be given first reading. This notice was sent via first class mail. No opposition was heard at the meeting, but residents did speak strongly in support. The Ordinance requesting Metro Council approval was given second reading at the

regular meeting of the City Council on October 18, 2016, and that Ordinance passed unanimously. Second reading of the Ordinance declaring intent to annex will not occur until and unless Metro Council approval is given.

C. Impact upon Metro Government.

The economic impact to Metro Government will be felt in three areas. First, road fund receipts we estimate will be reduced by \$15,748.37 annually, based upon the U.S. Census mean of 2.2 persons per household and a current rate of \$23.47 per person. According to the Louisville Metro budget, this amounts to a loss of eight one-hundredths of one percent (00.08%).

The second impact will be in loss of insurance tax receipts for 305 households. Using an assumed total taxable premium of \$1800 per household per annum, this amounts to \$5,490 annual reduction in Metro Government receipts. This equals forty-nine thousandths of one percent (00.049 %) of insurance premium tax receipts.

The third impact will be in a loss of the proposed natural gas surcharge. It is impossible for us to project this with certainty, but given that these are relatively newer homes with modern HVAC equipment and in generally good repair, we believe that receipts from these residents would be negligible.

D. Conclusion.

The Hillridge neighborhood strongly favors annexation by Jeffersontown and, because of the physical location of it to Jeffersontown, the city is fully equipped to immediately begin providing them with the services that their neighbors currently enjoy. For years, they have self-identified as being residents of Jeffersontown, and annexation will make that a reality for them. Yes, there will be a cost to Metro Louisville in terms of lost revenues that will transfer to Jeffersontown. But those revenues will still be fully expended for the benefit of Metro Louisville citizens, and because of the proximity of Jeffersontown to them, those tax dollars can be applied very cost-effectively. Without question, even if Metro Louisville desired to extend the same level of services to Hillridge that they will receive from Jeffersontown, the cost to do so would be much, much higher.

Annexation of Hillridge makes good sense. The residents of that area have sought to join Jeffersontown repeatedly for roughly forty-five years. It is time that they be given that which they have sought for so long.

**CITY OF JEFFERSONTOWN
JEFFERSON COUNTY, KENTUCKY**

ORDINANCE NO. 1351, SERIES 2016

AN ORDINANCE RELATING TO REQUESTING THE APPROVAL BY THE LOUISVILLE/JEFFERSON COUNTY METRO COUNCIL OF THE ANNEXATION BY THE CITY OF JEFFERSONTOWN OF A TRACT OF LAND COMMONLY KNOWN AS THE HILLRIDGE SUBDIVISION, 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

WHEREAS, the City of Jeffersontown seeks to annex the following described tracts of land (with improvements) which tracts are not contiguous with the boundary of the former City of Louisville; and

WHEREAS, over Ninety Percent (90%) of the property owners residing within the annexation area have executed their written consent to the subject annexation by the City of Jeffersontown; and

WHEREAS, the City of Jeffersontown is ready and able to immediately begin furnishing municipal services to the area upon annexation of the area; and

WHEREAS, KRS 67C.111 requires that the annexation receive the approval of the legislative council of the consolidated local government (the Louisville/Jefferson County Metro City Council) prior to the City proceeding under the provisions of KRS Chapter 81A;

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

Section 1. The City of Jeffersontown hereby seeks and requests the approval of the Louisville/Jefferson County Metro Council of the annexation of that certain property being the Hill Ridge Subdivision Recorded in Plat Book 23, Pages 44 and 45, Plat Book 25, Page 76, Plat Book 26, Page 7, Plat Book 27, Pages 25, 69 and 70, Plat Book 28, Page 96, and Plat Book 29, Page 69, all of record within the Office of the Clerk of Jefferson County, Kentucky, and as shown on the document appended hereto as Exhibit A.

Section 3. The individual parcels identified collectively in Section 1 are contiguous with one another, and are collectively contiguous with the City of Jeffersontown and are urban in character. The owners of nearly all of the parcels have consented in writing to the requested annexation.

Section 4. This ordinance shall take effect upon its adoption 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 6th DAY OF SEPTEMBER, 2016.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY, AT A MEETING HELD ON THE 20th DAY OF September, 2016.

VETOED:

APPROVED:

BILL DIERUF, MAYOR

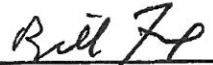


BILL DIERUF, MAYOR

DATE: _____

DATE: 9/21/2016

ATTEST:



BILL FOX, CITY CLERK



1046 E. Chestnut Street
Louisville, Kentucky 40204
502-585-2222

August 16, 2016

Mr. Sky Olt
City of Jeffersontown
10416 Watterson Trail
Louisville, KY 40299

**Jeffersontown Annexation
Hillridge Subdivision**

Dear Mr. Olt:

Pursuant to your request we are providing this letter proposal to provide the necessary survey and description for the above referenced project. We propose a lump sum fee of \$8750.00 to field locate sufficient property corners to prepare an overall survey annexation plat and associated metes and bounds description.

All files will be in accordance with KRS 81A.470 survey and mapping requirements. Four original signed and stamped hard copies will be delivered along with transmission of a digital AutoCAD DWG of the annexation survey.

Completion of this project will be within 45 days of a signed notice to proceed weather permitting. Every effort will be made to deliver the files as soon as they are processed. We hope to help with the success of this project. If you should have any questions or require additional information, please feel free to contact me by email or cell phone (502) 618-6255.

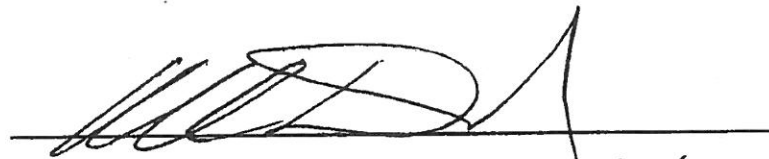
Sincerely yours,

Ben Shinabery, PLS
QK4 Land Survey Department
GNSS 3D Laser RADAR
1046 East Chestnut Street, Louisville, KY 40204
Office - 502.719.7884 Cell - 502.618.6255
bshinabery@qk4.com

Approved:

Title:

Date:



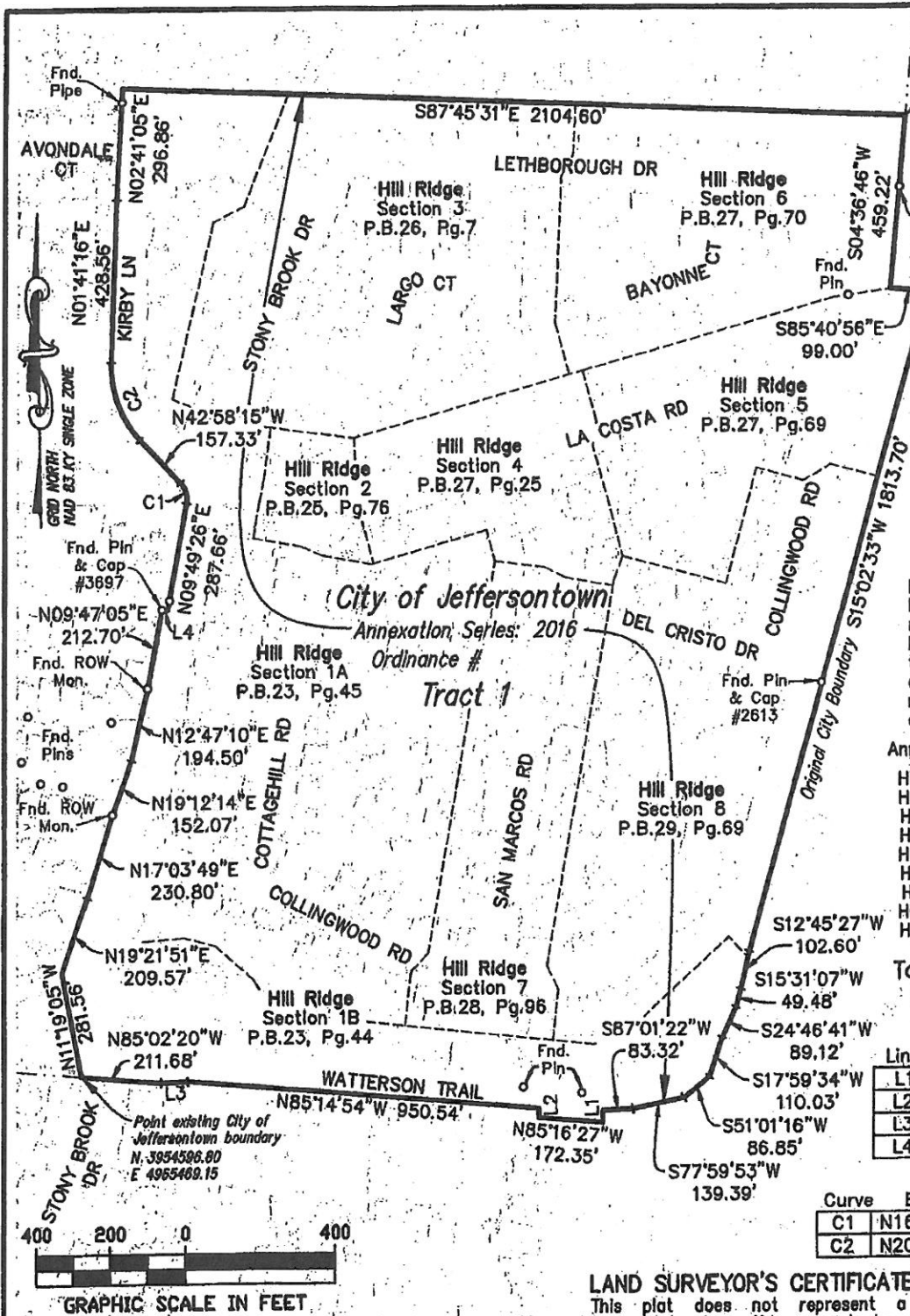
Mayor of Jeffersontown, KY

8/18/16

Description for City of Jeffersontown
Annexation Ordinance _____, Series 2016

TRACT 1

Beginning at a point on the existing boundary of the City of Jeffersontown at coordinate point N 3957133.90, E 4967673.86 (NAD 83, KY Single Zone, US Survey Feet); thence along said boundary of the City of Jeffersontown the following sixteen calls: South 04°36'46" W, 459.22 feet; thence South 85°40'56" East, 99.00 feet; thence South 15°02'33" West, 1813.70 feet; thence South 12°45'27" West, 102.60 feet; thence South 15°31'07" West, 49.48 feet; thence South 24°46'41" West, 89.12 feet; thence South 17°59'34" West, 110.03 feet; thence South 51°01'16" West, 86.85 feet; thence South 77°59'53" West, 139.39 feet; thence South 87°01'22" West, 83.32 feet; thence South 00°55'55" East, 32.83 feet; thence North 85°16'27" West, 172.35 feet; thence North 02°18'53" West, 25.90 feet; thence North 85°14'54" West, 950.54 feet; thence South 87°15'20" West, 71.13 feet; thence North 85°02'20" West, 211.68 feet to a point on said existing boundary line of the City of Jeffersontown and in the west right-of-way line of Stony Brook Drive at coordinate point N 3954596.80, E 4965469.15; thence leaving said existing boundary of the City of Jeffersontown along said west right-of-way line of Stony Brook Drive the following eight calls: North 11°19'50" West, 281.56 feet; thence North 19°21'51" East, 209.57 feet; thence North 17°03'49" East, 230.80 feet to a found right-of-way monument; thence North 19°12'14" East, 152.07 feet; thence North 12°47'10" East, 194.50 feet to a found right-of-way monument; thence North 09°47'05" East, 212.70 feet to a found pin with cap marked "Bentley 3697"; thence South 87°14'21" East, 15.68 feet; thence North 09°49'26" East, 287.66 feet to the west statute right-of-way line of Kirby Lane; thence with said statute right-of-way line of Kirby Lane the following five calls: thence along a curve to the left having a radius of 62.77 feet and a chord bearing North 16°34'25" West, 55.81 feet; thence North 42°58'15" West, 157.33 feet; thence along a curve to the right having a radius of 289.52 feet and a chord bearing North 20°38'30" West, 219.99 feet; thence North 01°41'16" East, 428.56 feet; thence North 02°41'05" East, 296.86 feet; thence leaving said west statute right-of-way of Kirby Lane and along the northern line of Hill Ridge Sections 1A, 3, and 6 as recorded in Plat Book 23, Page 45, Plat Book 26, Page 7, and Plat Book 27, Page 70 in the office of the Clerk of Jefferson County, Kentucky, South 87°45'31" East, 2104.60 feet to the beginning.



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

NOTES:
 The bearing datum is based NAD 83 Kentucky State Plane Single Zone, Fnd. US Survey Feet by GPS observation.

The lines shown on this survey were developed from the record plats of Hill Ridge Subdivision Sections 1A - 8 (P.B. 23, Pgs. 44 & 45; P.B. 25, Pg. 76; P.B. 26, Pg. 7; P.B. 27, Pgs. 25, 69 & 70; P.B. 28, Pg. 96; P.B. 29, Pg. 69) and by the existing monuments which were field located by GNSS/GPS on August 18, 2016.

The west right-of-way line shown for Kirby Lane is based on the KY statute right-of-way as determined by limits of maintenance for the sidewalks utility poles and drainage features and may not be coincident with the deed descriptions.

Annexation section areas include:

- Hill Ridge Sec. 1A 28.86 Acres
- Hill Ridge Sec. 1B 8.79 Acres
- Hill Ridge Sec. 2 1.90 Acres
- Hill Ridge Sec. 3 17.90 Acres
- Hill Ridge Sec. 4 6.33 Acres
- Hill Ridge Sec. 5 9.51 Acres
- Hill Ridge Sec. 6 11.89 Acres
- Hill Ridge Sec. 7 9.55 Acres
- Hill Ridge Sec. 8 16.99 Acres

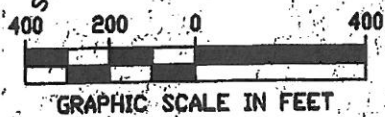
Total Area 115.980 Acres
 (including road Right-of-Way)

LINE TABLE

Line	Bearing	Distance
L1	S00°55'55"E	32.83'
L2	N02°18'53"W	25.90'
L3	S87°15'20"W	71.13'
L4	S87°14'21"E	15.66'

CURVE TABLE

Curve	Bearing	Chord	Radius
C1	N16°34'25"W	55.81'	62.77'
C2	N20°38'30"W	219.99'	289.52'



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 Jefferson town boundary by Ordinance No. _____, Series 2016.

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.

Bu Spatz
 Professional Land Surveyor
 Date 08/31/2016

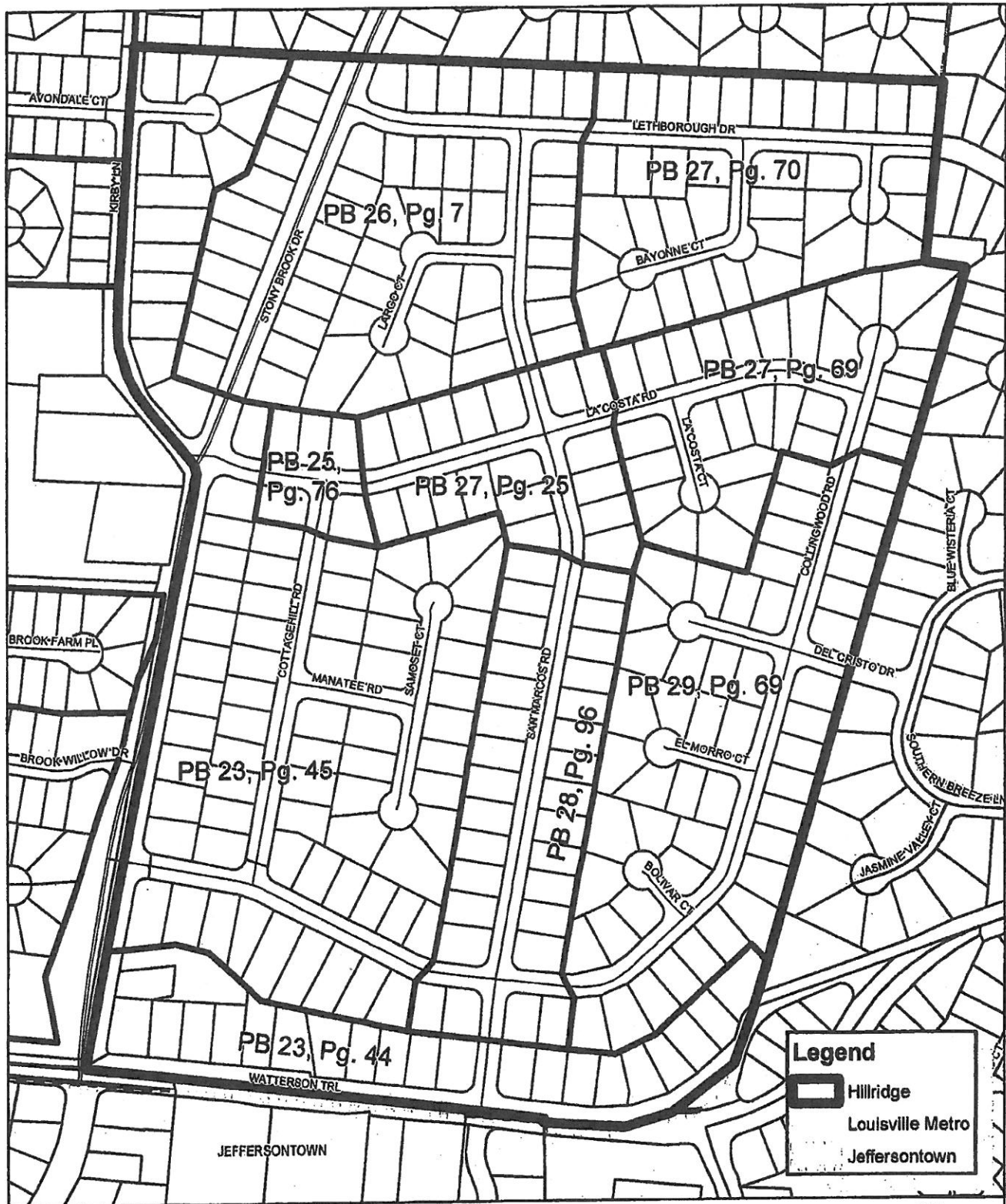
STATE OF KENTUCKY
BENJAMIN P. SHINABERY
 3832
 LICENSED PROFESSIONAL LAND SURVEYOR

CITY OF JEFFERSONTOWN, KENTUCKY
 ORDINANCE # SERIES 2016
 HILL RIDGE SUBDIVISION ANNEXATION



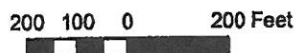
Engineering • Planning
 1046 E. Chestnut Street, Louisville, Kentucky 40204
 Phone: 502-565-2222 www.qk4.com

SCALE 1"=400' | PROJ. NO. 16527 Hill Ridge | DATE: 8/31/16



Legend	
	Hillridge
	Louisville Metro
	Jeffersontown

Hillridge Subdivision Annexation



2016