

SCHWAGER PHILLIPS & CUNNINGHAM, PLLC
6010 Brownsboro Park Boulevard, Suite H
Louisville, KY 40207

Stephen Ott
Metro Council Clerk
601 W. Jefferson Street
Louisville, KY 40202



Stephen A. Schwager
ATTORNEY AT LAW

797-2581

SCHWAGER PHILLIPS & CUNNINGHAM, PLLC
steve@splaw.net

6010 Brownsboro Park Blvd., Suite H
Louisville, Kentucky 40207

(502) 582-2581
Fax: (502) 582-2587

JUN 23 2015 PM 6:22 *DN*

SCHWAGER, PHILLIPS & CUNNINGHAM PLLC

Attorneys at Law

6010 Brownsboro Park Boulevard, Suite H
Louisville, KY 40207

Stephen A. Schwager
Lawrence J. Phillips

Telephone: (502) 582-2581
Fax: (502) 582-2587
E-Mail: sas@spclaw.net

June 29, 2016

Stephen Ott
Metro Council Clerk
601 W. Jefferson Street
Louisville, KY 40202

RE: City of Worthington Hills Annexation Request

Dear Mr. Ott:

Enclosed are a Memorandum and copies of the listed documents. Please let me know when the annexation request will be presented to the Metro Council.

Best regards.

Sincerely,



STEPHEN A. SCHWAGER,
City Attorney for Worthington Hills

SAS:yw
Enclosure
cc: Glenn Sea, Mayor
Sarah Martin, Asst. Co. Atty.

**CITY OF WORTHINGTON HILLS
METRO GOVERNMENT RESOLUTION NO. 056, SERIES 2014
COMPLIANCE AND REQUEST FOR ANNEXATION APPROVAL**

I. HISTORY.

Until July 2013, the 27 lots ("Lots") proposed to be annexed by the City of Worthington Hills ("City") were mistakenly considered by Planning and Zoning to lie within the City boundary.

Just prior to July 1, 2014, the City Mayor was notified that the 27 contiguous and adjacent Lots did not lie within the City boundary.

For the past two fiscal years, each of the 27 Lot owners paid the City for services in an amount equal to what their tax bill would have been if their Lot was within the City boundary.

Attached hereto, and made a part hereof, are copies of the below listed annexation documents:

- Three published Intent to Annex Ordinances.
- Three Annexation Ordinances.
- Proofs of publication of the three recorded Certified Summary Annexation Ordinances;
- Copies of the recorded Certified Summary Annexation Ordinances with maps, and legal descriptions.
- No KRS 81A.420(2) petition was tendered to the Mayor.

Assistant Jefferson County Attorney Sarah Martin provided the City Attorney with valuable annexation information and a copy of Resolution No. 056 before the City initiated the annexation process.

The City attorney complied with the First Class mail requirement of KRS 81A.425(3).

The City stands ready to appear before the Metro Council to facilitate approval.

The Courier-Journal

A GANNETT COMPANY

AFFIDAVIT OF PUBLICATION

State of Kentucky

County of Jefferson

I Christine Manning, of **The Courier Journal**, Inbound Special Services Representative, general circulation printed and published at 525 West Broadway, Louisville, Kentucky, do solemnly swear that from my own personal knowledge, and reference to the files of said publication, the advertisement of:

Ad No. 0001309757

Start Date: 05/27/16

Run Dates: 05/27/16

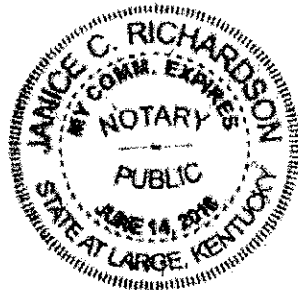
C. Manning

Christine Manning, Inbound Special Services representative
Signature of the person making proof

Subscribed and sworn to before me this

Janice C. Richardson

Janice C. Richardson, Notary Public



MS
5

AFFIDAVIT

Christine Manning of Louisville, Kentucky, being duly sworn, says that she is the clerk of the Legal Advertising Department of the Courier Journal newspaper printed and published in the state of Kentucky, County of Jefferson, and having general circulation in the county of Jefferson, and that the advertisement of which the annexed is a true copy has been published in (Courier Journal) on the following dates:

27th day of May, 2016

Christine Manning

Inbound Account Executive, Legal Advertising Department Subscribed and sworn to before me, a Notary Public, withing and for the State and County aforesaid, by Janice Richardson to me personally known, this

27th day of May, 2016

Janice C. Richardson

Copy of Advertisement
Exhibit "A"

Ad Number: 0001309757

CERTIFIED SUMMARY OF
ANNEXATION
ORD. NO. 5 SERIES 2016
OF THE CITY OF WORTHINGTON
HILLS (City), KY

BE IT ORDAINED by City:

§ 1: By KRS 81A.410, City hereby annexes 4701, 4703, 4705, 4707, 4709, 4711 and 4713 Middlesex Dr. to enlarge its boundary.

§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED on May 17, 2016, after one reading pursuant to the emergency provision of KRS 83A.060(5) at a regularly scheduled meeting of the City Commission pursuant to law. The emergency is that City has been providing services for the listed property owners for the past 2 years and the annexation process has to be completed before July so that the properties can be taxed.

Prepared By:
STEVE SCHWAGER
City Attorney

The Courier-Journal

A GANNETT COMPANY

AFFIDAVIT OF PUBLICATION

State of Kentucky

County of Jefferson

I Christine Manning, of **The Courier Journal**, Inbound Special Services Representative, general circulation printed and published at 525 West Broadway, Louisville, Kentucky, do solemnly swear that from my own personal knowledge, and reference to the files of said publication, the advertisement of:

Ad No. 0001309809

Start Date: 05/27/16

Run Dates: 05/27/16

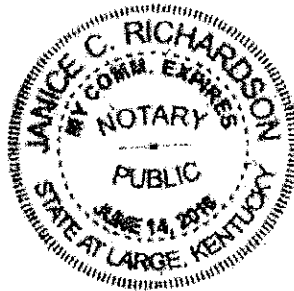
C. Manning

Christine Manning, Inbound Special Services representative
Signature of the person making proof

Subscribed and sworn to before me this

Janice C. Richardson

Janice C. Richardson, Notary Public



BA
6

AFFIDAVIT

Christine Manning of Louisville, Kentucky, being duly sworn, says that she is the clerk of the Legal Advertising Department of the Courier Journal newspaper printed and published in the state of Kentucky, County of Jefferson, and having general circulation in the county of Jefferson, and that the advertisement of which the annexed is a true copy has been published in (Courier Journal) on the following dates:

27th day of May, 2016

Christine Manning

Inbound Account Executive, Legal Advertising Department Subscribed and sworn to before me, a Notary Public, withing and for the State and County aforesaid, by Janice Richardson to me personally known, this

27th day of May, 2016

Janice C. Richardson

Copy of Advertisement
Exhibit "A"

Ad Number: 0001309809

CERTIFIED SUMMARY OF
ANNEXATION
ORD. NO. 6 SERIES 2016
OF THE CITY OF WORTHINGTON
HILLS (City), KY

BE IT ORDAINED by City--

§ 1: By KRS 81A.410, City hereby annexes 4300, 4301, and 4302 Bay Run Ct. to enlarge its boundary.

§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED on May 17, 2016, after one reading pursuant to the emergency provision of KRS 83A.060(5) at a regularly scheduled meeting of the City Commission pursuant to law. The emergency is that City has been providing services for the listed property owners for the past 2 years and the annexation process has to be completed before July so that the properties can be taxed.

Prepared By:
S. SCHWAGER
City Attorney



CERTIFIED SUMMARY OF ANNEXATION
 ORD. NO. 7 SERIES 2016
 OF THE CITY OF WORTHINGTON
 HILLS (City)-KY

BE IT ORDAINED by City:

§ 1: City hereby annexes 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 to enlarge its boundary.

§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED on May 17, 2016, after one reading pursuant to the emergency provision of KRS 83A.060(5) at a regularly scheduled meeting of the City Commission pursuant to law. The emergency is that City has been providing services for the listed property owners for the past 2 years and the annexation process has to be completed before July so that the properties can be taxed.

Prepared By:
 S. SCHWAGER
 City Attorney

AFFIDAVIT OF PUBLICATION

State of Kentucky

County of Jefferson

Circulation printed and published at 525 West Broadway, Louisville, Kentucky, I solemnly swear that from my own personal knowledge, and reference to the files of said publication, the advertisement of:

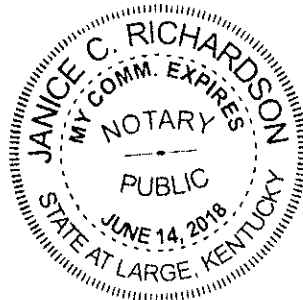
Title: Ord#7, Series 2016
Start Date: 5/29/2016 **NEWSPAPER PRINT**
Run Date(s): 5/29 - 6/4/2016 **ONLINE**

Christine Manning, Inbound Special Services Representative

Signature of person making proof

Subscribed and sworn to before me this 2nd day of June 2016

Janice C. Richardson, Notary Public



7
 Pacelli

The Courier-Journal

Order Confirmation for Ad #: 0001157612

Customer: CITY OF WORTHINGTON HILLS
Address: 6010 BROWNSBORO RD
 LOUISVILLE KY 402220000 USA
Acct. #: LC-J-269906
Phone: 5025822581
E-Mail:
Payor: CITY OF WORTHINGTON HILLS
Ordered By: Steve Schwager

Order Start Date: 03/30/2016 Order End Date: 04/05/2016

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>
0	1				

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$544.99	\$0.00	\$544.99	Credit Card	\$0.00	\$544.99

Ad Order Notes:
 Sales Rep: jrichardson2 Order Taker: jrichardson2

Product	# Ins	Start Date	End Date
LCJ-CJ.com	7	03/30/2016	04/05/2016
LCJ-Courier Journal	1	03/30/2016	03/30/2016

INTENT
 Paddy Moore
 Case Day Court
 INTENT CAN

CERTIFIED SUMMARY OF AN-
NEXATION
ORD. NO. 3, SERIES 2016
OF THE CITY OF WORTHINGTON
HILLS (City), KY

BE IT ORDAINED by City:

§ 1: City intends to annex 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 to enlarge its boundary.

§ 2: Annexation is desirable be-
cause City will pay for services.

§ 3: This Ord. shall take effect
from and after its passage, sign-
ing and publication as required
by law.

PASSED AND APPROVED this
15th day of March, 2016, at a
regularly scheduled meeting of
the legislative body of the City
of Worthington Hills pursuant
to law.

Prepared By:

S. SCHWAGER
City Attorney



CERTIFIED SUMMARY OF ANNEXATION
 ORD. NO. 1, SERIES 2016
 OF THE CITY OF WORTHINGTON HILLS (City), KY

BE IT ORDAINED by City:

§ 1: By KRS 81A.410, City intends to annex 4701, 4703, 4705, 4707, 4709, 4711 and 4713 Middlesex Dr. properties to enlarge its boundary.

§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED this 15th day of March, 2016, at a regularly scheduled meeting of the legislative body of the City of Worthington Hills pursuant to law.

Prepared By:
 STEVE SCHWAGER,
 City Attorney

STATE OF KENTUCKY

County of J

Circulation printed and published at 525 West Broadway, Louisville, Kent
 solemnly swear that from my own personal knowledge, and reference to
 of said publication, the advertisement of:

CERTIFIED SUMMARY OF ANNEXATION
 ORD. NO. 2, SERIES 2016
 OF THE CITY OF WORTHINGTON HILLS (City), KY

BE IT ORDAINED by City:

§ 1: By KRS 81A.410, City intends to annex 4300, 4301, and 4302 Bay Run Ct. to enlarge its boundary.

§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED this 15th day of March, 2016, at a regularly scheduled meeting of the legislative body of the City of Worthington Hills pursuant to law.

Prepared By:
 STEVE SCHWAGER,
 City Attorney

Title: Ord #1, Series 2016

Ord #2, Series 2016

Run Date(s): 3/23/2016

NEWSPAPER PR

Run Date(s): 3/23 - 3/29/2016

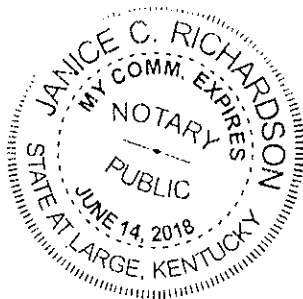
ONLI

Christine Manning, Inbound Special Services Representat

Signature of person making proof

Subscribed and sworn to before me this 23rd day of March 2016

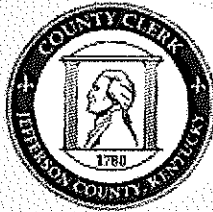
Janice C. Richardson, Notary Public



IN PART

MS

BR



Bobbie Holsclaw
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Jefferson County Clerk's Office.



INST # 2016137641

BATCH # 28116

JEFFERSON CO, KY FEE \$13.00

PRESENTED ON: 06-13-2016 6 12:50:40 PM

LODGED BY: STEPHEN A SCHWAGER

RECORDED: 06-13-2016 12:50:40 PM

BOBBIE HOLSCLOW

CLERK

BY: CARRIE HARRISON

RECORDING CLERK

BK: Z 139

PG: 539-542

CERTIFIED SUMMARY OF ANNEXATION
ORD. NO. 5 SERIES 2016
OF THE CITY OF WORTHINGTON HILLS (City), KY

BE IT ORDAINED by City:

§ 1: By KRS 81A.410, City hereby annexes 4701, 4703, 4705, 4707, 4709, 4711 and 4713 Middlesex Dr. to enlarge its boundary.

§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED on May 17, 2016, after one reading pursuant to the emergency provision of KRS 83A.060(5) at a regularly scheduled meeting of the City Commission pursuant to law. The emergency is that City has been providing services for the listed property owners for the past 2 years and the annexation process has to be completed before July so that the properties can be taxed.

Prepared By:

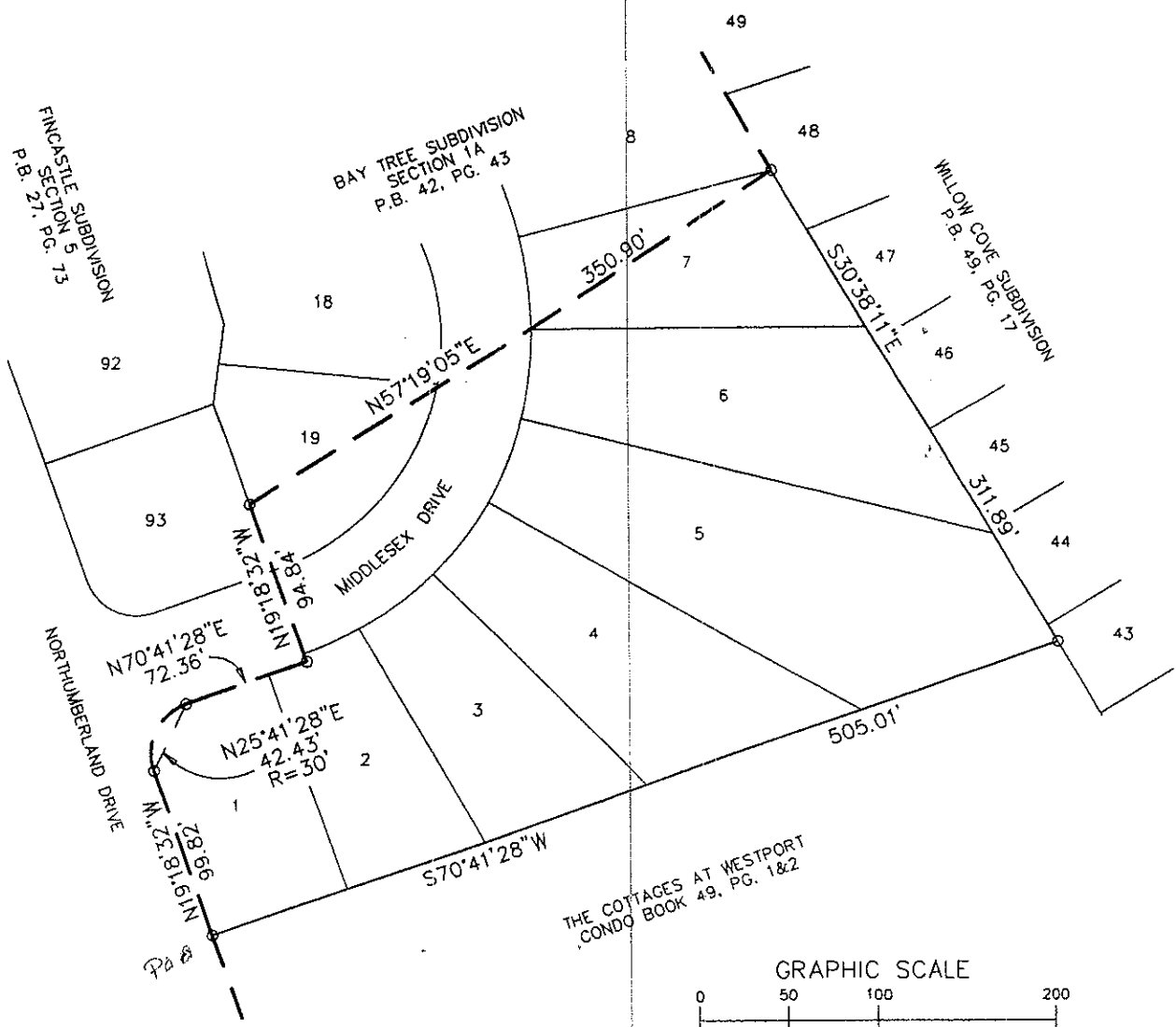
STEVE SCHWAGER,
City Attorney



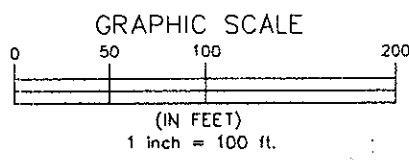
FINCASTLE SUBDIVISION
SECTION 5
P.B. 27, PG. 7, 3

BAY TREE SUBDIVISION
SECTION 1A
P.B. 42, PG. 43

WILLOW COVE SUBDIVISION
P.B. 49, PG. 17

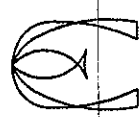


THE COTTAGES AT WESTPORT
CONDO BOOK 49, PG. 1&2



EXISTING CITY OF WORTHINGTON HILLS BOUNDARY

IT IS HEREBY CERTIFIED THAT THIS MAP WAS MADE UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR MEASUREMENTS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



EVANS/GRIFFIN, INC.
Engineer & Land Surveyor
4010 DuPont Circle
Suite 478
Louisville, Kentucky 40207



(502) 899-9611 EGENGR@BELLSOUTH.NET

CITY OF WORTHINGTON HILLS
ANNEXATION

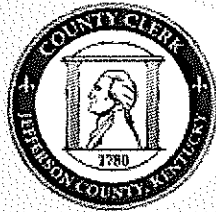
Date: 6/18/13
Project No.: 2013-23
Drawing Name: 13-23A.DWG Sheet 1 of 1

JUNE 18, 2013

E/G # 13-23A

DESCRIPTION
FOR
ANNEXATION
TO
CITY OF WORTHINGTON HILLS

BEGINNING AT A POINT IN THE BOUNDARY OF THE CITY OF WORTHINGTON HILLS AND BEING THE SOUTHWEST CORNER OF LOT 1, BAY TREE SUBDIVISION SECTION 1A OF RECORD IN PLAT BOOK 42, PAGE 43 IN THE OFFICE OF THE COUNTY COURT CLERK, JEFFERSON COUNTY, KENTUCKY; THENCE N19°18'32"W, 99.82 FEET; THENCE WITH THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30 FEET AND A SINGLE CHORD AT N25°41'28"E, 42.43 FEET TO A POINT AT THE END OF SAID CURVE; THENCE N70°41'28"E, 72.36 FEET; THENCE N19°18'32"W, 94.84 FEET; THENCE N57°19'05"E, 350.90 FEET; THENCE S30°38'11"E, 311.89 FEET; THENCE S70°41'28"W, 505.01 FEET TO THE POINT OF BEGINNING.



Bobbie Holsclaw
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Jefferson County Clerk's Office.



INST # 2016137642

BATCH # 28116

JEFFERSON CO, KY FEE \$13.00

PRESENTED ON: 06-13-2016 6 12:50:44 PM

LODGED BY: STEPHEN A SCHWAGER

RECORDED: 06-13-2016 12:50:44 PM

BOBBIE HOLSCRAW

CLERK

BY: CARRIE HARRISON

RECORDING CLERK

BK: Z 139

PG: 543-546

CERTIFIED SUMMARY OF ANNEXATION
ORD. NO. 6 SERIES 2016
OF THE CITY OF WORTHINGTON HILLS (City), KY

BE IT ORDAINED by City:

§ 1: By KRS 81A.410, City hereby annexes 4300, 4301, and 4302 Bay Run Ct. to enlarge its boundary.

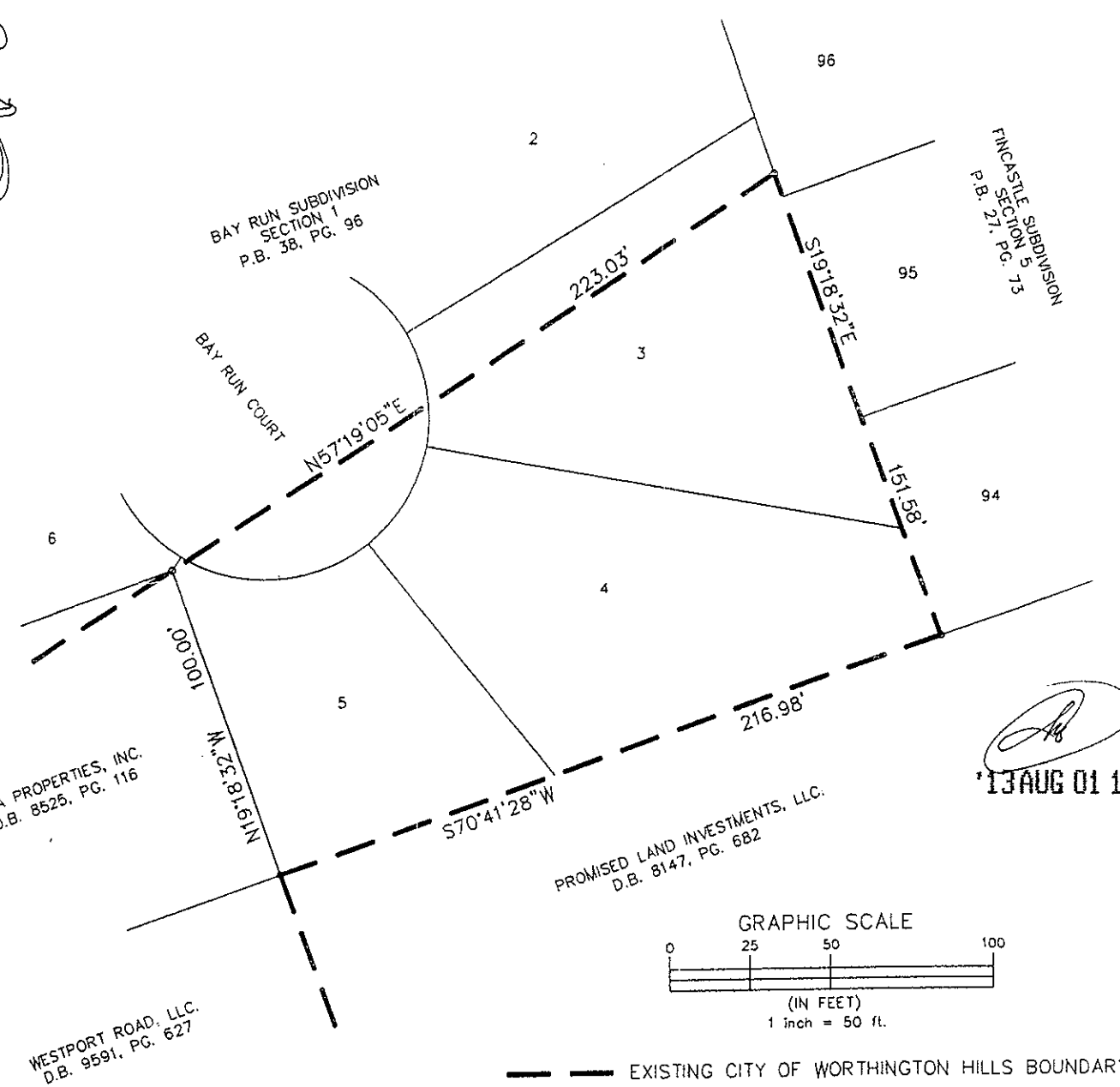
§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED on May 17, 2016, after one reading pursuant to the emergency provision of KRS 83A.060(5) at a regularly scheduled meeting of the City Commission pursuant to law. The emergency is that City has been providing services for the listed property owners for the past 2 years and the annexation process has to be completed before July so that the properties can be taxed.

Prepared By:

S. SCHWAGER,
City Attorney



TDA PROPERTIES, INC.
D.B. 8525, PG. 116

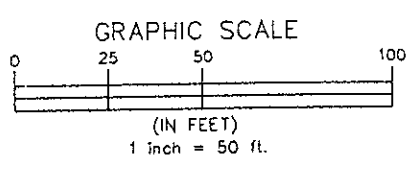
BAY RUN SUBDIVISION
SECTION 1
P.B. 38, PG. 96

FINCASTLE SUBDIVISION
SECTION 5
P.B. 27, PG. 13

PROMISED LAND INVESTMENTS, LLC.
D.B. 8147, PG. 682



WESTPORT ROAD, LLC.
D.B. 9591, PG. 627

[Signature]
13 AUG 01 12:36 PM



--- EXISTING CITY OF WORTHINGTON HILLS BOUNDARY

IT IS HEREBY CERTIFIED THAT THIS MAP WAS MADE UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR MEASUREMENTS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

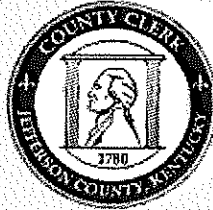
 EVANS/GRIFFIN, INC. Engineer & Land Surveyor 4010 DuPont Circle Suite 478 Louisville, Kentucky 40207 (502) 899-9611 EGENGR@BELLSOUTH.NET			
CITY OF WORTHINGTON HILLS ANNEXATION			
Date: 6/18/13		1 of 1	
Project No.: 2013-23			
Drawing Name: 13-23.DWG		Sheet	

JUNE 18, 2013

E/G # 13-23

DESCRIPTION
FOR
ANNEXATION
TO
CITY OF WORTHINGTON HILLS

BEGINNING AT A POINT IN THE BOUNDARY OF THE CITY OF WORTHINGTON HILLS AND BEING THE NORTHWEST CORNER OF LOT 5, BAY RUN SUBDIVISION SECTION 1 OF RECORD IN PLAT BOOK 38, PAGE 96 IN THE OFFICE OF THE COUNTY COURT CLERK, JEFFERSON COUNTY, KENTUCKY; THENCE N57°19'05"E, 223.03 FEET; THENCE S19°18'32"E, 151.58 FEET; THENCE S70°41'28"W, 216.98 FEET; THENCE N19°18'32"W, 100.00 FEET TO THE POINT OF BEGINNING.



Bobbie Holsclaw
Jefferson County Clerk's Office

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Jefferson County Clerk's Office.



INST # 2016137643

BATCH # 28116

JEFFERSON CO, KY FEE \$13.00

PRESENTED ON: 06-13-2016 6 12:50:46 PM

LODGED BY: STEPHEN A SCHWAGER

RECORDED: 06-13-2016 12:50:46 PM

BOBBIE HOLSCRAW

CLERK

BY: CARRIE HARRISON

RECORDING CLERK

BK: Z 139

PG: 547-550

527 W Jefferson St ~ Louisville, KY 40202 (502) 574-5700

Website: www.jeffersoncountyclerk.org | Email: countyclerk@jeffersoncountyclerk.org

CERTIFIED SUMMARY OF ANNEXATION
ORD. NO. 7 SERIES 2016
OF THE CITY OF WORTHINGTON HILLS (City), KY

BE IT ORDAINED by City:

§ 1: City hereby annexes 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 to enlarge its boundary.

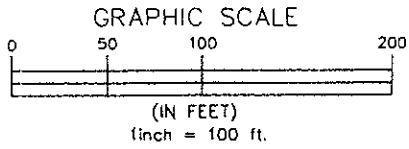
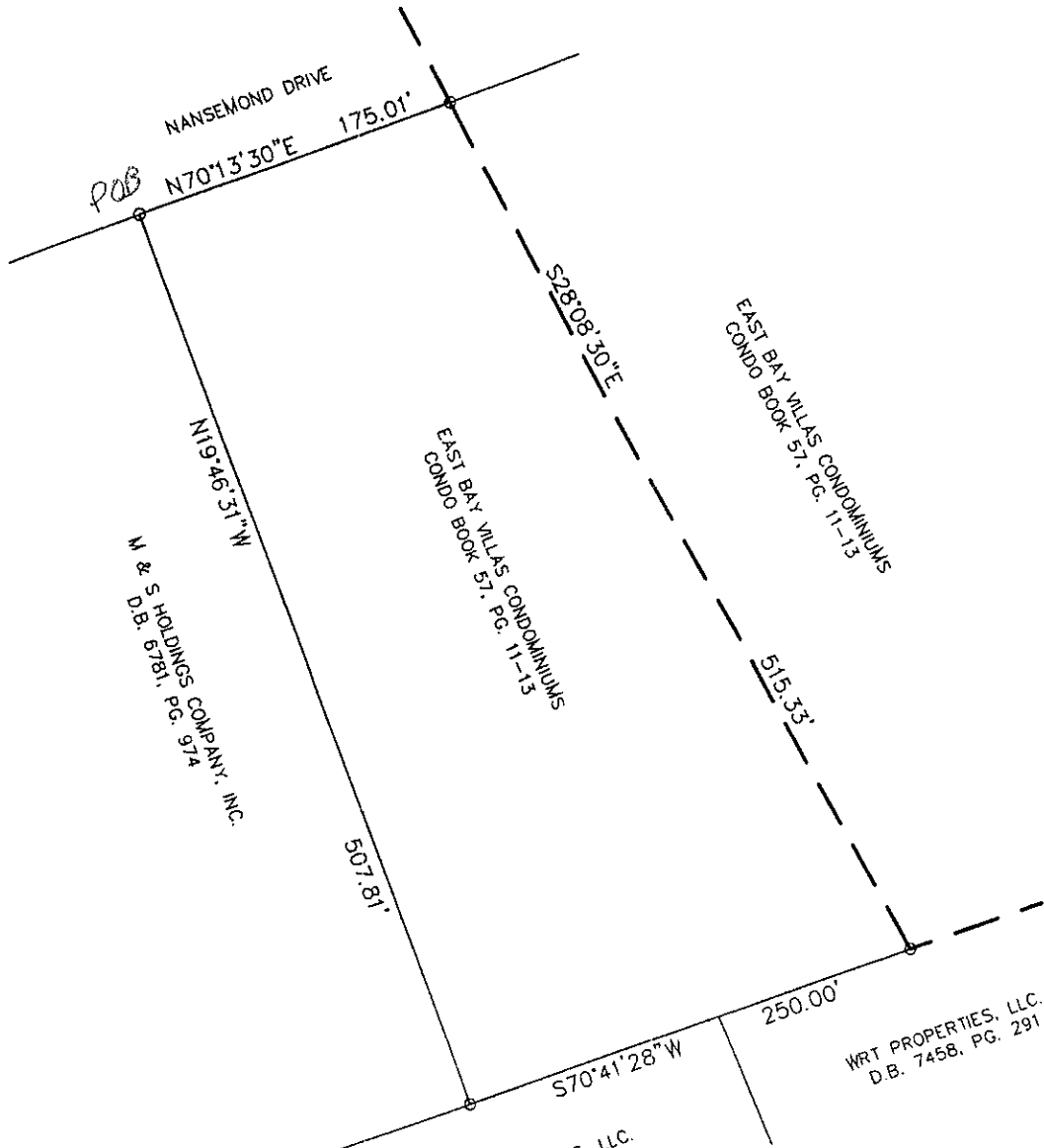
§ 2: Annexation is desirable because City will pay for services.

§ 3: This Ord. shall take effect from and after its passage, signing and publication as required by law.

PASSED AND APPROVED on May 17, 2016, after one reading pursuant to the emergency provision of KRS 83A.060(5) at a regularly scheduled meeting of the City Commission pursuant to law. The emergency is that City has been providing services for the listed property owners for the past 2 years and the annexation process has to be completed before July so that the properties can be taxed.

Prepared By:

S. SCHWAGER
City Attorney



--- EXISTING CITY OF WORTHINGTON HILLS BOUNDARY

IT IS HEREBY CERTIFIED THAT THIS MAP WAS MADE UNDER MY SUPERVISION AND THAT THE ANGULAR AND LINEAR MEASUREMENTS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

	<p>EVANS/GRIFFIN, INC. Engineer & Land Surveyor 4010 DuPont Circle Suite 478 Louisville, Kentucky 40207 (502) 899-9611 EGENGRO@BELLSOUTH.NET</p>	
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**CITY OF WORTHINGTON HILLS
ANNEXATION**

Date:	6/18/13	Sheet 1 of 1
Project No.:	2013-23	
Drawing Name:	13-23B.DWG	

JUNE 18, 2013

E/G # 13-23B

DESCRIPTION
FOR
ANNEXATION
TO
CITY OF WORTHINGTON HILLS

BEGINNING AT A POINT IN THE SOUTHEAST LINE OF NANSEMOND DRIVE AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO M&S HOLDINGS COMPANY, INC. BY DEED OF RECORD IN DEED BOOK 6781, PAGE 974 OF RECORD IN THE OFFICE OF THE COUNTY COURT CLERK, JEFFERSON COUNTY, KENTUCKY; THENCE N70°13'30"E, 175.01 FEET; THENCE S28°08'30"E, 515.33 FEET; THENCE S70°41'28"W, 250.00 FEET; THENCE N19°46'31"W, 507.81 FEET TO THE POINT OF BEGINNING.