

RESOLUTION 12-14

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2000-04 DATED May 22, 2000.

WHEREAS, the City of Mt. Washington has enacted numerous ordinances annexing property into the corporate limits of the City of Mt. Washington; and

WHEREAS, each individual annexation contains a prior description prepared by now unknown individual, and further references documentation that is erroneous or no longer in existence; and

WHEREAS, the city wishes to provide modern, accurate, easily identifiable legal description, plat and supporting documentation, including the general location by latitude and longitude of a push pin symbol randomly placed on the previously annexed parcel on an aerial map and same having been certified by a professional land surveyor, and

WHEREAS, the city wishes to comply with the requirements of amended KRS 81A.470 effective July 13, 2004, and

WHEREAS, the city does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MT. WASHINGTON, KENTUCKY:

SECTION 1 That the City Council of the City of Mt. Washington hereby adopts legal description and plat a copy of which is attached hereto as Exhibit A, as prepared by John St. Clair, Licensed Professional Land Surveyor No. 1907 as an accurate depiction of the property previously annexed into the corporate city limits of the City of Mt. Washington by Ordinance 2000-04 dated May 22, 2000 a copy of which is attached hereto as Exhibit B and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

Passed at a Regular Meeting of the City Council of the City of Mt. Washington this 9 day of ~~April~~ April 2012 by a vote of 6 in favor, 0 against and 0 abstaining, and ORDERED by the Mayor of the City of Mt. Washington the same date.

Elizabeth D. Fick

Elizabeth D. Fick, City Clerk

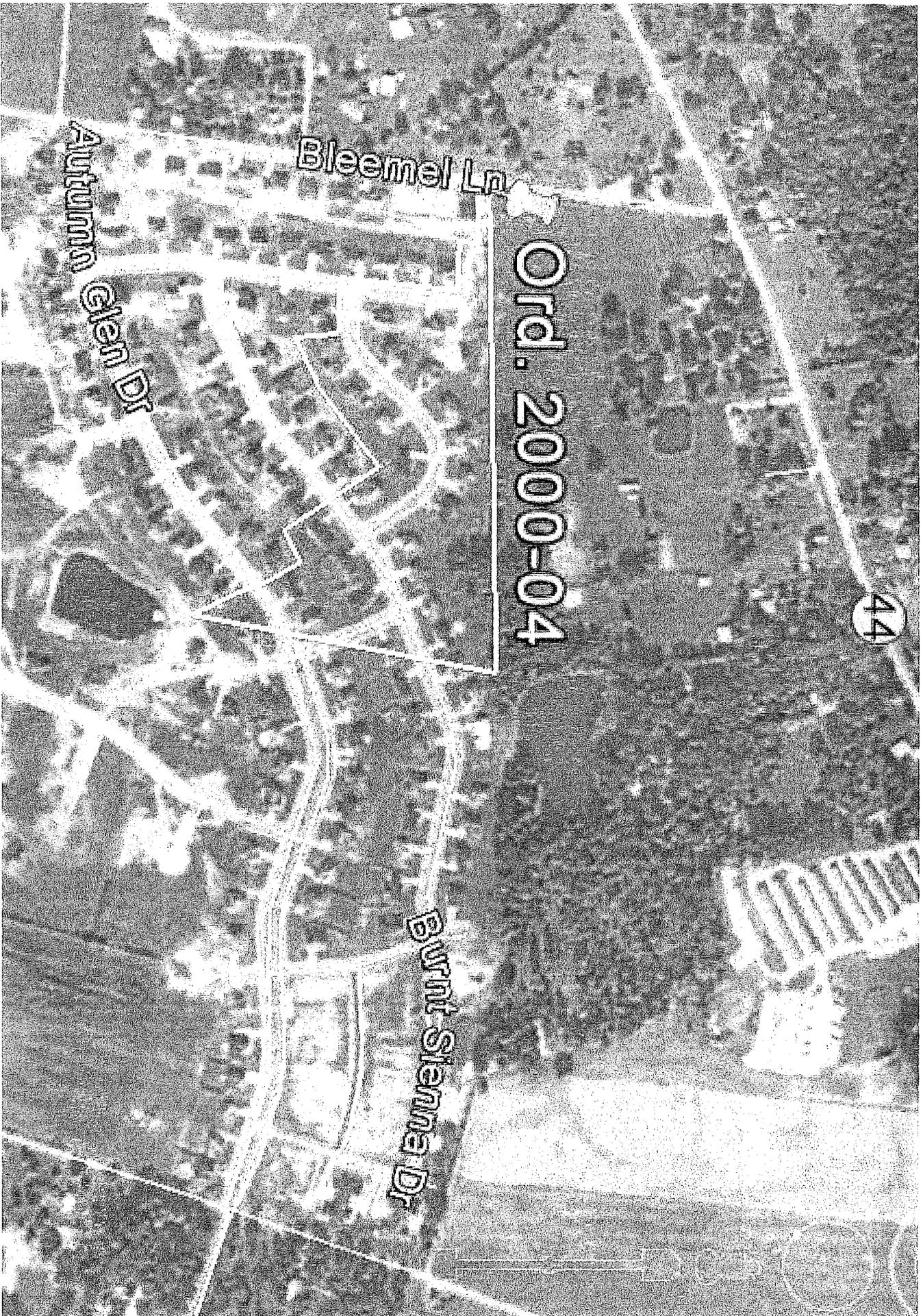
Joetta Calhoun

Joetta Bass Calhoun, Mayor

RECEIVED AND FILED
DATE February 7, 2013
Duplicate Filing

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Janice Adkinson

Certification over →



Autumn Glen Dr

Bleemel Ln

Ord. 2000-04

44

Burnt Sienna Dr

John St. Clair, Land Surveyor
138 Willow Wood Drive
Mt. Washington, Ky. 40047
Phone 502-538-6616, Fax 502-538-9113, Cell 502-548-4715
Email, jj saint@windstream.net

April 5, 2012

Enhanced description for City of Mt. Washington Ordinance number 2000-04 to clarify location and correct previous errors in the original description and on the original plat.

Adjoining the City of Mt. Washington, Ky. and located approximately 690 feet south of Kentucky Highway 44 along the east side of Bleemel Lane.

POB

The Point of Beginning is located South 85 degrees 16 minutes 50 seconds East 15.21 feet from an iron pin in the east right of way of Bleemel Lane at the northwest corner of the property conveyed to Autumn Glen Development, LLC by deed book 443, page 384 and 386 in the Bullitt County Clerk's office and also being the southwest corner of the remainder of the Virginia Bleemel property located at 8049 Highway 44-E, Mt. Washington, Ky. 40047 and recorded in deed book 145, page 616 in the Bullitt County clerk's office;

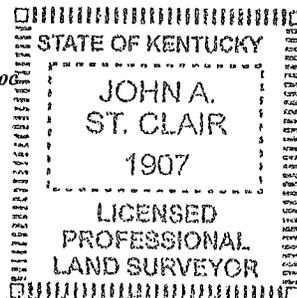
Thence with the remainder of Bleemel and the north line of Autumn Glen Development, Inc., South 85 degrees 16 minutes 50 seconds East 1409.55 feet to the southeast corner of the Norman Gentry property recorded in deed book 102, page 598 in the Bullitt County Clerk's office and also being the southwest corner of property former owned by Kelsey Webber, deed book 131, page 152 and currently owned by Glenn and Annette Bolin, deed book 672, pg. 760;

Thence with the western line of City of Mt. Washington Ordinance number 97-17, South 17 degrees 19 minutes 37 seconds West (shown incorrectly on original ordinance as South 19d 17m 37s West) 879.09 feet (for 854.67 feet), thence North 32 degrees 16 minutes 12 seconds West 140.18 feet (for 101.66 feet on plat and 134.61 feet in the original description), thence North 16 degrees 10 minutes 07 seconds West 52.04 feet, North 32 degrees 16 minutes 12 seconds West 134.61 feet, South 57 degrees 54 minutes 08 seconds West 70.22 feet, North 32 degrees 05 minutes 52 seconds West 336.03 feet, South 56 degrees 32 minutes 03 seconds West 301.26 feet, South 77 degrees 32 minutes 22 seconds West 137.00 feet, North 01 degrees 31 minutes 37 seconds West 138.58 feet, North 83 degrees 39 minutes 59 seconds West 61.54 feet, North 75 degrees 48 minutes 21 seconds West 101.49 feet, North 14 degrees 11 minutes 39 seconds East 325.23 feet, North 75 degrees 48 minutes 21 seconds West 150.00 feet, North 14 degrees 11 minutes 39 seconds East 73.91 feet, North 85 degrees 16 minutes 50 seconds West 152.07 feet and North 14 degrees 11 minutes 39 seconds East 15.21 feet to the point of beginning containing 14.10 acres and incorrectly shown as 13.803 acres on the original ordinance.

Being a northwestern part of the land conveyed to Autumn Glen Development, LLC and recorded in deed book 443, pages 384 and 386 in the Bullitt County Clerk's office and being the same property previously annexed by ordinance # 2000-04.

Yours truly,

John St. Clair
John St. Clair, Ky. PLS # 1907
AutumnGlenAnnexationOrd2000-04.doc



Corrected + Mailed
5/31/12.
D.F.



COMMONWEALTH OF KENTUCKY
OFFICE OF THE SECRETARY OF STATE
ALISON LUNDERGAN GRIMES
May 25, 2012

City of Mt. Washington
275 Snapp Street
P.O. Box 285
Mt. Washington, KY 40047-0285

Dear Friends,

First, thank you for your efforts to ensure the “interactive map” for Mt. Washington correctly depicts boundary changes over the years. It is a pleasure working with you.

Enclosed is one of your recent submissions, Ordinance 00-04 with Resolution 12-14 attached. Ordinance 00-04 is an “intent to annex” rather than a finalizing ordinance. Kentucky Revised Statute KRS 81A.420 addresses “intent” ordinances; notice there is no requirement for filing “intents” in Frankfort since the proposed boundary change may not occur after newspaper publication. There may be adjustments to the proposed annexation due to petition or the annexation may be defeated in an election. Please check city minutes, the county clerk’s office, or other records to determine if this intent ordinance was finalized. If so, please copy and certify the ordinance then proceed with filing the certified finalizing ordinance and the resolution adopting the new description and plat. (Note: Please ask the surveyor to check the description. There appears to be a typographical error in one of the early calls.)

If a finalizing ordinance cannot be located—and the statutes do not require such an ordinance (at this time) but our policy will not permit us to accept intents—please consider adopting an ordinance that finalizes Intent Ordinance 00-04. We have enclosed a “sample” finalizing ordinance many cities are using to finalize older intents. The new finalizing ordinance could adopt the new description and plat, thus nullifying the need for the resolution. (Attorney Winchell should make the final determination on the presentation of the submissions.)

If you have questions, just give us a call.

Sincerely,

A handwritten signature in cursive script that reads "Kandie Adkinson".

Kandie Adkinson, Administrative Supervisor,
Land Office Division, for

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE

2000-04 Mailed 7/25/12 DK

RESOLUTIONS ENHANCING ORIGINAL ANNEXATION ORDINANCES

- Many cities are adopting resolutions that allow the original annexation description and plat to be formatted to meet today's KRS 81A.470 filing requirements. These resolutions do not replace the original annexation ordinance nor do they relieve the city of the obligation to file a certified copy of the original annexation ordinance. (The resolution is a secondary filing; the annexation ordinance is the primary filing.)

If the city determines a resolution is in order, filing submissions should include:

- ✓ 1. Certified copy of the original annexation ordinance copied in its entirety, including the original description and plat
Attached to:
- ✓ 1. Certified resolution citing the annexation ordinance number and date of passage, and the city's adoption of the new description & plat prepared by a professional land surveyor. (Note: *The new description and plat must be limited to the area annexed by the ordinance. Boundary Statements will not be accepted.*)

➤ *The tract referenced in the resolution will be matched against the tract referenced in the resolution to determine acreage and location similarities. Cities do not annex by resolutions. KRS 81A is still in effect.*