

RECEIVED AND FILED
DATE October 19, 2012

CITY OF MT. WASHINGTON
ORDINANCE NO. 99-04

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adams

AN ORDINANCE CONFIRMING ANNEXATION OF
UNINCORPORATED TERRITORY ADJOINING THE CITY OF MT.
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 confirms the annexation of certain unincorporated territory to the City of Mt. Washington, Bullitt County, Kentucky, as such territory shall become a part of the Commonwealth of Kentucky; and further, such territory annexed is described as follows:

TRACT 1

Beginning at an iron pin at the Southwest corner of lot Franklin Acres Section 1, recorded in plat cabinet 2, slide 59 in the office of the Bullitt County Court Clerk, Shepherdsville, Kentucky; thence S. 26° 30' 47" W., 30.02 feet to a point; thence S. 65° 43' 51" E., 574.45 feet to a point; thence N. 26° 30' 47" E., 25.02 feet to an iron pin at the beginning; thence N. 26° 30' 47" e., 1170.87 feet to an iron pin in the South line of Joseph McCawley (DB 283, Pg. 103); thence S. 69° 24' 32" E., 51.72 feet to a post; thence S. 87° 51' 11" E. 398.91 feet to an existing iron pin; thence S. 06° 43' 18" W., 13.12 feet to an existing iron pin; Thence S. 20° 00' 16" E., 160.12 feet to a 15" sycamore tree; thence S. 00° 06' 39" W., 76.24 feet to an existing iron pin at a bluff; thence S. 87° 19' 27" E., 218.19 feet to an existing iron pin; thence S. 19° 44' 51" E., 57.72 feet to a nail in a 12" Cedar; thence N. 64° 43' 10" E., 36.22 feet to a nail in a 15" Cedar; thence N. 88° 11' 33" E., 107.34 feet to a 20" Oak; thence S. 85° 50' 38" E., 188.34 feet to an existing iron pin at a downed 30" Ash on West bank of Creek; corner to T.C.I. (DB 298, Pg. 400); thence down the creek S. 58° 39' 47" E., 149.41 feet to a nail in 14" Poplar by a 16" Sycamore; thence S. 10° 02' 42" E., 275.68 feet to a nail in 20" Oak; thence S. 34° 36' 18" E., 130.06 feet to a nail in 24" Poplar; thence S. 20° 19' 35" E., 468.17 feet to a 15" Walnut; thence S. 02° 55' 41" W., 50.78 feet to an existing iron pin by a cedar; thence S. 39° 35' 43" E., 210.54 feet to a 24" Oak; thence S. 57° 25' 09" E., 120.20 feet to an existing iron pin by a 16" Sycamore; thence S. 43° 04' 20" E., 53.38 feet to an existing iron pin on the North bank of Creek Northwest corner Foseph Allen (DB 363, Pg. 165); thence S. 00° 49' 55" W., 183.65 feet to an iron pin at the Northeast corner of Larry Helm (DB 288, Pg. 289); thence across the creek and up the hill S. 89° 58' 11" W., 813.09 feet to an iron pin by a post; thence N. 65° 48' 51" W., 100.00 feet to an iron pin; thence N. 24° 11' 09" E., 25.00

feet to an iron pin; thence N. 65° 48' 51" W., 1505.10 feet to the point of beginning containing 52.11 acres.

TRACT 2

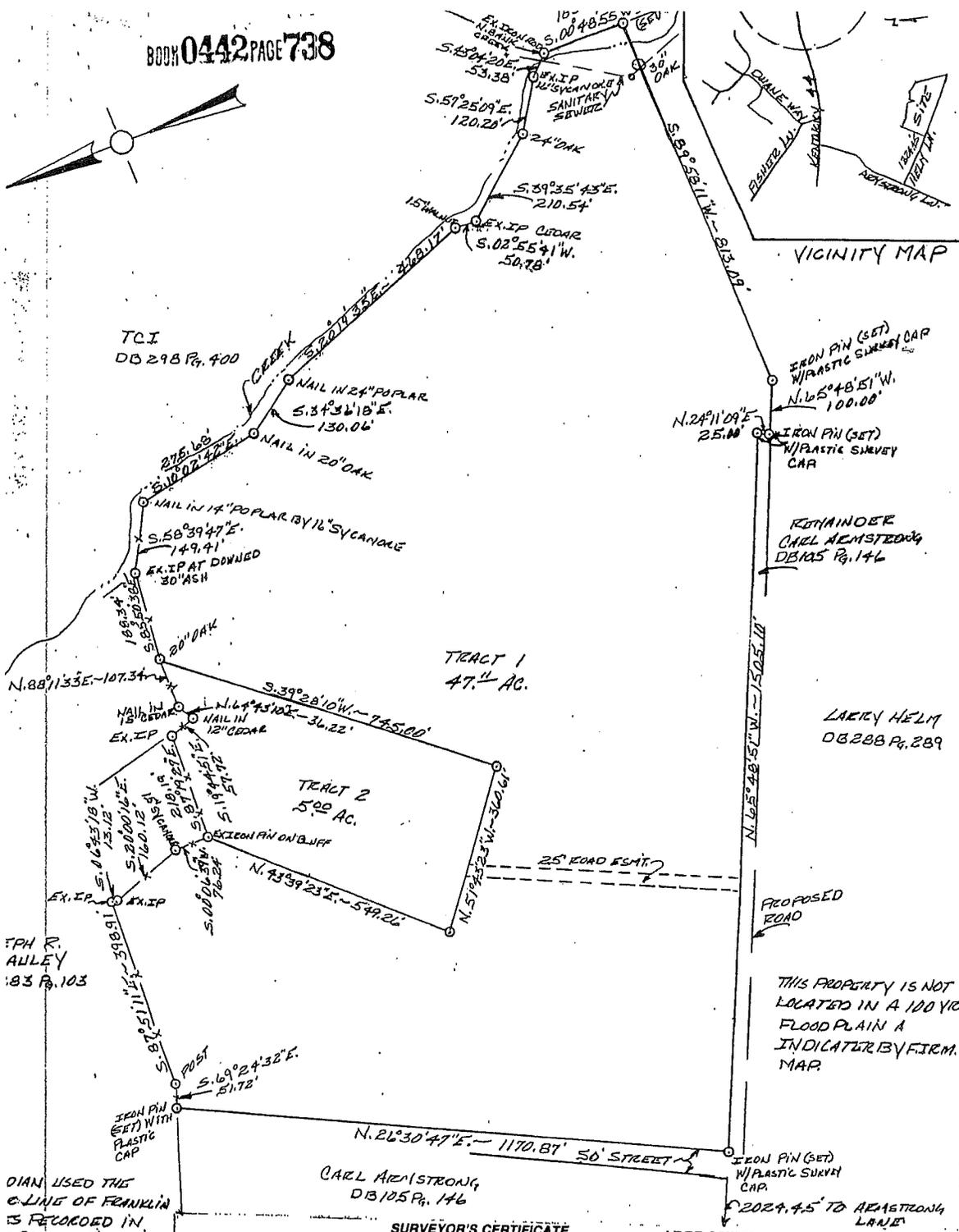
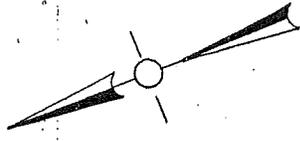
A Certain tract of land in the community of Mt. Washington, Bullitt County, Kentucky, more particularly described as follows:

Unless stated otherwise, any monument referred to herein as a "Rebar and Cap" is a set ½" diameter rebar, eighteen (18) in length, with a red plastic cap stamped "Armstrong Eng. PLS 541." All bearings stated herein are referred to the rear line of Franklin Acres (Plat cabinet 2, slide 279).

Beginning at an existing 3/8" rebar with red plastic cap stamped "Armstrong PLS 541", at the southwest corner of Patrick Armstrong's property (DB 442, pg. 736) and on the North right-of-way line of Helm Lane; thence N. 60° 09' 49" W., 50.09 feet to a 3/8" Rebar with red plastic cap stamped "Armstrong PLS 541"; Thence N. 65° 55' 56" W., 524.57 feet to an existing 3/8" rebar at the Southeast corner of Franklin Acres (P. C. 2, slide 279); thence N. 26° 30' 48" E., 150.00 feet to an existing 3/8" rebar; thence S. 65° 55' 56" E, 524.40 feet to an existing 3/8" rebar; thence N. 26° 29' 09" E., to 624.16 feet to a rebar and cap; thence N. 64° 37' 14" W., 1169.13 feet to a rebar and cap in the East line of Jean C. Hall (DB 422, pg. 560); thence N. 21° 11' 33" E., 352.07 feet to an existing ½" rebar in South line of David Aulbach (DB 433, pg. 684); thence S. 64° 39' 58" E., 772.69 feet to an existing nail in post; thence S. 69° 25' 47" E., 481.42 feet to an existing 3/8" rebar with red plastic cap stamped "Armstrong PLS 541" at the Northwest corner of Patrick Armstrong (DB 442, pg. 736); thence S. 26° 29' 09" W., 1170.23 feet to the point of beginning and containing 12.88 acres, more or less, according to a survey by Maxie Armstrong, PLS # 541, with Armstrong Engineering on March 19, 1999.

SECTION II: The City clerk is hereby directed to publish this Ordinance in accordance with the Kentucky Revised Statutes.

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 ORD 99-04 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: 3/19/99 that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
Witness my hand this 9 day of OCT, 2012
Elizabeth D. Fick
CITY CLERK CITY OF MT. WASHINGTON



VICINITY MAP

TCI
DB 298 Pg. 400

IRON PIN (SET)
W/ PLASTIC SURVEY CAP
N. 65° 48' 51" W.
100.00'

IRON PIN (SET)
W/ PLASTIC SURVEY
CAP

REMAINDER
CARL ARMSTRONG
DB 105 Pg. 146

TRACT 1
47.11 AC.

LARRY HELM
DB 288 Pg. 289

TRACT 2
5.00 AC.

PROPOSED
ROAD

THIS PROPERTY IS NOT
LOCATED IN A 100 YR
FLOOD PLAIN A
INDICATOR BY FIRM
MAP

FPH R.
AULLEY
DB 3 Pg. 103

CARL ARMSTRONG,
DB 105 Pg. 146

IRON PIN (SET)
W/ PLASTIC SURVEY
CAP
2029.45' TO ARMSTRONG
LANE

DIAN USED THE
CLING OF FRANKLIN
IS RECORDED IN
"CABINET 2 SLIDE
IN OFFICE OF
LIT CO. COURT CLERK.

5 CLK
FEE PD. ST.

DEED TAX HAS
BEEN PAID AND RECORDED THIS
97 AUG -4 PM 2:44

MORA HOGAN WILEY
BULLITT COUNTY CLERK

BY: *B. Armstrong* D.C.

SURVEYOR'S CERTIFICATE

I hereby certify that this plat depicts a survey, made by me, or under my direction, by method of random traverse. The bearings and distances shown hereon have been adjusted for closure. This survey and plat meets or exceeds the minimum standards of governing authorities.



Maxie Armstrong 12/04/96
Name RLS-541 Date

OWNER'S CERTIFICATE

I do hereby certify that I am the owner of record of the property shown hereon, as recorded in D.B. 105 P. 146 in the Bullitt County Clerk's Office, and do hereby adopt this survey.

Carl Armstrong 8-1-97
Carl Armstrong 8-1-97
Owner Date

APPROVED:

Bullitt County Planning & Zoning Commission
Date: _____ By: _____

SURVEY OF	
PATRICK ARMSTRONG HELM LANE MT. WASHINGTON, KY. 40047	
ARMSTRONG ENGINEERING - LAND SURVEYING 401 CLIFFSIDE DRIVE SHEPHERDSVILLE, KY 40165	
DRAWN BY: <i>SCA</i>	DATE: 12/04/96
CHECKED BY: <i>MA</i>	SCALE: 1" = 200'
DRAWING NO:	GRAPHIC SCALE 0 100 200 300

96149

This DEED made and entered into this 6 day of September, 2001, by and between Creek Pointe, LLC, a Kentucky Limited Liability Company, of 334 Patton Lane, Mt. Washington, Kentucky 40047, first party, and Spalding Construction, Inc., a Kentucky Corporation, of 334 Patton Lane, Mt. Washington, Kentucky 40047, second party.

WITNESSETH: The first party does hereby convey, unto the second parties, its successors and assigns forever, the following described real estate located in Bullitt County, Kentucky:

TRACT 1 and 2 on the Minor Subdivision Plat recorded in Deed Book 442, Page 738.

Being the same property conveyed to Creek Pointe, LLC, a Kentucky Limited Liability Company, by deed dated April 27, 2000, of record in Deed Book 524, Page 12, in the Office of the Bullitt County Court Clerk.

The first party hereto states the fair market value of the property herein conveyed is the sum of Six Hundred Twenty Five Thousand Three Hundred Twenty Dollars and 00/100 (\$625,320.00) the receipt of which is hereby acknowledged. The grantees join this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382. No deed tax is due pursuant to KRS 142.050(7)(i).

The first party further covenants it is lawfully seized of the estate herein conveyed with the full right and power to convey same in fee simple and there are no encumbrances against same except easements and restrictions of record and Zoning Regulations of Bullitt County.

IN TESTIMONY WHEREOF witness the hands of the parties this day and year first herein written, by and through the authorized officer of the within corporation and by the authority vested in said officer as duly authorized by the Board of Directors of said corporation.

Creek Pointe, LLC, a Kentucky Limited Liability Company

Spalding Construction Inc., a Kentucky Corporation

by Teresa Spalding
Teresa Spalding, Managing Member

by Teresa Spalding
Teresa Spalding, Vice President

Deed of Correction
See Deed Book 534 Page 348
Nora McCauley, Clerk
By B Bowler WC

LAND CONVEYANCE FORM
DELIVERED TO P. V. A.
SEP 11 2001
SEP 11 2001

City of Mount Washington
Minutes of the Regularly Scheduled Council Meeting
May 10, 1999
Senior Citizens Building, 223 Delania
7:00 p.m.

Mayor Ed Hilbert called the meeting to order at 7:00 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, City Treasurer, and the City Clerk were also present.

The invocation was given by Mayor Ed Hilbert

The minutes for the April 26th, 1999 were approved as read.

The Clerks Report was given by Gale Park.

Jennifer Barbagallo, chairperson of the Ethics Committee, presented the recommendation of the committee before the Council. The Ethics Committee recommendation at this time is that the Council should either reopen the entire bidding process, allow everyone to resubmit bids, or the Council should take the bids as they stand and either grant the bid to the highest bidder, grant the bid to someone other than Clements Concessions so that the Ethics Ordinance does not even become applicable, or comply with Section 6(A) (3) of the Ethics Ordinance if they decide to grant the bid to Clements Concessions. Regardless of which alternative the Council chooses, the Council as a whole, and not a subcommittee, should vote on the manner in which this issue will be resolved.

Barry Armstrong made a motion to wait until the next regular Council meeting to make a decision on the Ethics Committee recommendations. Frank Sullivan seconded the motion. Motion carried 4-2. Sam Beichler and Debbie Smith voting no.

The second reading of ordinance 99-04 was conducted on the zoning amendment requested by Oakbrooke Properties, LLC for 17.802 acres located at 11292 Highway 44 East in City of Mt. Washington presently zoned agricultural. Barry Armstrong made a motion to approve the zoning amendment. Sam Beichler seconded the motion. Motion passed. (Unan.)

The second reading was conducted on Ordinance 99-05 relating to the issuance of Residential Building Permits in new subdivisions in the City of Mt. Washington. Sam Beichler made a motion to approve ordinance 99-05. Frank Sullivan seconded the motion. Motion passed. (Unan.)

Joe Wantland, City Attorney, conducted the first reading on Ordinance 99-06 relating to the annexation of two tracts of land which the City of Mt. Washington currently refers to as the Mt. Washington Hubbards Lane Tank Property and the Mt. Washington Lloyds Lane Tank Property.

City of Mount Washington
Regularly Scheduled Council Meeting
May 10, 1999
Page 2

Eddie Deacon addressed the Council as to whether he can go forward with plan of a water filling station on the corner of Bardstown Road. Mr. Wantland advised Mr. Deacon to submit plans to the City Clerk. He also mentioned vehicles cutting across the parking lot of the Country Dinner to by pass the traffic light at the intersection of 31E and Lakeview Dr. He asked if a guard rail could be put up or something could be done. The Mayor stated he will look into it although he didn't think we could do anything on private property.

Rick Clements reported to the Council his conversations with EZ construction in regard to the repairs to the Park.

John Sinclair gave the Council an update on the Evans Lane Sidewalk Project.

Report from Council:

Ralph Lutes mentioned the traffic light at the intersection of Hwy 44 and 31E had been changed. Frank Sullivan reported that several lots in the Village Subdivision needed to be cut. The drainage ditch on Greenbriar & Louis Lane still needed cleaning out and the college street entrance to the City Annex Building needs a gate.

Barry Armstrong mentioned the letter from Mr. Mark Edison, attorney for Chuck Wood, asking that the City allow the sale of building permits in Nature Cove. Mr. Dave Derrick updated the Council on the status of the pump, and other areas of the Nature Cove development that are still incomplete.

Sam Beichler complemented the clean up efforts after the Mt. Washington Spring Festival. He also reported junk and concrete around a new subdivision on Landis Lane.

Brent Wheeler reported the grass needing to be cut at 222 Newman and the graveled streets needing more gravel.

Dave Derrick commented on the meetings with the Louisville Water Company regarding the water pressure situation. The LWC has conducted some testing of their system and they say they can give us all the water we need to serve our customers even with the rapid growth. Although they may not be able to give us the pressure we need at times due to the fact that they have to draw down the tank's water level to turn it over. When the tank water level is down it reduces the City's pressure. They suggested doing some testing on our pump with their tank in the worst case situation to see what our pump will pump and if it is not adequate, make some adjustments to the control valves on the pump or make some modifications to the pump itself. Testing will be conducted over the next couple of months and recommendations will be made when the results are completed. He also gave the history of the Chevy Chase development. The City is still

withholding the sale Building Permits and water meters to Mr. Charlie Meyers until the development is in compliance with the City's specifications.

Mayor Ed Hilbert commented on the success of the Spring Festival and also complimented the workers on trash pick up, grass cutting and yard cleanup done by the City's employees and residents to prepare for the Festival. The Mayor stated he was very proud of Mt. Washington and felt that the City had a good Festival.

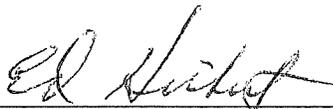
Ralph Lutes made a motion to enter into executive session at 8:35 p.m. Brent Wheeler seconded the motion. Motion passed. (Unan.)

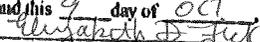
Ralph Lutes made a motion to reconvene the open session at 9:00 p.m. Debbie Smith seconded the motion. Motion passed. (Unan.)

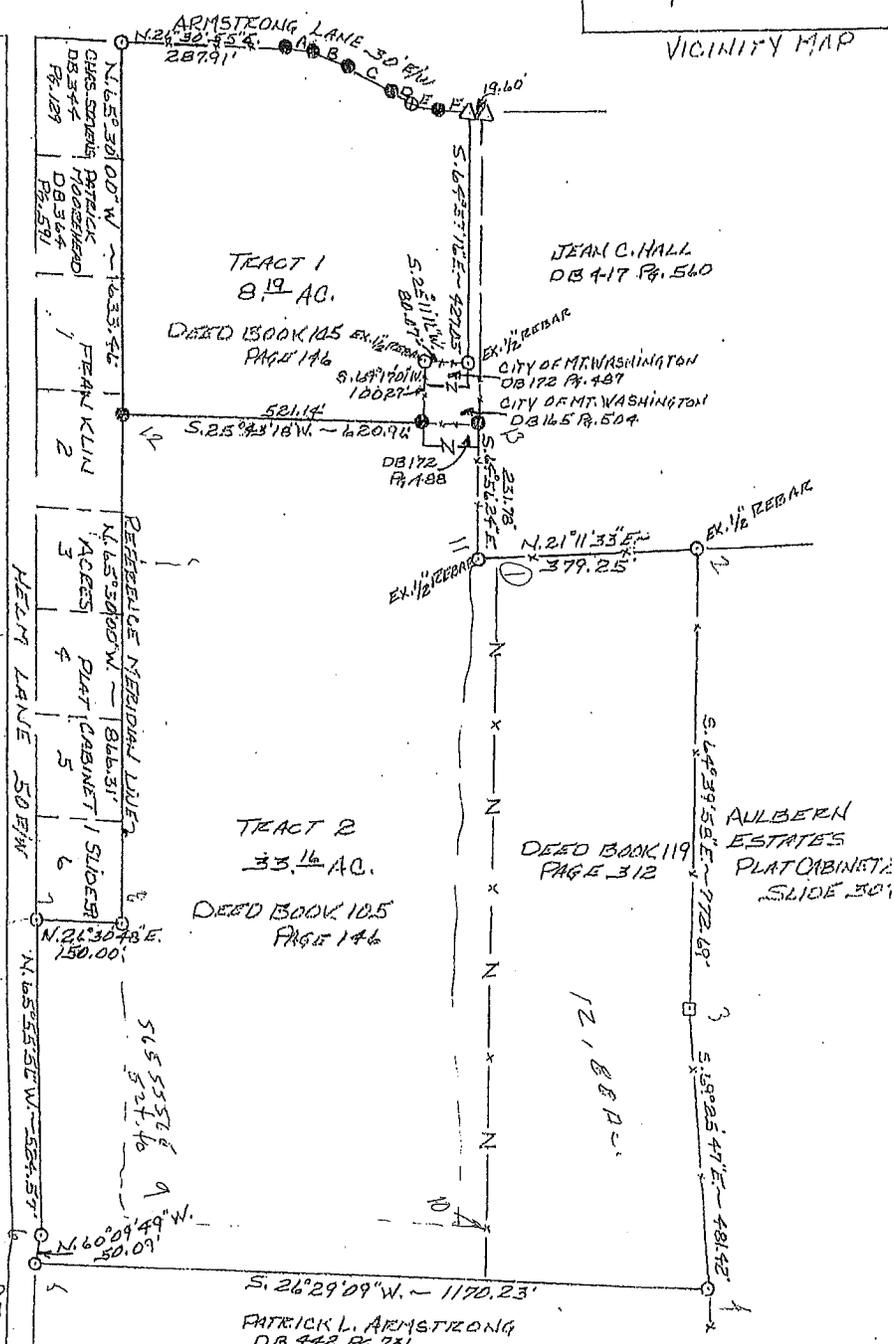
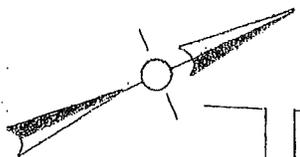
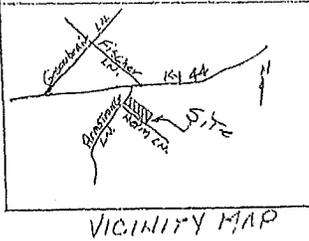
There being no further business before the Council, Debbie Smith made a motion to adjourn the meeting. Ralph Lutes seconded the motion. Motion passed. (Unan.)

The meeting was adjourned at 9:00 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 <u>Minutes</u> 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: <u>5/10/99</u> that said official action has not been modified, amended, revoked or repealed and is now in full force and effect. Witness my hand this <u>9</u> day of <u>OCT</u> , 20 <u>12</u> .  CITY CLERK CITY OF MT. WASHINGTON
--



A	N. 31° 05' 18" E. ~ 48.17'
B	N. 44° 37' 00" E. ~ 68.25'
C	N. 56° 18' 41" E. ~ 84.24'
D	N. 50° 51' 26" E. ~ 42.75'
E	N. 39° 19' 26" E. ~ 48.05'
F	N. 28° 13' 53" E. ~ 53.91'

- LEGEND**
- ⊙ SET 1/2" STEEL REBAR W/ RED PLASTIC CAP STAMPED ARMSTRONG, ENG. PLS. 541
 - ⊙ SET MAG NAIL
 - EXISTING NAIL IN POST
 - △ EXISTING 1/2" REBAR W/ PLASTIC CAP STAMPED L.P.S. 1907
 - EXISTING 3/4" REBAR W/ RED PLASTIC CAP STAMPED ARMSTRONG PLS. 541



SURVEYOR'S CERTIFICATE

I hereby certify that this plat depicts a survey, made by me, or under my direction, by method of random traverse. The bearings and distances shown hereon have been adjusted for closure. This survey and plat meets or exceeds the minimum standards of governing authorities. CLASS "H" SURVEY, B.B.A. GREATER THAN 1/4" PER 100' NOT ADJUSTED.

Patrick L. Armstrong 11/10/00
 Name PLS-541 Date

OWNER'S CERTIFICATE

I do hereby certify that I am the owner of record of the property shown hereon, as recorded in D.B. _____ P. _____ in the Bullitt County Clerk's Office, and do hereby adopt this survey.

Owner _____ Date _____

APPROVED:
 Bullitt County Planning & Zoning Commission
 Date: _____ By: _____

SURVEY OF
 CARL ARMSTRONG
 250 ARMSTRONG LN.
 MT. WASHINGTON, KY 40047

ARMSTRONG
ENGINEERING - LAND SURVEYING
 401 CLIFFSIDE DRIVE SHEPHERDSVILLE, KY 401

DRAWN BY: S.C.A. DATE: 10/03

CHECKED BY: M.A. SCALE: 1" = 50'

DRAWING NO.: _____ GRAPHIC SCALE: _____