

ORDINANCE NO. 2000-20

OLD FILE
METERS
Doug Smith Pres

AN ORDINANCE CONFIRMING ANNEXATION OF UNINCORPORATED TERRITORY ADJOINING THE CITY OF MOUNT WASHINGTON, BULLITT COUNTY, KENTUCKY.

BE IT ORDAINED by the City Council of the City of Mt. Washington, Bullitt County, Kentucky, as follows:

SECTION I: The City Council of the City of Mt. Washington, Bullitt County Kentucky, does hereby ordain that it proposes to annex certain unincorporated territory to the City of Mt. Washington, Bullitt County, Kentucky; and such territory to be annexed is described as follows:

Beginning at the southwest corner of Tract 2 as conveyed to Dorothy L Hardy and Douglas & Doris H. Smith, by deed of record in Deed Book 411, Page 267 in the office of the County Court Clerk of Bullitt County, Kentucky; thence with the westerly line of Tract 2, N 06 degrees 15'17" E, 31.24 feet to a point; thence N 77 degrees 50' 39" W, 0.18 feet to a point; thence N 13 degrees 25'32" E, 399.56 feet to a point; thence N 12 degrees 22' 32" E, 128.65 feet to the northwest corner of said Tract 2 and the southwest corner of Tract 1 recorded in aforesaid deed; thence with the westerly line of Tract 1, N 15 degrees 20' 14" E, 220.65 feet to a point; thence leaving said line, S 76 degrees 43' 51" E, 938.70 feet to a point in the easterly line of said Tract 1; thence with the line of tract 1, S 13 degrees 59' 09" W, 211.33 feet to the southeast corner of Tract 1; thence with the southerly line of Tract 1, N 77 degrees 17" 20" W, 494.67 feet to the northeast corner of Tract 2; thence with the lines of Tract 2, S 19 degrees 39' 19" W, 696.31 feet to a point; thence N 70 degrees 20' 41" W, 241.26 feet to a point; thence N 38 degrees 07' 37" W, 162.82 feet to the point of beginning, containing 10.84 acres, and being all of the aforesaid Tract 2 and a portion of the aforesaid Tract 1.

RECEIVED AND FILED
DATE July 20, 2012
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *[Signature]*

SECTION II: This ordinance is enacted pursuant to KRS 81A.400, et. Seq. The reader is advised that one may have legal rights affected by this Ordinance. For advice concerning these rights, one should consult an attorney.

SECTION III: This ordinance shall be published according to law.

SECTION IV: 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 V: The City Clerk is hereby authorized to publish this ordinance in accordance with the Kentucky revised Statutes. The Mayor of the City of Mt. Washington, Bullitt County, Kentucky is hereby directed and authorized to give notice of the annexation of Secretary of State, Commonwealth of Kentucky.

STATE OF KENTUCKY
COUNTY OF BULLITT
I, Elizabeth Fisk, City Clerk of the City of Mt. Washington, do hereby certify that the foregoing contains a full, true and correct copy of Ord 2000-20 as taken from and compared with the original records in my office of which I am Legal Custodian, adopted by the governing authority of said City of Mt. Washington at a meeting duly held on: 12/11/00 that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
Witness my hand this 18 day of July, 2012.
[Signature]
CITY CLERK CITY OF MT. WASHINGTON

SECTION VI: The City Clerk is hereby directed and authorized to provide to the Bullitt County Court Clerk a map clearly delineating the Boundaries of the area affected along with a list of names and addresses of those property owners and or registered voters. The City Clerk is further directed and authorized to provide to the Bullitt County Planning and Zoning Administrator a map clearing showing the zoning for this area and said zoning recommendations of the City at a regular meeting of the Bullitt County Planning and Zoning Commission with said publication of meeting according to law.

SECTION VII: Within sixty (60) days of the publication of this Ordinance, 4/23, 2001, one may petition the Mayor of the City of Mt. Washington for opposition to this ordinance by having fifty percent (50%) of the registered voters or owners of real property within the limits of the territory proposed to be annexed indicate their opposition to this Ordinance. Said petition must be delivered before April 23rd, 2001, to the Mayor of the City of Mt. Washington, Ed Hilbert, at City Hall, 275 Snapp Street, P.O. Box 285, Mt. Washington, Kentucky 40047.

Ed Hilbert
Ed Hilbert, Mayor

ATTEST:
Gale Y. Park
Gale Y. Park, City Clerk

	<u>Votes For</u>	<u>Votes Against</u>	<u>Abstentions</u>
Barry Armstrong	<u>✓</u>	<u>_____</u>	<u>_____</u>
Sam Beichler	<u>✓</u>	<u>_____</u>	<u>_____</u>
Sid Griffin	<u>✓</u>	<u>_____</u>	<u>_____</u>
Ralph Lutes	<u>✓</u>	<u>_____</u>	<u>_____</u>
Frank Sullivan	<u>✓</u>	<u>_____</u>	<u>_____</u>
Brent Wheeler	<u>✓</u>	<u>_____</u>	<u>_____</u>

ANNEXATION - WRITTEN CONSENT

Brief description of property to be annexed:

Approx. 10.5 acres

(Attach plat and description of property)

In accordance with KRS 81A.412, I am the owner of the above -described property and do herewith provide my written consent to its annexation by the City of Mt. Washington, Kentucky.

[Signature]
Signed _____ Title *Property Owner*

Doris L. Smith
Signed _____ Title *property owner*

Jan 17, 2001
Date

Subscribed and sworn to before me this *17th* day of *January*, ~~1999~~ ²⁰⁰¹ by

Douglas & Doris Smith

Kimberly L. Full
Notary Public
Exp. *8-27-2001*

City of Mount Washington
Minutes of the Regularly Scheduled Council Meeting
December 11, 2000
City Hall Annex Building, 186 Branham Way
6:30 p.m.

Mayor Ed Hilbert called the meeting to order at 6:30 p.m. with the following members present: Barry Armstrong, Sam Beichler, Ralph Lutes, Debbie Smith, Frank Sullivan, and Brent Wheeler.

The City Attorney, City Engineer, Utility Superintendent, and City Clerk were also present.

The invocation was given by Joe Vires.

Frank Sullivan made a motion to accept the minutes of the November 27th meeting as read. Sam Beichler seconded the motion. Motion passed. (Unan.)

Kim Fell gave the Treasurers Report.

David Bass, Certified Public Accountant for the City of Mt. Washington, presented the Annual Financial Report for 1999-2000 fiscal year.

The second reading was conducted on Ordinance 00-19 relating to the annexation of 49.828 acres of the Texie Sprung Estate on Bethel Church Road. Frank Sullivan made a motion to adopt Ordinance 00-19. Sam Beichler seconded the motion. Motion carried 4-2. Debbie Smith and Brent Wheeler voting no.

Frank Sullivan made a motion to table the second reading on Ordinance 00-20 relating to the annexation of approximately 10.5 acres of the Douglas and Doris Hardy Smith property on the Bardstown Road Bypass until the next meeting. Mr. Sullivan did not agree with de-annexation conditions nor any other conditions for annexing the property. Barry Armstrong seconded the motion. Motion passed. (Unan.)

The second reading was conducted on Ordinance 00-21 approving a lease agreement through the Kentucky League of Cities for the financing of the approximate principal amount of \$360,000; providing for the payment and security of the lease; creating a sinking fund; and authorizing the execution of various documents related to such lease. Barry Armstrong made a motion to adopt Ordinance 00-21. Brent Wheeler seconded the motion. Motion passed. (Unan.)

Ronnie Fick, Utility Superintendent, and Dave Derrick, City Engineer, informed the Council that the Chevy Chase Subdivision has been completed to the City's satisfaction. Barry Armstrong made a motion to accept the completion of Chevy Chase Subdivision and authorize Mr. Wantland to dismiss the lawsuit.. Brent Wheeler seconded the motion. Motion passed. (Unan.)

Mayor Ed Hilbert recognized several employees; Derreck Hill, Police Officer; Dawn Elliott, Office Administrative Assistant; Morris Hall, Dog Warden; and Sid Griffin, Council member

elect. Mayor Ed Hilbert also recognized and presented Debbie Smith, outgoing Council Member, with a plaque of appreciation for her years of service to the residents of the City.

Barry Armstrong made a motion to enter into executive session at 7:09 p.m. to discuss the lawsuit between City of Shepherdsville and Bullitt County Planning and Zoning and would like to invite Council member elect Sid Griffin into the session. Ralph Lutes seconded the motion. Motion passed. (Unan.)

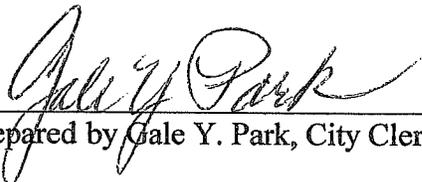
Frank Sullivan made a motion to reconvene open session at 8:17 p.m. Brent Wheeler seconded the motion. Motion passed. (Unan.)

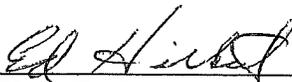
No Action was taken as a result of executive session. The Council has given direction to Mr. Wantland on how to proceed with the litigation between City of Shepherdsville and Bullitt County Planning and Zoning. The Councils' belief and wish is that people would resolve their differences without having to incur legal expenses.

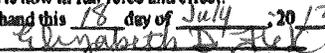
Dave Derrick, City Engineer, brought to the Council some change orders for the Belt Filter Press project. One is for \$2,086.50 increase for some additional concrete that was needed due to a change in the configuration of manufactured equipment. The second would be a decrease for \$507.15 for gravel that the contractor did not install that was in the bid price. Also the contractor has agreed to an extended 5 year warrantee on settlement that might happen to the building. Ralph Lutes made a motion to accept the change orders. Sam Beichler seconded the motion. Motion passed. (Unan.)

There being no further business before the Council, Barry Armstrong made a motion to adjourn the meeting. Sam Beichler seconded the motion. Motion passed. (Unan.)

The meeting was adjourned at 8:19 p.m.


Prepared by Gale Y. Park, City Clerk


Hon. Ed Hilbert, Mayor

STATE OF KENTUCKY
COUNTY OF BULLITT
I, Elizabeth Fick, City Clerk of the City of Mt. Washington, do hereby certify that the foregoing contains a full, true and correct copy of Minutes as taken from and compared with the original records in my office of which I am Legal Custodian, adopted by the governing authority of said City of Mt. Washington at a meeting duly held on: 11/11/00 that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
Witness my hand this 18 day of July, 2012.

CITY CLERK/CITY OF MT. WASHINGTON

Behind ORD 93-30 EXHIBIT "B" Tr. 1

FOR DEED OF RELEASE

SEE DEED BOOK 550 PAGE 431

NORA McCAWLEY, BULLITT COUNTY CLERK

BY: Subters D.

11/11/95 Mabel Hardy & Dorothy

[00392 This DEED is made and entered into this 26th day of September, 1995, by and between MABEL HARDY, unmarried, 503 Evans Lane, Mt. Washington, KY 40047, first party; and DOROTHY LILBERN HARDY, unmarried, 699 Evans Lane, Mt. Washington, KY 40047, second party; DOUGLAS SMITH and his wife, DORIS HARDY SMITH, 699 Evans Lane, Mt. Washington, KY 40047, third parties;

WITNESSETH: That for a valuable consideration, the receipt of which is hereby acknowledged; being a conveyance of Tract One below described as a gift, out of love and affection by first party, as mother in law and mother, to third parties as son in law and daughter, having a fair cash value of \$124,000.00; and being a conveyance of Tract Two below described, for the sum of \$60,000.00 by second party to third parties, for which third parties have executed their promissory note of this date in the sum of \$60,000.00, payable second party in monthly installments of \$500.00 each with interest as set out in said note, commencing October 26, 1995, with a final payment, if not sooner paid, being due September 26, 2010;

NOW THEREFORE: First party conveys Tract One, and Second party conveys Tract Two, each with covenant of general warranty, unto Third parties for and during their joint lives, with remainder in fee simple to the survivor of them, the following described properties located on Bullitt County, Kentucky, to wit:

Tract One

Beginning at an iron pin in the East Line of Evans Lane, corner to 31.30 acre tract of Dorothy Lilbern Hardy [the 6.1693 acre remainder of which is below conveyed as Tract Two], said iron pin being 1483.48 feet Northeast of the northeast corner of Lot 10 of

DELIVERED TO P.V.A. SEP 28 1995

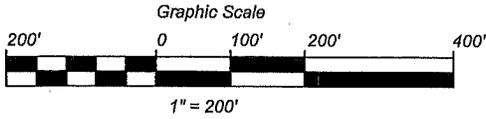
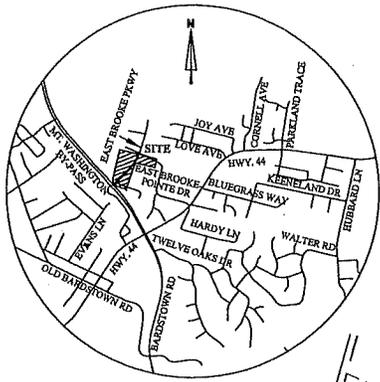
Greenfield Subdivision, Section 1, plat of which is recorded in Plat Book 2, Page 152 in the office of the clerk of the Bullitt County Court; thence with the [original] 31.30 acre tract of Dorothy Lilburn Hardy, South 77° 29' 33" East 944.45 feet to a post in line of Royce Swearingen; thence with line of Swearingen, North 13° 39' 14" East 1454.49 feet to post in line of Dawson; thence with line of Dawson, North 75° 17' 14" West 942.51 feet to a steel post in line of Athol Lee Taylor; thence with line of Taylor, South 12° 32' 39" West 299.47 feet to a post; thence South 11° 39' 34" West 345.89 feet to an iron axle in the East line of Evans Lane where it dead ends at Taylor's line; thence with east line of Evans Lane, South 14° 46' 07" West 328.36 feet to an iron pin; thence South 15° 08' 01" West 517.58 feet to the point of beginning, and containing 31.57 acres as shown by survey of Curtis Ochs, Jr. dated June 11, 1974.

Being the same property conveyed as Tract Two in Deed from Dorothy Lilburn Hardy, et al., to Dorman Hardy, and his wife, Mabel Hardy, by deed dated January 17, 1975, recorded in Deed Book 183, Page 200 in the office of the clerk of the Bullitt County Court; the said Dorman Hardy having died a resident of Bullitt County, and Mabel Hardy taking such land by survivorship in said deed.

Tract Two

Beginning at an iron pin in the east line of Evans Lane at the southwest corner of Tract One hereinabove described, and also being the northwest corner of the 31.30 acre tract conveyed Hardy in Deed Book 183 Page 203 in the office of the clerk of the Bullitt County Court; thence with the south line of Tract One hereinabove described, South 77° 47' 29" East [for South 77° 29' 33" East] 449.92 feet to an iron pin; thence South 19° 39' 19" West 696.37 feet to an iron pin; thence North 70° 20' 41" West 241.26 feet to an iron pin; thence North 38° 02' 47" West 162.57 feet, and North 06° 13' 27" East 31.16 feet, and North 77° 50' 39" West 0.18 feet to the east line of Evans Lane; thence with the east line of Evans Lane, North 13° 29' 26" East 399.56 feet, and North 12° 26' 26" East 124.73 feet to the point of beginning, and containing 6.169 acres as shown by survey of John St. Clair dated July 13, 1992. There is also included and conveyed herein to Third parties, jointly with survivorship, thier heirs and assigns, the right to use the existing driveway as ingress and egress to Evans lane across the lands of Cornell Realty, Inc., its successors and assigns, reserved by Second party in her deed to Cornell Realty, Inc. dated March 22, 1993, recorded in Deed Book 370, Page 162 in the office of the clerk of the Bullitt County Court.

Being the remainder of land conveyed by Dorman Hardy, et ux., to Dorothy Lilburn Hardy by deed dated January 17, 1975, recorded in Deed Book 183, Page 203 in the office of the clerk of the Bullitt County Court.



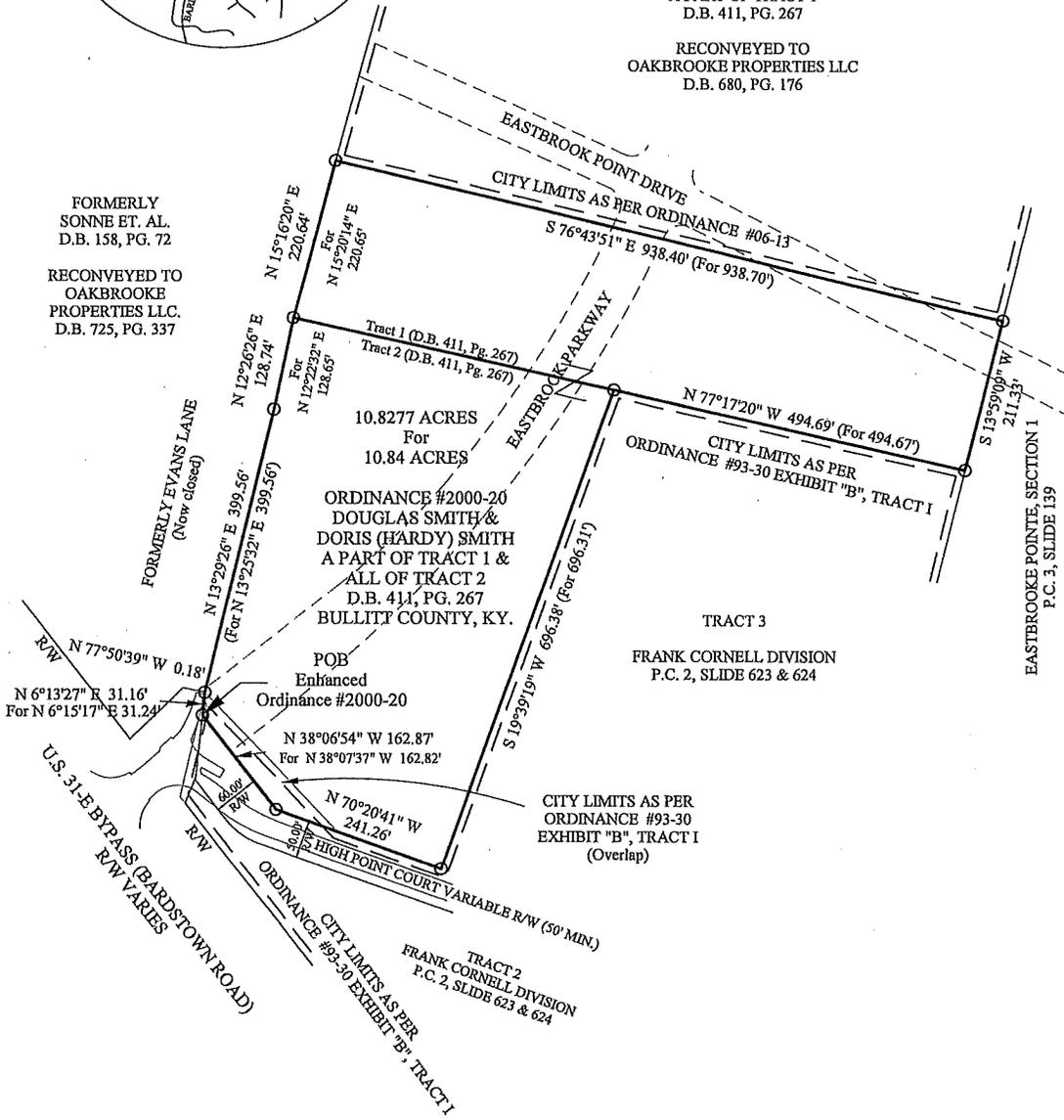
26.931 ACRES

FORMERLY
DOUGLAS SMITH & DORIS (HARDY) SMITH
A PART OF TRACT 1
D.B. 411, PG. 267

RECONVEYED TO
OAKBROOKE PROPERTIES LLC
D.B. 680, PG. 176

FORMERLY
SONNE ET. AL.
D.B. 158, PG. 72

RECONVEYED TO
OAKBROOKE
PROPERTIES LLC.
D.B. 725, PG. 337



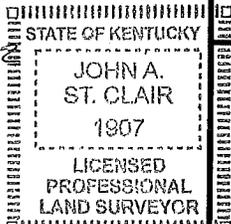
THIS PLAT HAS BEEN DRAWN FROM
PRIOR RECORDS AND IS NOT A NEW SURVEY.

THIS PLAT IS A DIGITAL ENHANCEMENT OF A PART OF THE PROPERTY DESCRIBED IN DEED BOOK 411, PAGE 267 IN THE BULLITT COUNTY CLERKS OFFICE. THIS PLAT REPRESENTS THE PROPERTY ANNEXED BY CITY OF MT. WASHINGTON, ORDINANCE # 2000-20. THE PURPOSE OF THE PLAT IS TO ESTABLISH BEARING COURSES THAT CONFORM TO CURRENT SECRETARY OF STATE LAND OFFICE REQUIREMENTS.

John A. St. Clair
JOHN A. ST. CLAIR
E.L.S. #1907

June 20, 2012

MT WASHINGTON ANNEXATIONS/
ENHANCEMENTS/ORD #2000-20 EASTBROOKE POINTE
BEM



ENHANCEMENT OF ORDINANCE #2000-20
FOR
THE CITY OF MT. WASHINGTON, KY.
275 SNAPP STREET
MT. WASHINGTON, KY. 40047

by
JOHN A. ST. CLAIR
138 WILLOW WOOD DRIVE
MT. WASHINGTON, KY. 40047

JUNE 20, 2012

1" = 200 FT.