



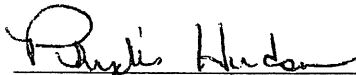
**CITY OF MIDWAY**

P.O. Box 4275  
Midway, Kentucky 40347-4275

*Grayson Vandegrift, Mayor*

I certify I am the duly qualified City Clerk of the City of Midway, Kentucky, and the following two pages of Ordinance No. 2017-01 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on February 20, 2017, all as appears in the official records of said City.

WITNESS, my hand this 21<sup>st</sup> day of February, 2017.

  
Phyllis Hudson, City Clerk

RECEIVED AND FILED  
DATE March 24, 2017

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Alison Anderson

**CITY OF MIDWAY  
ORDINANCE NO. 2017- 01**

**TITLE: AN ORDINANCE ANNEXING 34.184 ACRES OF THE PROPERTY OWNED BY HOMER MICHAEL FREENY, JR., TRUSTEE OF THE HOMER MICHAEL FREENY, JR. TRUST U/A DATED NOVEMBER 16, 2001 LOCATED AT KENTUCKY HIGHWAY 341 ADJACENT TO MIDWAY STATION INTO THE CURRENT CITY BOUNDARIES AND REZONING THE ANNEXED PROPERTY FROM THE A-1 (AGRICULTURE) TO I-1 (LIGHT INDUSTRIAL) ZONE DESIGNATION PURSUANT TO KRS 100.209.**

Whereas, through its Ordinance No. 2016-12, the City expressed its intention to annex certain property owned by Homer Michael Freeny, Jr., as Trustee of the Homer Michael Freeny, Jr. Trust dated November 16, 2001, said property containing 34.148 acres and now being designated as a part of 832-960 Georgetown Road/KY HWY 341; and

Whereas, in the same Ordinance, the City directed the Versailles-Midway-Woodford County Planning and Zoning Commission to hold a public hearing in accordance with KRS 100.209(1) for the purpose of adopting such comprehensive plan amendment as may be appropriate in light of the City's anticipated annexation of the property and the resulting change in the character of the property and make its recommendations to the City as to the zoning or other land use regulations which will be effective for the property upon its annexation; and

Whereas, the Versailles-Midway-Woodford County Planning and Zoning Commission has conducted the requested hearing, has made Findings of Fact, and has recommended to the City that the 34.184 acres be rezoned from A-1 (Agriculture) to I-1 (Light Industrial) upon its annexation by the City; and

Whereas, the City Council has elected to adopt the Findings of Fact made by the Versailles-Midway-Woodford County Planning and Zoning Commission with regard to this property and to accept the Planning Commission's recommendation to rezone the property upon annexation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MIDWAY, KENTUCKY as follows:**

Section 1. The City of Midway hereby annexes the 34.184 acre tract owned by Homer Michael Freeny, Jr., as Trustee of the Homer Michael Freeny, Jr. Trust dated November 16, 2001 presently designated as a portion of 832-960 Georgetown Road/KY HWY 341 into the City boundaries of the City of Midway, which property is shown upon and described as the attached Exhibit 1.

Section 2. It is desirable to annex the property described in Section 1 above because it is contiguous to City boundaries, and it is planned to be utilized for urban purposes requiring provision of City services and it is urban in character.

Section 3. The zone designation of the property annexed by this Ordinance is hereby changed and the property is hereby rezoned from the A-1 (Agriculture) zone designation to the I-1 (Light Industrial) zone designation in accordance with the Findings of Fact adopted by the City

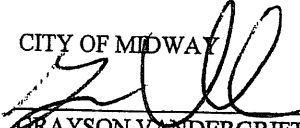
Council, the recommendation of the Planning Commission, and that it complies with the 2011 Comprehensive Plan and therefore meets the requirements of KRS 100.213.

Section 4. The Zoning Map of the City of Midway shall be amended to reflect such zoning change.

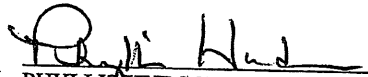
Section 5. This ordinance shall become effective after passage and upon publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Midway, Kentucky, held on the 6 day of February, 2017, and fully adopted after the second reading at a meeting of said council held on the 20 day of February, 2017.

CITY OF MIDWAY

  
\_\_\_\_\_  
GRAYSON VANDERGRIFT, MAYOR

ATTEST:

  
\_\_\_\_\_  
PHYLLIS HUDSON, CITY CLERK

**Exhibit 1**

**LEGAL DESCRIPTION OF A 34.184 ACRE TRACT  
HOMER MICHAEL FREENY, JR TRUST PROPERTY  
KY HWY 341-GEORGETOWN ROAD  
MIDWAY, WOODFORD COUNTY, KENTUCKY 40347**

That tract of land lying north of Midway in Woodford County, Kentucky, north of US Hwy 421 and I-64 and southeast of KY Hwy 341-Georgetown Road, said tract being a portion of the Homer Michael Freeny, Jr. Trust property (DB 282, PG 189), said tract being more fully bounded and described as follows;

“BEGINNING at a steel pin found at the northwest corner of Lot 1, Unit 3 of Midway Station as shown in Cab."E", Sl. 160 in the Woodford Co. Clerk's office, said point being a corner to Lakeshore Warehouse East (DB 296, PG 450) and the northeast corner of Roach (DB 260, PG 452), thence from said point and with the northeast line of Roach for two calls;

(1) N 65° 07' 47" W 823.91 feet to a steel pin set at the southeast corner of a proposed revision of a lease area for Crown Communications (Lessee) and thence with Crown Communications (Lessee)

(2) N 65° 07' 47" W 177.01 feet to a magnail set in KY 341-Georgetown Road, thence with Ky341-Georgetown Road and the east line of Jerry L. and Margie V. Atwood (DB188, PG 365) for two calls;

(1) N 25° 49' 31" E 172.15 feet to a magnail set at the northwest corner of Crown Communications (Lessee) and

(2) N 25° 49' 31" E 546.01 feet to a magnail set, thence leaving KY 341-Georgetown Road and with a new line through Homer Michael Freeny, Jr. Trust property for five calls;

(1) S 65° 07' 47" E 22.67 feet to a steel pin set, thence

(2) S 65° 07' 47" E 939.96 feet to a steel pin set, thence

(3) S 65° 07' 47" E 1,114.04 feet to a steel pin set, thence

(4) S 26° 18' 17" W 380.60 feet to a steel pin set and

(5) S 26° 16' 37" W 337.69 feet to a steel pin found in the northeast line of the aforementioned Lakeshore Warehouse East property, thence with the northeast line of Lakeshore Warehouse East

N 65° 07' 47" W 1,069.91 feet to the point of beginning and containing 34.184 acres more or less and subject to any and all legal easements or rights-of-way whether of record or not.”

Based on a random traverse urban survey performed by Tim Thompson, LS 1304 in July 2016, using Trimble 5800 GPS unit and dual frequency receiver. The basis of bearing is KY Grid North based on GPS RTK. The relative positional accuracy for this survey is less than 0.4 feet.

Steel pins set are 3/4 inch diameter by eighteen inch long rebar with ID cap “LS 1304”. Magnails set are 1/4 inch diameter by two inches long with a 1-1/2 inch ID washer with “LS 1304”.

EDA-Freeny-ZMA.DOC

October 25, 2016

Tim Thompson  
232 Henton Court  
Versailles, KY 40383



**LAND SURVEYOR'S CERTIFICATION:**

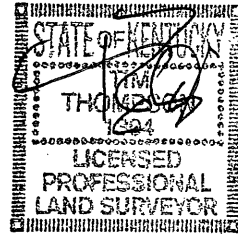
THIS PLAT IS BASED ON AN URBAN RANDOM TRAVERSE SURVEY PERFORMED BY TIM THOMPSON IN JULY 2016, USING TRIMBLE 5800 GPS UNIT AND DUAL FREQUENCY RECEIVER. THE BASIS OF BEARINGS IS KY GRID NORTH BASED ON GPS RTK. THE RELATIVE POSITIONAL ACCURACY FOR THIS SURVEY IS LESS THAN 0.4 FOOT.

STEEL PINS SET ARE 3/4" IN DIAMETER BY 18" LONG WITH ID CAP # 1304, AND MAG NAILS SET ARE 1/4" IN DIAMETER BY 2" LONG WITH 1-1/2" DIAMETER WASHER #1304.

*[Handwritten Signature]*  
 2/23/17

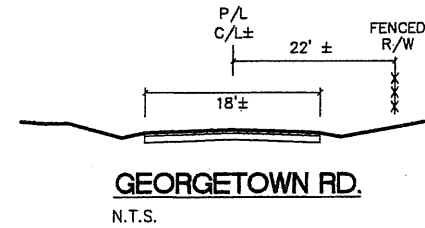
TIM THOMPSON LS # 1304

DATE

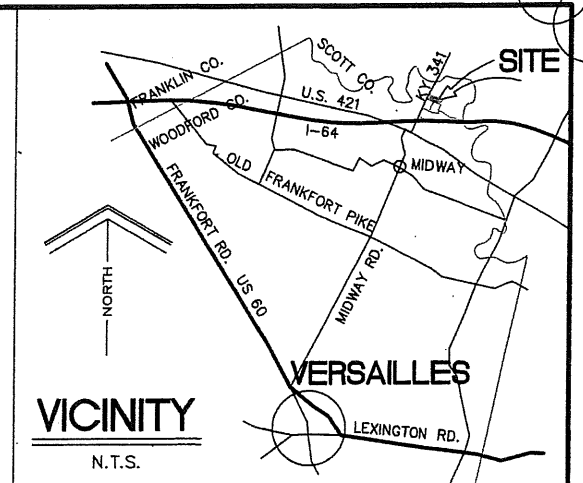


**SOURCE OF TITLE:**

HOMER MICHAEL FREENY, JR. TRUST  
 2525 CLINTONVILLE RD.  
 PARIS, KY 40361  
 DB 282, PG 189



**GEORGETOWN RD.**  
 N.T.S.

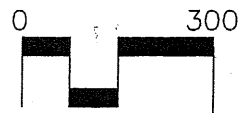
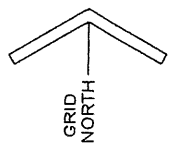
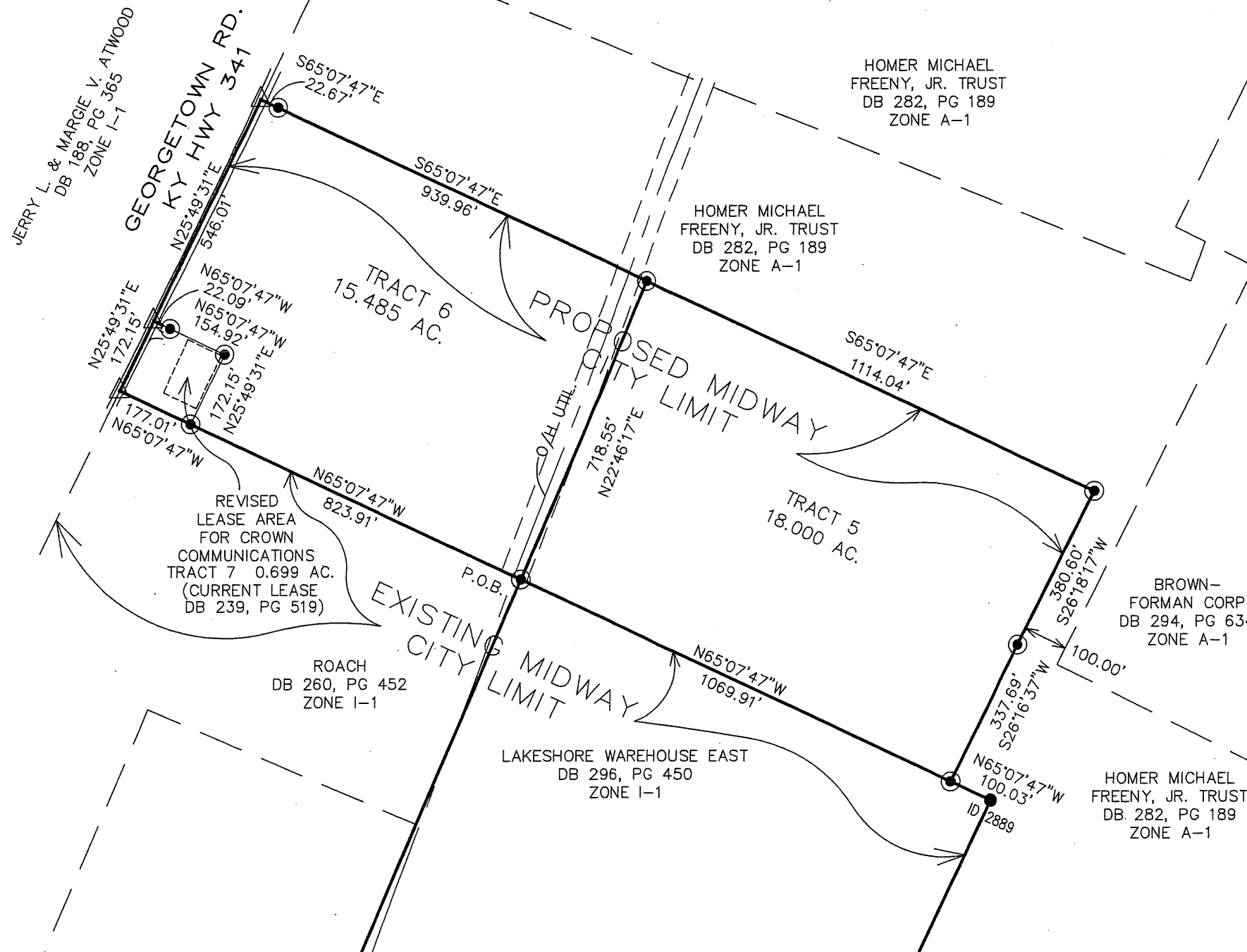


**PURPOSE**

THE PURPOSE OF THIS PLAT OF SURVEY IS TO DEFINE TRACT 5 AND TRACT 6 AS SHOWN AND TO REDEFINE THE CROWN COMMUNICATIONS LEASE AREA AS RECORDED IN DB 239, PG 519 TO THE DIMENSIONS SHOWN AS TRACT 7.

**SITE STATISTICS**

TOTAL AREA	34.184 AC.
TRACT 5	18.000 AC.
TRACT 6	15.485 AC.
TRACT 7	0.699 AC.
ZONE	A-1



SCALE: 1"=300'

REV: MAR. 23, 2017  
 DATE: OCT. 21, 2016

THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150

PLAT OF SURVEY OF A PORTION OF  
**HOMER MICHAEL FREENY, JR. TRUST**  
 PROPERTY  
 GEORGETOWN RD., (KY HWY 341)  
 MIDWAY, KENTUCKY 40347

SURVEY FOR  
 WOODFORD ECONOMIC DEVELOPMENT AUTHORITY  
 103 SOUTH MAIN ST., SITE 204  
 VERSAILLES, KY 40388

**TIM THOMPSON**  
 Professional Engineer  
 Land Surveyor

232 Henton Court  
 Versailles, KY 40383  
 (859) 873-5252

**TTS**  
 FILE: MIDWAY-STATION-EDA.DWG

ADDITIONAL DOCUMENTS  
INCLUDED WITH SUBMISSION.

To research the filing, contact the  
Office of Secretary of State.