

ORDINANCE NO. 139, SERIES 2016

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF WORTHINGTON HILLS.

Sponsored By: Council Members Mulvihill and Downard

WHEREAS, on May 17, 2016 the City of Worthington Hills voted in favor of three ordinances to annex a total of twenty-seven (27) lots as described in the attached documentation;

WHEREAS, the three ordinances concern the following parcels of property: (1) Ord. No. 5 Series 2016 covers 4701, 4703, 4705, 4707, 4709, 4711 and 4713 Middlesex Drive; (2) Ord. No. 6 Series 2016 covers 4300, 4301, and 4302 Bay Run Court; and (3) Ord. No. 7 Series 2016 covers 41; 00, 02, 04, 05, 06, 07, 08, 09, 10, 11, 12, 14, 16, 18, 20, and 26 Pacelli Place and 12102 East Bay Court;

WHEREAS, the City of Worthington Hills had mistakenly believed these parcels of property were already part of the City of Worthington Hills; as a result, for the past two fiscal years, these homeowners have been paying taxes to and the properties have been receiving services from the City of Worthington Hills;

WHEREAS, the City of Worthington Hills published the annexation proposals with the Courier-Journal (see attached affidavits);

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

WHEREAS, KRS 67C.111(3) gives Louisville 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 Louisville 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";

WHEREAS, the City of Worthington Hills filed a request on June 23, 2016 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the proposed annexation houses (see attached);

WHEREAS, the Louisville Metro Council members support annexation by the City of Worthington Hills for the following reasons: (1) there are a limited number of houses involved in the proposed annexation; (2) it contains a small tracts of land that are contiguous and adjacent with the City of Worthington Hills; (3) the City of Worthington Hills currently provides municipal services and plans to continue to provide municipal services to the homes to be annexed; (4) the proposed annexation is suitable pursuant to KRS 81A.410 for annexation by the City of Worthington Hills; and

WHEREAS, for the reasons stated above Louisville Metro Council wishes to proceed with approval of the City of Worthington Hills' annexation request.

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

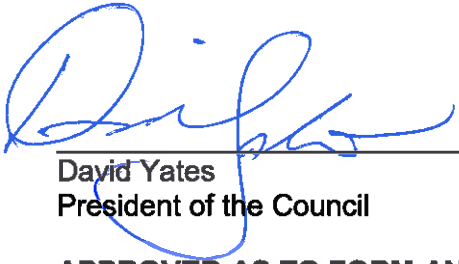
SECTION I: Metro Council hereby approves the annexation request adopted by the City of Worthington Hills in its ordinance numbers 5-16, 6-16, and 7-16 on May 17, 2016 (attached hereto) pursuant to Metro Council's authority under KRS 67C.111(3).

SECTION II: This ordinance shall take effect on the date upon its passage and approval.



H. Stephen Ott
Metro Council Clerk **PRO - TEM**

Approval Date



David Yates
President of the Council

8/11/16
Approval Date

APPROVED AS TO FORM AND LEGALITY:



Michael J. O'Connell
Jefferson County Attorney

8-17-16
Approval Date

Ordinance Annexing City of Worthington July 2016

**LOUISVILLE METRO COUNCIL
READ AND PASSED**
August 11, 2016