

ORDINANCE NO. _____, SERIES 2021

**AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE
THE ANNEXATION BY THE CITY OF HERITAGE CREEK OF 10001
CEDAR CREEK ROAD.**

SPONSORED BY: COUNCIL MEMBERS ROBIN ENGEL AND JAMES PEDEN

WHEREAS, on April 19, 2021 the City Council of the City of Heritage Creek, Kentucky voted in favor of an ordinance to annex 10001 Cedar Creek Road as identified by the Jefferson County Clerk at Plat and Subdivision Book 11975, page 623; and

WHEREAS, 10001 Cedar Creek Road is a property consisting of 56.137 unimproved acres which was recently rezoned by the Louisville Metro Council on October 8, 2020 from R-4 to R-5 with a proposed 233 buildable lot subdivision adjacent to the City of Heritage Creek; and

WHEREAS, the City Council of the City of Heritage Creek stated in its Ordinance No. 2, Series 2021, that the property owner of the territory sought to be annexed executed a written consent in favor of annexation by the City of Heritage Creek (a copy of the signature is attached hereto); and

WHEREAS, the City of Heritage Creek 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 owner acknowledged the annexation would result in property tax increase as well as additional city services to be provided by the City of Heritage Creek; and

WHEREAS, the City of Heritage Creek is not required to hold a public meeting regarding the proposed annexation because it has consent of the sole affected property owner; and

WHEREAS, the City of Heritage Creek filed a request on May 4, 2021 with the Office of the Metro Council Clerk requesting that the Louisville 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 Heritage Creek obtain approval of the annexation from Louisville Metro Council prior to the City of Heritage Creek proceeding with the annexation requirements under KRS Chapter 81A; and

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”; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“METRO COUNCIL”) AS FOLLOWS:

SECTION I: Metro Council hereby approves the annexation of the property known as the Estates of Locust Grove proposed by the City of Heritage Creek in its Ordinance Number 2, Series 2021 on April 19, 2021 (attached hereto) pursuant to its authority under KRS 67C.111(3).

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

Sonya Harward
Metro Council Clerk

David James
President of the Council

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____
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