

ORDINANCE NO. 08-07

AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY ADJOINING THE CITY OF MOUNT WASHINGTON, BULLITT COUNTY, KENTUCKY

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

SECTION I: The City of Mt. Washington, Bullitt County Kentucky, does hereby ordain that it annexes 243.501 acres, more or less, located on Bogard lane, formerly known as the Givhan property, unincorporated territory to the City of Mt. Washington, Bullitt County, Kentucky; and such territory to be annexed is described as follows with plat attached:

Beginning at a set pin in the Southeast corner of Givhan corner to Leroy Fox (DB 126 P 505) in the north line of the low water mark of Salt River; thence with the line of Fox N 29 degrees 27 seconds W 129 feet to a set pin; thence continuing with th Fox line N 9 degrees 29 minutes 29 seconds W 3350 feet to the south right of way line of Bogard Lane and at the Fox-Givan corner; thence with the south right of way line of 30 foot easement of Bogard Ln S 84 degrees 35 minutes 28 seconds W 25.41 feet to the West line of Bogard Ln; thence N 9 degrees 30 minutes 48 seconds W 309.41 feet with Bogard Ln west right of way line corner to Huber (DB 447 P 176); thence with Huber's line S 85 degrees 40 minutes 15 seconds W 1627.45 feet (passing Gentry line DB 427 P 790, and Proctor line DB 308 P 558, to Givhan Proctor corner found pin; thence with a line dividing the residual of Givhan land from this tract S 72 degrees 16 minutes 47 seconds W 411.39 feet to line of Grimes, a found pin DB 147 P 405; thence with the Grimes line S 8 degrees 55 minutes 25 seconds E 603.06 feet to a found pin corner to Foster (DB 313 P 210; DB 318 P 634); thence S 9 degrees 15 minutes 21 seconds E 728.12 feet to a found pin; thence with another Foster line S 78 degrees 46 minutes 50 seconds W 1166.77 feet to a corner to Baker (DB 300 P 671; DB 318 P 684) and Rusty Foster (DB 360 P 280); thence with Baker line S 2 degrees 09 minutes 15 seconds W 457.67 feet to a found pin corner to Gaddie (DB 184 P 655); thence with Gaddie's line S 2 degrees 08 minutes 45 seconds W 460.04 feet to a found pin corner to Stamper (DB 184 PG 289) thence with Stamper line S 2 degrees 09 minutes 41 seconds W 1482.32 feet to Stamper corner set pin; thence S 2 degrees 09 minutes 37 seconds W 47.90 feet at the low water mark on the north side of Salt River; thence with the low water line of Salt River N 63 degrees 33 minutes 37 seconds E 1224.19 feet; N 76 degrees 37 minutes 53 seconds E 576.22 feet; S 87 degrees 23 minutes 45 seconds E 281.71 feet; S 77 degrees 12 minutes 51 seconds E 743.39 feet; S 86 degrees 24 minutes 30 seconds E 574.93 feet; N 85 degrees 14 minutes 50 seconds E 476.31 feet to the point of beginning and containing 243.501 acres, more or less as shown by survey of Walter Rives, L.S. dated March 20, 2003.

SECTION II: in accordance with 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.

DATE August 2, 2007
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handwritten Signature

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.

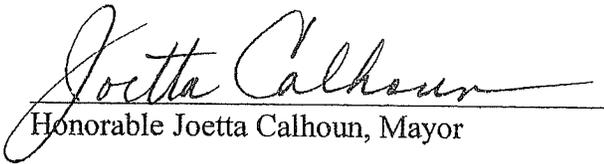
SECTION VI: The City Clerk is hereby directed and authorized to provide to the Bullitt County Court Clerk a map clearly delineating the Boundaries of the area affected along with a list of names and addresses of those property owners and or registered voters. The City Clerk is further directed and authorized to provide to the Bullitt County Planning and Zoning Administrator a map clearly 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: This ordinance is enacted pursuant to KRS 81A.412 as the City of Mt. Washington has obtained the prior written consent of each owner of record of the land to be annexed thereby eliminating the need to wait the sixty(60) day period provided for in KRS 81A.420(2).

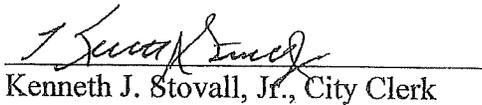
First Reading: January 14, 2008

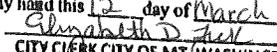
Second Reading: January 28, 2008

Adopted this 28th day of January, 2008.


 Honorable Joetta Calhoun, Mayor

Attest:


 Kenneth J. Stovall, Jr., City Clerk

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 08-07 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: 1/28/08 that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
 Witness my hand this 12 day of March, 2013

 CITY CLERK CITY OF MT. WASHINGTON

The result of the roll call vote is as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Barry Armstrong	<u>X</u>	_____	_____
Lloyd Dooley	<u>X</u>	_____	_____
Greg Gentry	<u>X</u>	_____	_____
Gary Lawson	_____	<u>X</u>	_____
Emily Rucker	<u>X</u>	_____	_____
Brent Wheeler	<u>X</u>	_____	_____

Ret. to Givhan's Partnership 12-28-92 gr

FOR DEED OF ~~SALE~~ Correction
SEE DEED BOOK 377 PAGE 605
NINA MOONEY, BULLITT COUNTY CLERK
BY: [Signature] D.C.

Mail Return

66040

This DEED made and entered into this 16th day of December, 1992, by and between Thomas B. Givhan (the same person as Tom B. Givhan), unmarried, P.O. Box 65, Shepherdsville, Kentucky 40165, first party, and The Givhan Family Partnership, Ltd., Thomas B. Givhan, General Partner, Professional Building, Shepherdsville, Kentucky 40165, second party.

WITNESSETH: That for a valuable consideration the receipt of which is hereby acknowledged, being a gift out of love and affection, being of a value of \$250,000.00, first party hereby sells and conveys unto second party, its successors and assigns forever, a one-half undivided interest in and to the following described real estate located in Bullitt County, Kentucky:

Beginning at an iron pin set in the south right-of-way line of Kentucky Highway 44 (60' right-of-way) said iron pin being a corner to Alcorn said iron pin also having Kentucky State Plane Co-ordinate Values of X=615, 511.680 Y=2, 036,231.988 (south zone); thence with the south right-of-way line of Kentucky Highway 44 North 71 degrees 59 minutes 48 seconds East 828.03 feet to an iron pin; thence North 73 degrees 57 minutes 09 seconds East 207.86 feet to an iron pin; thence North 76 degrees 07 minutes 43 seconds East 526.06 feet to an iron pin set at a fence post, a corner to Crigler; thence with Crigler's west line and leaving Highway 44 South 1 degree 27 minutes 57 seconds West 679.83 feet to an iron pin, a corner to Elise Spanhour; thence with the north and west lines of said Spanhour South 59 degrees 48 minutes 23 seconds West 249.44 feet to a steel fence post; thence South 5 degrees 48 minutes 03 seconds East 437.82 feet to an iron pin at a steel fence post; thence South 83 degrees 38 minutes 28 seconds East 74.94 feet to a post at an old cemetery, thence with the west and south line of said cemetery South 28 degrees 08 minutes 25 seconds West 135.36 feet to a post; thence South 66 degrees 00 minutes 57 seconds East 83.52 feet to a post; thence leaving said cemetery South 10 degrees 12 minutes 17 seconds West 141.45 feet to an iron pin; thence South 83 degrees 49 minutes 22 seconds East 219.88 feet to an iron pin; thence South 84 degrees 05 minutes 14 seconds East 217.45 feet to a stone; thence South 27 degrees 56 minutes 27 seconds West 347.36 feet to a post; thence South 72 degrees 09 minutes 10 seconds East 557.07 feet to an iron pin, a corner to Stallings; thence with Stallings' west and south lines South 18 degrees 56 minutes 38 seconds West 702.99 feet to an iron pin set at west edge of rock outcrop; thence North 85 degrees 44 minutes 10 seconds East 1626.46 feet to a post at a power pole in the west line of Briscoe Lane; thence with said west line South 9 degrees 45 minutes 19 seconds East 307.01 feet to a post; thence with the south line of said road North 83 degrees 57 minutes 45 seconds East 22.15 feet to a post, a corner to Fox; thence with the west line of Fox South 9 degrees 31 minutes 24 seconds East 3503.85 feet to the low water mark of Salt River; thence with the low water mark of Salt

River down stream South 85 degrees 33 minutes 50 seconds West 477.15 feet to a point; thence North 86 degrees 05 minutes 11 seconds West 574.93 feet to a point; thence North 76 degrees 53 minutes 32 seconds West 743.39 feet to a point; thence North 87 degrees 04 minutes 26 seconds West 281.71 feet to a point; thence South 76 degrees 57 minutes 12 seconds West 576.22 feet to a point; thence South 63 degrees 52 minutes 56 seconds West 1224.19 feet to a point; thence leaving the low water mark of Salt River and following the east line of Stamper and Foster North 2 degrees 11 minutes 33 seconds East 2447.71 feet to a stone; a corner to Foster; thence with the south line of Foster North 78 degrees 49 minutes 43 seconds East 1166.64 feet to an iron pin at a post; thence with the east line of Foster and James W. Grimes North 8 degrees 11 minutes 57 seconds West 1330.70 feet to a 3' tall iron pin, a corner to James W. Grimes; thence with the northeast line of Grimes North 52 degrees 07 minutes 52 seconds West 98.77 feet to an iron pin; thence North 42 degrees 19 minutes 04 seconds West 135.39 feet to an iron pin; thence North 35 degrees 40 minutes 59 seconds West 128.32 feet to an iron pin; thence North 40 degrees 35 minutes 47 seconds West 49.45 feet to an iron pin; thence North 46 degrees 02 minutes 35 seconds West 49.33 feet to an iron pin; thence North 50 degrees 30 minutes 45 seconds West 59.25 feet to an iron pin; thence North 50 degrees 33 minutes 14 seconds West 49.17 feet to an iron pin; thence North 43 degrees 42 minutes 59 seconds West 138.56 feet to an iron pin; thence North 78 degrees 31 minutes 34 seconds West 23.98 feet to a post; a corner to Tom Givhan 19.31 acre tract, Deed Book 164 Page 584; thence with said tract North 27 degrees 29 minutes 44 seconds West 148.44 feet to a post; thence North 78 degrees 25 minutes 28 seconds West 85.07 feet to a 12" cedar snag at south edge of creek; thence North 57 degrees 36 minutes 58 seconds East 67.05 feet to a 12" maple tree at north edge of creek; thence North 50 degrees 31 minutes 28 seconds East 148.88 feet to a 20" elm snag; thence North 66 degrees 59 minutes 12 seconds East 93.41 feet to a 12" maple tree; thence North 57 degrees 56 minutes 30 seconds East 35.55 feet to a 14" walnut tree; thence North 37 degrees 07 minutes 59 seconds East 15.24 feet to a wood post; thence North 67 degrees 03 minutes 23 seconds West 105.64 feet to a wood post; thence North 69 degrees 49 minutes 31 seconds West 127.83 feet to a post; thence North 17 degrees 43 minutes 35 seconds East 22.76 feet to a 20" cedar tree; thence South 66 degrees 45 minutes 50 seconds East 39.69 feet to a post; thence North 1 degree 43 minutes 14 seconds East 360.72 feet to a post; thence North 71 degrees 52 minutes 39 seconds West 502.04 feet to a gate post; thence South 1 degree 45 minutes 53 seconds West 378.95 feet to an iron pin; thence North 75 degrees 02 minutes 12 seconds West 90.97 feet to a 12" walnut tree; thence North 85 degrees 28 minutes 14 seconds West 426.48 feet to a post; thence South 89 degrees 23 minutes 28 seconds West 51.23 feet to an iron pin in the south line of Alcorn; thence with Alcorn's east line North 1 degree 25 minutes 15 seconds East 1274.40 feet to the point of beginning. Containing 312.121 acres as per survey by Raymond E. Leigh, Jr., R.L.S. #1776, dated February 5, 1980.

Being the same property conveyed to Thomas B. Givhan by Willis Tyler and his wife, Maudie Tyler, Levy Ridgway and his wife, Lillye Ridgway and Hazel McGruder, unmarried, by deed dated August 7, 1965 and of record in Deed Book 113, Page 43 and by deed to Thomas B. Givhan by Levy Ridgway and Lillye Ridgway, husband and wife, dated August 7, 1965 and of record in Deed Book 113, Page 47, all references to the Clerk's office, Bullitt County, Kentucky.

There is excluded and not conveyed herein the land conveyed to Elise G. Spainhour a 2.08 acre tract as shown by deed dated 12-25-77 recorded in Deed Book 214, Page 267, in the office of the Clerk of the Bullitt County Court.

LAND CONVEYANCE FORM
 DELIVERED TO P.V.A.

DEC 18 1992

Beginning at a post in the line of Armstrong Division, Givhan & Proctor, South of the creek; thence with Givhan's line, North 27° 15' West 151 feet to a post; thence North 79° 15' West 85.4 feet to a 12" Cedar; thence North 58° 40' East 67.6 feet crossing the creek to an 8" Maple; thence North 50° 50' East 151.1 feet to an Elm; thence North 67° 30' East 93.5 feet to a maple; thence North 58° 20' East 35.2 feet to a walnut; thence North 40° 10' East 15.3 feet to a post; thence North 67° 50' West 105.2 feet to a post; thence North 69° 30' West 128 feet to a post in South line of the Ellen Ridgway passway; thence crossing the passway, North 19° 50' East 24 feet to a Cedar; thence South 65° 45' East 39.4 feet to a post; thence North 2° 30' East 361.4 feet to a post; thence North 71° West 503.2 feet to a post; thence South 2° West 379.8 feet crossing the 12' Ridgway passway to a fence, Givhan's corner, the South line of the Old passway; thence with the fence North 74° 10' West 90.3 feet to a 12" Walnut; thence North 85° 10' West 426 feet to a post; thence South 87° 30' West 242 feet to a gate post; thence North 70° 50' West 86.5 feet to a 24" Maple; thence North 50° 30' West 106 feet to a post; thence North 58° 50' West 86.7 feet to a 16" White Hickory; thence South 30° 20' West 42.7 feet to a 24" Red Oak; thence South 1° 15' East 186 feet to a 14" Walnut by gate; thence South 2° 15' West 224.3 feet to a post in the line of Allard Armstrong; thence with line of Armstrong, South 75° 15' East 356 feet to a post (at a water gap); thence crossing the creek South 49° 10' East 20 feet to an 18" Ash; thence South 86° 10' East 41 feet to a stake; thence South 84° 45' East 80 feet to a dead snag; thence South 28° 50' East 10.7 feet to a post; thence South 79° 10' East 303.5 feet to a stake; thence South 83° East 176 feet to a post; thence South 9° West 9 feet to a post; thence South 78° 15' East 571

There is also conveyed to the second party, his heirs and assigns, an 18 foot easement and right of way along the Southwest right of way line of the 12 foot roadway leading from the Northwest corner of the above described tract to the Old Mt. Washington Road, it being the intention of the parties that second party shall have a 30 foot right of way from the above described tract to the Old Mt. Washington Road and first parties, their heirs and assigns, reserve the right to use the 30 foot right of way. If the second party desires to open the right of way he shall relocate the fence of the first parties at his expense.

Being the same property conveyed Thomas B. Givhan by Harley N. Proctor and his wife Maggie F. Proctor by deed dated March 12, 1973, recorded in Deed Book 164, Page 584, in the office of the Clerk of the Bullitt County Court.

The first party further covenants he 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 those of record. The second party takes title subject to liens of record and does not assume payment of any obligation secured by lien on this land.