

BULLITT CIRCUIT COURT
SECRETARY OF STATE
CIVIL ACTION NO. 83-CI-027

RECEIVED
FEB 16 1984

IN RE: CITY OF HEBRON ESTATES,
BULLITT COUNTY, KENTUCKY,
EX PARTE

FINDINGS OF FACT *Commonwealth of Kentucky*
CONCLUSIONS OF LAW
AND JUDGMENT

This cause came before the Court on the ex parte application of the Petitioners to incorporate a sixth class city in Bullitt County, Kentucky, to be known as the City of Hebron Estates.

The Court has considered the Petition, its supporting documents, and the Affidavit of Gerald P. Burke, filed in support of the application for judgment and, having so considered such matters, makes the following Findings of Fact and Conclusions of law.

FINDINGS OF FACT

The Court finds as a matter of law that the following standards have been met:

1. Incorporation constitutes a reasonable way of providing the public services sought by the voters and property owners of the territory, and there is no other reasonable way of providing these services.
2. The territory is contiguous, and more than 300 reside in the territory.
3. The territory is able to provide necessary city services to its residents within a reasonable period of time after its incorporation.
4. The interest of other areas and adjacent local governments is not unreasonably prejudiced by the incorporation.
5. No existing city, county or district has the ability of providing needed services within a reasonable period of time.
6. The territory is not interdependent or part of one community with any existing city.
7. The territory needs street maintenance, street lighting, and garbage collection services, as well as other city services which will be provided by the incorporation of the territory.
8. The development scheme of applicable land use plans is consistent with incorporation of the territory.
9. The incorporation of the territory should have no significant effect on the population growth and assessed valuation of the real property in the territory.

10. The Petitioners constitute more than 2/3 of the registered voters living in the proposed city as of the date of the filing of the incorporation Petition, or own 2/3 of assessed value of property in the city.

11. The Petitioners seek to incorporate the proposed city in order to provide services for the are through the medium of a city government. These services include street maintenance, street lighting and garbage removal. Further, the Petitioners desire to incorporate so that they may form their own governmental unit, instead of subjecting themselves to the risk of absorption by neighboring municipalities, and so that they may preserve the cohesive neighborhood character of the community.

12. The Petitioners intend that the city shall operate under the Mayor-Council form of government.

13. The Petitioners desire the appointment of the following persons, all residents of the proposes city, to hold the following offices until the next regular election at which city officers may be elected, at which time Officers shall elected by residents of the City:

<u>NAME AND ADDRESS</u>	<u>OFFICE</u>
Gerald P. Burke 3320 Hebron Lane Shepherdsville, KY 40165	Mayor
Arnold Fraley 3635 Garden Court Shepherdsville, KY 40165	City Councilman
Jerry Watson 4913 Jerry Drive Shepherdsville, KY 40165	City Councilman
George Riedling 4916 Jerry Drive Shepherdsville, KY 40165	City Councilman
Bill Agee 3907 Scenic Trail Shepherdsville, KY 40165	City Councilman
Claude Devilbliss 4907 Jerry Drive Shepherdsville, KY 40165	City Councilman
Hershel Ricketts, Jr. 3321 Tony Lane Shepherdsville, KY 40165	City Councilman

14. The Petition was docketed for hearing not less than 20 days from the date of filing of the Petition, and notice of the filing of the Petition and of its object was given by publication pursuant to KRS Chapter 424 by

means of publication in the Pioneer News, which is the newspaper published in Bullitt County, Kentucky, meeting the qualifications of KRS 424.120, on February 2, 1984, such date being not less than 7 nor more than 21 days prior to the hearing date of February 13, 1984.

CONCLUSIONS OF LAW

The Court concludes, as a matter of law, that all standards and conditions for incorporation of the proposed City of Hebron Estates, Bullitt County, Kentucky, as set out in KRS 81.050 et seq, have been met, and further concludes that the publication requirements of KRS Chapter 424 have likewise been met.

JUDGMENT

AND NOW, the premises considered, IT IS ADJUDGED, ORDERED and DECREED, as follows:

1. There is hereby incorporated and established in Bullitt County, Kentucky, the City of Hebron Estates.
2. The metes and bounds description of the boundaries of the City of Hebron Estates is as follows:

Beginning at a point in the east line of Ky. Hwy. 61 (Preston Hwy.) and the southwest corner of Losch Division; thence with south line of Losch Division S. 87 deg. 01' E.; 1208.4 ft. to a point at the corner of Burkland Gardens Subdivision; thence with north line of said subdivision S. 87 deg. 44' E.; 3112.5 ft. to a point; thence S. 88 deg. 09' E.; 576.5 ft. to a point; thence N. 52 deg. 25' E.; 76.5 ft. to a point on west side of Cedar Creek; thence S. 72 deg. 19' E.; 247.5 ft.; thence S. 33 deg. 02' E.; 82.9 ft. to a point; thence S. 18 deg. 25' W.; 125.1 ft. to a point; thence S. 58 deg. 54' W.; 214.6 ft. to a point; thence S. 36 deg. 28' W.; 263.7 ft. thence S. 0 deg. 29' E.; 128.5 ft. to a point; thence S. 38 deg. 04' E. to a point; thence S. 67 deg. 38' E.; 501.5 ft. to a point; thence S. 64 deg. 09' E.; 126.2 ft. to a point; thence S. 52 deg. 27' E.; 29.0 ft. to a point in west line of Bailey; thence with his west line S. 26 deg. 58' W.; 337.9 ft. to a point; thence S. 84 deg. 23' W.; 64.7 ft. to a point; thence S. 18 deg. 44' W.; 471.1 ft. to a point in north line of Girl Scout Camp Property; thence with their north line S. 88 deg. 40' W.; 325.6 ft. to a point at the northwest corner of Girl Scout Camp Property; thence with their west line S. 3 deg. 21' W.; 738.4 ft. to a point; thence S. 30 deg. 22' E.; 190.6 ft. to a point at the corner of Sharps; thence with their east line S. 54 deg. 35' W.; 130.2 ft. to a point; thence S. 2 deg. 13' W.; 350.3 ft. to a point at southeast corner of Sharp, thence with their south line S. 85 deg. 30' W.; 106.2 ft. to a point; thence N. 80 deg. 18' W.; 1610.8 ft. to a point at southeast corner of Cowan; thence with his south line N. 89 deg. 54' W.; 104.3 ft. to a point at the southeast corner of Prestige Estates Subdivision; thence with south line of said subdivision, Bullitt County Board

of Education and Howard Etherton property N. 90 deg. 00' W.; 4013.6 ft. to a point on west side of Ky. Hwy. 61 (Preston Hwy.); thence with west line of said highway N. 20 deg. 37' E.; 87.6 ft. to a point; thence N. 15 deg. 11' E.; 68.4 ft. to a point; thence N. 11 deg. 45' E.; 1222.4 ft. to a point in south line of Ky. Hwy. 1526 (Hebron Lane); thence east across Ky. Hwy. 61 (Preston Hwy.) S. 86 deg. 48' E.; 60.0 ft. to a point in east line of said highway; thence with east line of Ky. Hwy. 61 (Preston Hwy.) N. 15 deg. 17' E.; 197.0 ft. to a point; thence N. 19 deg. 19' E.; 199.5 ft. to a point; thence N. 23 deg. 03' E.; 753.6 ft. to a point; thence N. 22 deg. 24' E.; 383.3 ft. to a point; thence N. 16 deg. 53' E.; 337.5 ft. to the point of beginning.

3. The City of Hebron Estates shall be and is hereby assigned to the sixth class of cities.

4. The City of Hebron Estates shall operate under the Mayor-Council form of government; and the following persons be, and they are hereby appointed to hold the following offices, until the next regular election at which city officers may be elected, at which time officers shall be elected by residents of the city.

<u>NAME AND ADDRESS</u>	<u>OFFICE</u>
Gerald P. Burke 3320 Hebron Lane Shepherdsville, KY 40165	Mayor
Arnold Fraley 3635 Garden Court Shepherdsville, KY 40165	City Councilman
Jerry Watson 4913 Jerry Drive Shepherdsville, KY 40165	City Councilman
George Riedling 4916 Jerry Drive Shepherdsville, KY 40165	City Councilman
Bill Agee 3907 Scenic Trail Shepherdsville, KY 40165	City Councilman
Claude Devilbliss 4907 Jerry Drive Shepherdsville, KY 40165	City Councilman
Hershel Ricketts, Jr. 3321 Tony Lane Shepherdsville, KY 40165	City Councilman

5. The Clerk of the Bullitt Circuit Court is hereby ordered, within ten days from the date of the entry of this Judgment to certify copy of this Judgment to the Secretary of State of the Commonwealth of Kentucky, whose duty

it shall be to properly index and file this Judgment as a permanent record in his office, all in accordance with KRS 81.060;

This is a final Judgment, and there is no just reason for delay.

Arthur L. Taylor

JUDGE, BULLITT CIRCUIT COURT

DATED: FEBRUARY 14, 1984

ENTERED

FEB 15 1984

JEAN HATZELL, CLERK
BULLITT CIRCUIT COURT
Jean Hatzell D.C.