

DATE March 12, 2002

JOHN Y. BROWN III  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY

ORDINANCE NO. 00- 02

AN ORDINANCE ANNEXING APPROXIMATELY 117 ACRES OF LAND CONTIGUOUS TO THE EXISTING CITY LIMITS AND LOCATED ON EAST SIDE OF OLD KENTUCKY HIGHWAY 61 IN BULLITT COUNTY, KENTUCKY. *K. Adkins*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILLVIEW, BULLITT COUNTY, KENTUCKY AS FOLLOWS:

SECTION ONE: Pursuant to KRS 81A-452 a city may annex property without notification, notice or sixty (60) day waiting period if the owners of record of the land to be annexed give prior consent in writing to the annexation.

SECTION TWO: Whereas, the owners of approximately 117 acres in Bullitt County, Kentucky, on the East side of Kentucky Highway 61, have consented in writing to the annexation as evidenced by Exhibits A and B attached hereto. Said owners desiring to have police and fire protection provided to it by the City of Hillview, as well as to be considered in any extension of sewer lines that the City of Hillview Sewer Department may make in expanding its facilities or services.

SECTION THREE: The property to be annexed is described on Exhibit C and D attached hereto:

SECTION FOUR: This Ordinance shall take effect upon publication.

SECTION FIVE: This Ordinance shall be published according to law.

SECTION SIX: Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

SECTION SEVEN: Any ordinance or part of ordinance in conflict with this Ordinance or any part of this Ordinance is hereby repealed.

Given first reading on February 21, 2000, at a regular meeting of the City Council of the City of Hillview, and given second reading, voted upon, and passed at a regular meeting of the City Council of the City of Hillview, Bullitt county, Kentucky, on the 20<sup>th</sup> day of March, 2000.

Votes for: 5 Votes against: 0 Not voting: 0

*Leemon Powell*  
Leemon Powell, Mayor

ATTEST:  
*Betty Bradbury*  
Betty Bradbury, City Clerk  
hillview\wp51\docs\nell\10\anf

CONSENT TO ANNEXATION BY THE CITY OF HILLVIEW

Comes now the undersigned and states as follows:

1. The undersigned are the owners of the land sought to be annexed by the City of Hillview and are the only owners of said land.
2. The description of said land, from the deed and deed of correction and by metes and bounds, if applicable, is attached hereto and made a part hereof.
3. The undersigned specifically consents to the annexation of the above described land in and to the City of Hillview.
4. The undersigned have been advised and fully understand that by signing this consent they are relieving the City of Hillview of any obligations to enact a notification ordinance required by KRS 81A.420 or to publicize any proposed annexation.
5. The undersigned by signing this document further acknowledges that it has been explained and they understand that the City shall not be required to wait sixty (60) days before enacting an ordinance actually annexing the property into the City of Hillview and that the City may adopt a final annexation ordinance in a single ordinance.
6. The undersigned owners of the above referenced property further acknowledge that upon the enactment of the above referenced ordinance the territory shall become a part of the City pursuant to KRS 81A.412.

IN WITNESS WHEREOF, the undersigned have executed this document this 18<sup>th</sup> day of February, 2000.

William T. Stillwell  
William Thomas Stillwell  
unmarried

William T. Stillwell Trustee  
William Thomas Stillwell,  
Trustee of the William Thomas  
Stillwell Charitable Remainder  
Irrevocable Trust

STATE OF KENTUCKY  
COUNTY OF BULLITT

Personally appeared before me above referenced owners who individually upon their respective oaths state that the foregoing is true and that they understand same and are voluntarily entered into this Consent to Annexation and signed in my presence this \_\_\_ day of February, 2000.

Ginda Sue Haynes  
Notary Public, Kentucky State at Large  
My commission expires ~~July 22, 2003~~

EXHIBIT A  
PAGE \_\_\_ OF \_\_\_ PAGES

12/15/2004

Instrument drafted by:

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Elisè Givhan Spainhour  
Professional Building  
Shepherdsville, KY 40165  
(502) 543-2218, 955-6165  
Attorney for City of Hillview

hillview\wp51\docs\nell\12\anf

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IN WITNESS WHEREOF, the undersigned have executed this document this 18<sup>th</sup> day of February, 2000.

Bernard Bishoff  
By Mami Maser, P.O.A.  
Bernard Bishoff, unmarried,  
by Marvin Maser,  
Power of Attorney

STATE OF KENTUCKY  
COUNTY OF BULLITT

Personally appeared before me above referenced owners who individually upon their respective oaths state that the foregoing is true and that they understand same and are voluntarily entered into this Consent to Annexation and signed in my presence this 18<sup>th</sup> day of February, 2000.

Sue Haynes  
Notary Public, Kentucky State at Large  
My commission expires ~~July 22, 2003~~

EXHIBIT B  
PAGE      OF      PAGES

12/15/2001

Instrument drafted by:

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Elisè Givhan Spainhour  
Professional Building  
Shepherdsville, KY 40165  
(502) 543-2218, 955-6165  
Attorney for City of Hillview

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69564

DEED OF CORRECTION

THIS DEED OF CORRECTION, made and entered into this 16<sup>th</sup> day of February, 2000, by and between WILLIAM THOMAS STILLWELL, unmarried, of 12220 Cedar Creek Road, Louisville, KY 40229, party of the first part; and WILLIAM THOMAS STILLWELL, TRUSTEE OF THE WILLIAM THOMAS STILLWELL CHARITABLE REMAINDER IRREVOCABLE TRUST, of 12220 Cedar Creek Road, Louisville, KY 40229, party of the second part.

WITNESSETH: That in order to correct the description in that certain prior deed between the parties hereto dated the 17<sup>th</sup> day of April, 1997, and recorded in Deed Book 437, Page 248, and a description in a deed dated June 25, 1999, of record in Deed Book 483, Page 817, in the Office of the County Clerk of Bullitt, Kentucky, and for the same consideration for which said prior deed was made, the first party does hereby sell and convey until, the second party, its successors and assigns, the following described real property, situated in \* County, Kentucky; to-wit:

Beginning at a point in the east right of way line of Old Kentucky Highway 61, and corner to Robert D. Bretz (Deed Book 450, Page 793), thence leaving said right of way and with line of Bretz North 82 deg. 36' 58" E. 1020.49 feet to an existing IPC Sedoris 1872 at existing corner store; thence North 72 deg. 27'59" East 177.33 feet corner to Bishchoff; thence with Bischoff South 12 deg. 06'28" East 917.06 feet to an existing corner stone; thence with Ball Estate South 68 deg. 36'51" West 318.43 feet to an existing corner post; thence South 43 deg. 50'27" West 106.40 feet to an existing white oak stump; thence South 66 deg. 10'38" West 274.44 feet to an existing pipe; thence North 06 deg. 21'43" East 160.75 feet to an existing iron pipe at corner stone; thence North 09 deg. 00'00" West 194.00 feet; thence North 81 deg. 59'39" West 674.23 feet to an existing iron post in the east right of way line of Old Kentucky Highway 61; thence with said highway North 10 deg. 07'40" West 403.89 feet; thence North 00 deg. 19'49" West 172.92 feet to the point of beginning per survey of Advanced Survey's, Inc. dated February 16, 1998.

Being the same property conveyed William Thomas Stillwell by deed dated March 22, 1985 of record in Deed Book 273, Page 873 and by conveyed to William Thomas Stillwell, Trustee by deed dated June 25, 2999 of record in Deed Book 483, Page 817, and further conveyed William Thomas Stillwell, Trustee of the William Thomas Stillwell Charitable Remainder Irrevocable Trust of record in Deed Book 483, Page 817, Bullitt County Clerk's Office.

The above described real property is conveyed subject to all valid and existing restrictions, easements, covenants, limitations, reservations, and conditions as may appear in the record chain of title thereto.

To have and to hold all of the above described real property together with all of the rights, privileges, appurtenances, and improvements thereunto belonging unto the second party, \*, forever with covenant of general Warranty of title.

The words herein referring to the plural shall include the singular and the singular shall include the plural whenever the context so admits or requires.

IN TESTIMONY WHEREOF, witness the signatures of the parties of the first and second part hereto the day and year first herein written.

*William T. Stillwell*  
WILLIAM THOMAS STILLWELL, unmarried

*William T. Stillwell Trustee*  
WILLIAM THOMAS STILLWELL, Trustee of the  
William Thomas Stillwell Charitable Remainder  
Irrevocable Trust

EXHIBIT C

COPY

THIS DEED, made and entered into this 16 day of February, 2000, by and between BERNARD BISCHOFF, unmarried, of 140 Christman Lane, Shepherdsville, KY 40165, hereinafter referred to as "first party"; and BERNARD BISCHOFF, of 140 Christman Lane, Shepherdsville, KY 40165, hereinafter referred to as "second party".

WITNESSETH: That for a valuable consideration, the receipt of which is hereby acknowledged, and for the purposes of correcting an old legal description, the first party does hereby convey in fee simple unto the second party, his heirs and assigns, with covenant of GENERAL WARRANTY, the following described property, being of the value of \$74,000.00, situated in Bullitt County, Kentucky; to-wit:

TRACT I

Beginning at an iron rod set in the north right of way line of Zoneton Road and corner to Ball (Deed Book 90, Page 250); thence with Ball N. 15 deg. 38'19" W. 895.89 feet; thence N. 15 deg. 17'54" W 916.91 feet to an existing iron rod; thence N. 69 deg. 16'29" E. 525.52 feet to an existing iron rod; thence N. 34 deg. 55'49" E. 444.98 feet to an existing p.k. nail in post; thence N. 8 deg. 15'49" E. 1061.82 feet to an iron rod set; thence S. 82 deg. 55'10" E. 520.81 feet to an iron rod set; thence S. 2 deg. 56'50" E. 585.93 feet to an iron rod to Hemmer; thence S. 89 deg. 42'01" E. 410.23 feet to an existing iron rod; thence S. 8 deg. 38'36" W. 572.56 feet to an existing iron pipe; thence S. 8 deg. 12'52" W. 171.55 feet to an existing iron rod; thence South 8 deg. 34'20" W. 300.00 feet to an existing iron rod; thence S. 8 deg. 42'50" W. 822.87 feet to an iron rod set; thence S. 11 deg. 12'13" W. 219.68 feet with a radius of 2,527.58 feet; thence S. 79 deg. 06'01" W. 488.86 feet to a 1/2 rebar set; thence S. 11 deg. 30'44" E. 410.00 feet to a 1/2 rebar set in right of way of Zoneton Road; thence with the right of way S. 78 deg. 29'16" W. 361.13 feet; thence S. 76 deg. 51'06" W. 305.98 feet to the point of beginning and containing 81.16 acres as per survey of Armstrong Engineering dated February 19, 1998.

Stillwell & Bischoff Property

TRACT II

Beginning at an iron rod set in north right of way line of Zoneton Road and corner to Williams (Deed Book 449, Page 739); thence N. 16 deg. 08' 21" E. 666.22 feet with a radius of 2,577.58 feet to an iron rod set; thence N. 8 deg. 42'50" E. 818.29 feet to an iron rod set; thence S. 76 deg. 03'05" E. 661.32 feet to an existing iron rod; thence S. 36 deg. 08'44" W. 1,594.02 feet to the point of beginning, and containing 10.34 acres as per survey of Armstrong Engineering dated February 19, 1998.

TRACT III

Beginning at an iron rod set in north right of way of Zoneton Road and in right of way Christman Lane; thence with the right of way of Christman Lane N. 19 deg. 01'49" E. 469.98 feet with a radius of 2,527.58 feet, thence S. 79 deg. 06'01" West 488.86 feet; thence S. 11 deg. 30'44" E. 410.00 feet in the north right of line of Zoneton Road; thence with Zoneton Road N. 76 deg. 51'06" East to the point of beginning and containing 3.54 acres as per survey of Armstrong Engineering dated February 19, 1998.

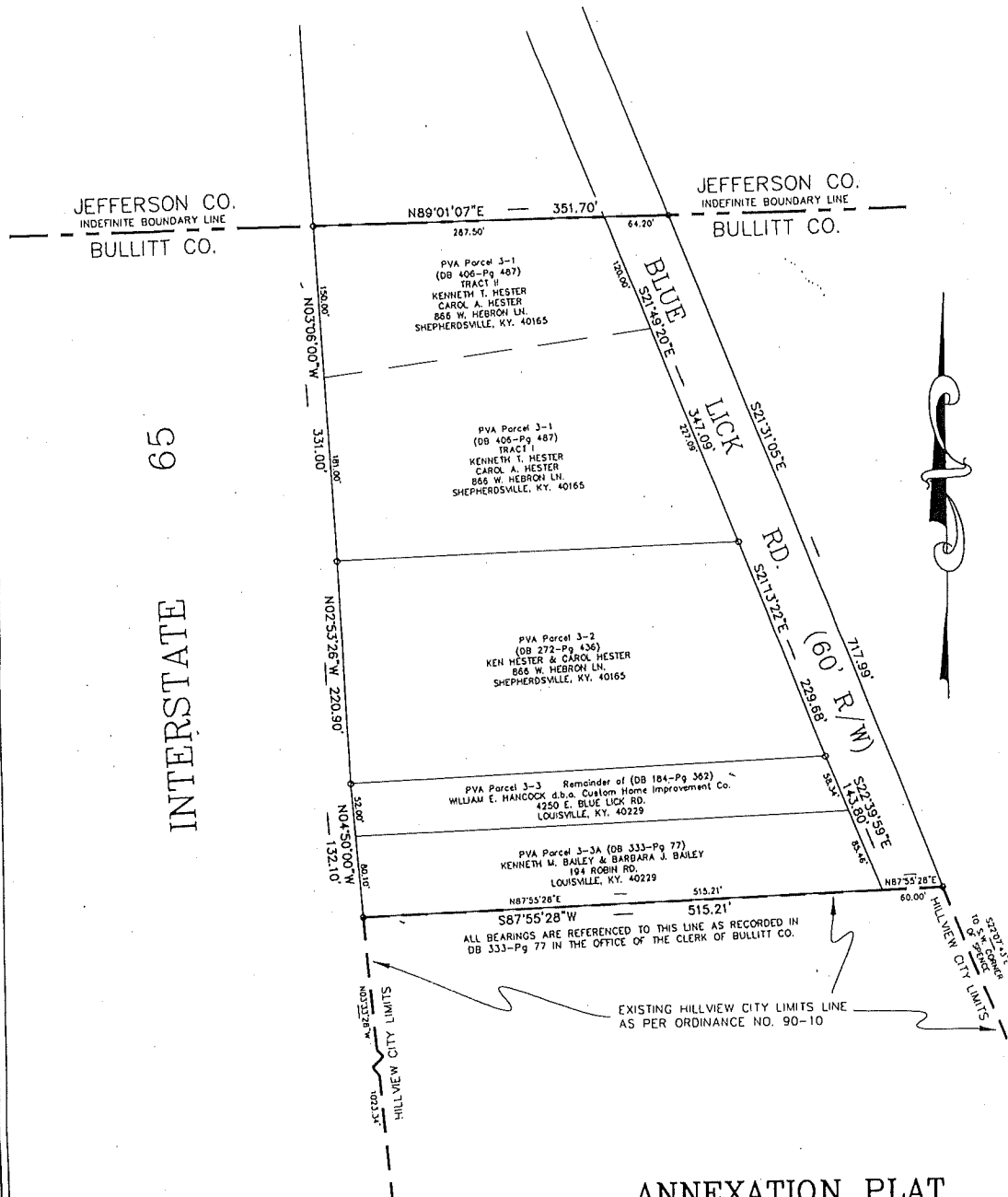
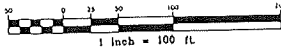
Being part of property conveyed Louise Bischoff and Bernard Bischoff, husband and wife, by deed dated March 8, 1946, of record in Deed Book 69, Page 197, Bullitt County Clerk's Office. Louise Bischoff having died on the 4<sup>th</sup> day of April, 1999, and by terms of said deed, fee simple title being vested in Bernard Bischoff.

Party of the first part further covenants that first party is lawfully seized of the estate hereby conveyed, that first party has full right and power to convey the same, and that said property is free and clear of all liens and encumbrances, excepting ad valorem taxes for the current calendar year, which second party agrees to pay.

The first and second parties do hereby certify, pursuant to KRS Chapter 382, that the above-stated value in the amount of \$74,000.00 is the true, correct, and full value for the property herein conveyed. The parties further certify their understanding that falsification of the stated value of the subject property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

EXHIBIT D

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES



### ANNEXATION PLAT

FOR: CITY OF HILLVIEW  
298 PRAIRIE DR.  
HILLVIEW, KY. 40229

BRAD ARMSTRONG LAND SURVEYING, INC  
452 E. INDIAN STONE RD. SHEPHERDSVILLE, KY 40165  
PHONE (502) 543-4607

FARM, BOUNDARY & TOPO SURVEYS  
CONSTRUCTION & SUBDIVISION LAYOUTS  
MORTGAGE INSPECTIONS  
FLOOD CERTIFICATION

DATE: 2-18-2000 SCALE: 1" = 100'

THIS IS NOT A  
BOUNDARY SURVEY

NOTE: ALL BEARINGS AS SHOWN ON THIS PLAT ARE REFERENCED TO THE SOUTH LINE OF PROPERTY AS CONVEYED TO KENNETH M. BAILEY AND BARBARA J. BAILEY, DEED OF WHICH IS RECORDED IN DB 333-Pg 77 IN THE OFFICE OF THE CLERK OF BULLITT COUNTY, KY. ALL DISTANCES AS SHOWN ON THIS PLAT ARE TAKEN FROM DEEDS AND PLATS AS RECORDED IN THE OFFICE OF THE CLERK OF BULLITT COUNTY, KY.