

DATE April 25, 2013

ORDINANCE NO. 08-06

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice JohnsonAN 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 156.439 acres, more or less, located on Bogard Lane known as the R Miles Property LLC, 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 an existing corner stone at the base of a wood corner fence post in the east right-of-way line of Bogard Lane (county road) at the southwest corner of a tract conveyed to Phillip W Leigh & Martha R Leigh in DB 433, Pg 77; Thence leaving Bogard Lane south line of Leigh N78 degrees 34 minutes and 03 seconds E a distance of 1095.44 feet to an existing "X" cut in a stone at the southwest corner of a tract conveyed to Clinton Cook in DB 398 PG 153; Thence with the south line of Cook N 79 degrees 29 minutes 53 seconds E, a distance of 264.09 feet to an existing iron pin with a damaged plastic cap at the southwest corner of tract conveyed to Fred Hatmaker in DB 532 PG 252, said iron pin also being the north east corner of a 50' right-of-way named Oak Ridge Dr in the Edgewood Villas subdivision section 2; Thence with the west line of Oak Ridge Drive S 11 degrees 52 minutes 52 seconds E, and passing a 1" diameter iron pin @ 46.27 feet, in all a distance of 55.87 feet to an existing double Oak tree in the west line of Lot #8 of aforementioned Edgewood Villas as conveyed to Keith Nichols & Carol Nichols in DB 322, PG 514; Thence with west line of said Lot #8 S 8 degrees 13 minutes 34 seconds E, a distance of 126.00 feet to a set iron pin & cap; Thence S 10 degrees S 10 degrees 53 minutes 34 seconds E. a distance of 116.70 feet to a set iron pin & cap; Thence S 09 degrees 58 minutes 34 seconds E, a distance of 189.00 feet to a set iron pin & cap; Thence S 8 degrees 58 minutes 34 seconds E, a distance of 237.30 feet to a set iron pin & cap; Thence S 13 degrees 23 minutes 34 seconds E, a distance of 221.30 feet to a set iron pin & cap; Thence S 10 degrees 20 minutes 56 seconds E, a distance of 56.85 feet to a set iron pin & cap at the northwest corner of lot #25 of Edgewood Villas, section 1 as conveyed to Ray E. Mann in DB 590 PG 53; Thence with the west line of Mann S 09 degrees 35 minutes 57 seconds E, a distance of 278.60 feet to a set iron pin & cap in the north right-of-way line of Bogard Lane (30' wide county road); Thence S 00 degrees 10 minutes 57 seconds E and crossing over Bogard Lane, a distance of 34.56 feet to a set iron pin & cap in the south right-of-way line of aforementioned Bogard Lane at the northwest corner of tract conveyed to Joseph W Hagan & Florence Hagan in DB 384 PG 582; Thence leaving Bogard Lane with west line of Hagan S 10 degrees 26 minutes 04 seconds E, a distance of 360.71 feet to an existing 24" Red Oak at the northeast corner of tract conveyed to Laura Francis Brigmon in DB 298 PG 179; Thence with north line of Brigmon S 78 degrees 07 minutes 29 seconds W, a distance of 417.67 feet to an existing 3/4 inch diameter iron pipe at the north side of a 24" Oak in a fence line: Thence S 78 degrees 55 minutes 57 seconds W, a distance of 138.89 feet to an existing 1" diameter iron pipe in the north line of a property line agreement between R Miles Properties, LLC DB 671 PG 576 & Joseph W Hagan & Florence Hagan (DB 384 PG 582); Thence with Hagan & Miles agreed line S 78 degrees 20 minutes 8 seconds W, a distance of 130.85 feet to a set iron pin & cap; Thence S 81 degrees 57 minutes 22 seconds W, a distance of 691.55 feet to an existing square pin in a rotted stump, said point being the southwest corner of second tract as

described in tract conveyed to Fox in DB 126 PG 505 and also being common corner to aforementioned Hagan tract; Thence with another agreed line between R Miles Properties LLC & Hagan S 07 degrees 03 minutes 36 seconds E, a distance of 435.00 feet to a set iron pin & cap at the northwest corner of another tract conveyed to Joseph W Hagan & Florence Hagan (DB 301 PG 615); Thence continuing with agreed line between Miles & Hagan S 07 degrees 03 minutes 40 seconds E, a distance of 885.00 feet to a set iron pin & cap below a rock bluff; Thence continuing with agreed line between Miles & Hagan S 37 degrees 49 minutes 43 seconds E passing a set iron pin & cap at 201.56 feet at the top the north bank of Salt River, in all a distance of 251.69 feet to a point at the low water mark of said salt river; Thence leaving Hagan tract down said Salt River with low water mark N 89 degrees 45 minutes 05 seconds W, a distance of 774.79 feet to a point, said point being S 15 degrees 00 minutes 00 seconds E, a distance of 35.00 feet from a set witness iron pin & cap at the top of the bank; Thence S 80 degrees 36 minutes 37 seconds W, a distance of 243.30 feet to a point; Thence S 67 degrees 33 minutes 12 seconds W, a distance of 147.97 feet to a point; Thence S 82 degrees 30 minutes 59 seconds W, a distance of 218.46 feet to a point at the southeast corner of another tract conveyed to R Miles Properties, LLC (DB 645 PG 811); Thence leaving the low water mark of said Salt River with east line of Miles N 09 degrees 29 minutes 29 seconds W, passing a set witness iron pin & cap at 50.00 feet, a found witness iron pin & cap (PLS 2711) at 129.00 feet and a set iron pin & cap in an old corner post at 3479.55 feet, in all a distance of 3508.77 feet to a set iron pin & cap in a gravel drive on the edge of the asphalt surface of Bogard Lane at the southwest corner of tract conveyed to Earl Ray Bleemel & Carmel Marie Bleemel (DB 164 PG 361); Thence with south line of Bleemel N 82 degrees 07 minutes 02 seconds E, crossing over to the north right-of-way of Bogard Lane, a distance of 803.38 feet to an existing 1 1/2 inch diameter iron pipe at the southwest corner of tract #8 of Shady Acres Subdivision (PB 5 PG 76); Thence continuing with the north right-of-way of Bogard Lane and the south line of tracts #8 and #5 N 82 degrees 12 minutes 15 seconds E crossing over a 40' private road to aforementioned Shady Acres, a distance of 505.36 feet to a set iron pin & cap where a wood corner post once stood at the southeast corner of tract #5, said point also being in the west line of aforementioned Leigh tract (DB 433 PG 77); Thence with west line of Leigh tract S 09 degrees 16 minutes 12 seconds E, a distance of 394.38 feet to the point of beginning and containing 156.439 acres as shown on plat of survey prepared by Brad Armstrong Land Surveying, Inc. dated 1-24-06. Note: This description does include 2.401 acres of 30 foot right of way easement of Bogard Lane.

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.

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 to the Secretary of State, Commonwealth of Kentucky.

Certified on back



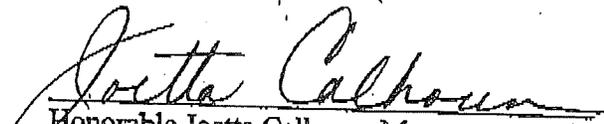
SECTION VI: The City Clerk is hereby directed and authorized to provide to the Bullitt County Court Clerk a map clearly delineating the Boundaries of the area affected along with a list of names and addresses of those property owners and or registered voters. The City Clerk is further directed and authorized 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

The result of the roll call vote is as follows:

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

City of Mt. Washington
Minutes of the Regular Council Meeting
January 28, 2008

Mayor Joetta Calhoun called the meeting to order at 6:30P.M. with the following council members present: Barry Armstrong, Lloyd Dooley, Greg Gentry, Gary Lawson, Emily Rucker and Brent Wheeler.

Also present were City Treasurer Peggy Brinkman, City Clerk Kenneth Stovall, City Attorney Anne McAfee, Police Chief Rodney Hockenbury, and City ABC Commissioner/DES Coordinator Melvin Davis.

Greg Gentry led the pledge of allegiance.

Mayor Calhoun asked those present to take a moment to reflect according to their beliefs.

Mayor Calhoun changed the order of the agenda and had Sherriff Donnie Tinnell give the presentation on the Bullitt County Mobile Command Center. Sheriff Tinnell thanked the council for the invitation to display the command center and told the council that it is available to the City for use in any emergency.

Shot Dooley made a motion to adjourn the meeting at 6:40P.M. so that all could view the command center. Emily Rucker seconded the motion. Motion carried by a roll call vote. At 6:55P.M. Greg Gentry made a motion to reconvene the regular council meeting. Emily Rucker seconded the motion. Motion carried by a roll call vote.

Minutes

Kenneth Stovall read the minutes of the January 11, 2008 regular council meeting. Greg Gentry made a motion to accept the minutes as read. Brent Wheeler seconded the motion. Motion carried by a roll call vote.

Treasurer's Report

Peggy Brinkman presented the treasurer's report for the month of December 2007. Peggy also discussed the City's financial condition after the first six months into the fiscal year. Discussion followed. Brent Wheeler made a motion to accept the treasurer's report. Gary Lawson seconded the motion. Motion carried by a roll call vote.

Ordinances

Second Reading

The second reading of an ordinance introduced by Shot Dooley to annex .554 acres, more or less, known as the Walter H. Burns and Karen Lee Burns property, DBA S&K Towing was held. Brent Wheeler made a motion to pass the ordinance. Greg Gentry seconded the motion. Motion carried by a roll call vote.

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 1/28/08</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>1/28/08</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>12</u> day of <u>March</u> , 20 <u>08</u> . <u>Elizabeth D. Fick</u> CITY CLERK CITY OF MT. WASHINGTON
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Second Reading

The second reading of an ordinance introduced by Greg Gentry to annex 156.539 acres, more or less, known as the R Miles LLC property located on Bogard Lane was held. Barry Armstrong made a motion to pass the ordinance. Greg Gentry seconded the motion. Motion carried by a roll call vote.

Second Reading

The second reading of an ordinance introduced by Greg Gentry to annex 243.501 acres, more or less, located on Bogard Lane formerly known as the Givhan property was held. Gary Lawson made a motion to postpone the vote on the ordinance until the second meeting in February. Discussion followed. Motion failed for a lack of a second. Barry Armstrong made a motion to pass the ordinance. Greg Gentry seconded the motion. Motion carried by a roll call vote with Gary Lawson voting no.

Mayor's Report

Mayor Calhoun reported that she has drafted a letter to the County Judge informing her that Mt. Washington would not be ratifying the Interlocal Cooperation Agreement for the Sharing of Revenue of insurance taxes. The Mayor has extended an invitation to the County Judge to meet and discuss the issue.

The Mayor reported that Kentucky has a free roadside assistance program available 24 hours a day 365 days a year along all highways, parkways and interstates in Kentucky. Assistants will change tires, help with batteries or anything needed in an emergency. The number for this free assistance is 1-877-367-5982.

Mayor Calhoun said that she and Dave Derrick are meeting with a professional grant writer to discuss the having grant proposals written for the new sewer plant.

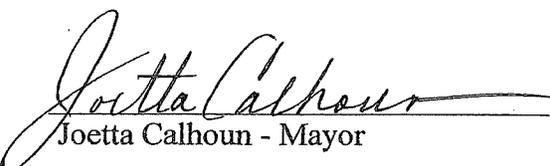
Report from Council

- Emily Rucker said that the streets on Justin Trail in the front part of Wilchar Estates are in poor condition. She said that the shoulders are breaking off. Mayor Calhoun said that this would be reported to Ronnie Fick.
- Shot Dooley expressed his concerns about the safety of police officers directing traffic on Highway 44 in front of Bullitt East High School. He said that there are only two lanes in front of the school and the officers must stand on the center line while directing traffic. Chief Hockenbury said that visibility is limited in the area due to a lack of streetlights. Discussion followed. Mayor Calhoun and Chief Hockenbury will continue to assess the situation and make any adjustments that would improve the situation.

Adjourn

There being no further business before the Council, Brent Wheeler made a motion to adjourn at 7:35P.M. Emily Rucker seconded the motion. Motion carried.


Kenneth J. Stovall, Jr. – City Clerk


Joetta Calhoun - Mayor

DEED
State Tax

This DEED made and entered into this 1st day of August, 1968 by and between R. B. Armstrong and his wife Kathleen D. Armstrong and Maxie Armstrong and his wife Nancy L. Armstrong, Shepherdsville, Kentucky, first parties and Leroy O. Fox and his wife E. Jeannine Fox, 1648 Rangeland Road, Louisville, Kentucky, second parties.

WITNESSETH: The first parties hereby certify that the total purchase price and consideration for this conveyance is the sum of Forty Two Thousand Dollars (\$42000.00), the receipt of which is hereby acknowledged,

The first parties hereby sell and convey, with covenant of general warranty, unto the second parties for and during their joint lives with remainder in fee simple to the survivor of them the following described real estate located in Bullitt County, Kentucky;

FIRST TRACT: Beginning at a stake on the bank of Salt River "A" on plat, where the deed from Enoch Jones and wife to Cornelius Bogard calls for a beech and hickory; thence with the line of same N 11 (for 15) W 328 poles to a stake in the lane in Weller's line; thence with said line N 73 E 78 1/2 poles to a stake, division corner to lot No. 1; thence S 11 (for 15) E 336 poles to a stake on the bank of Salt River, passing a beech near Salt River marked "RH" dated 1869; thence down the river to the beginning, containing 160 acres, more or less.

SECOND TRACT: Beginning at two dogwoods and running thence S 15 E 103 poles to two dogwoods; thence S 74 1/2 W 48 poles to a white hickory, sugartree and sassafras; thence N 15 W 103 poles to a beech tree; thence N 74 1/2 E 34 poles to the beginning, containing 54 acres, more or less.

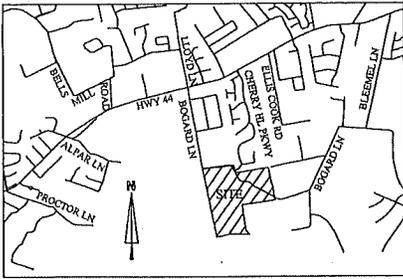
There is reserved the right to use of passway mentioned in the deed to Matt Bleemel recorded in Deed Book 52 Page 567.

There is excluded from the above land the tract of 53 acres, more or less, conveyed to Matt Bleemel by deed from R. E. Owen, etc. dated Feb. 4, 1928, recorded in Deed Book 52 Page 567 in office of Clerk of Bullitt County Court.

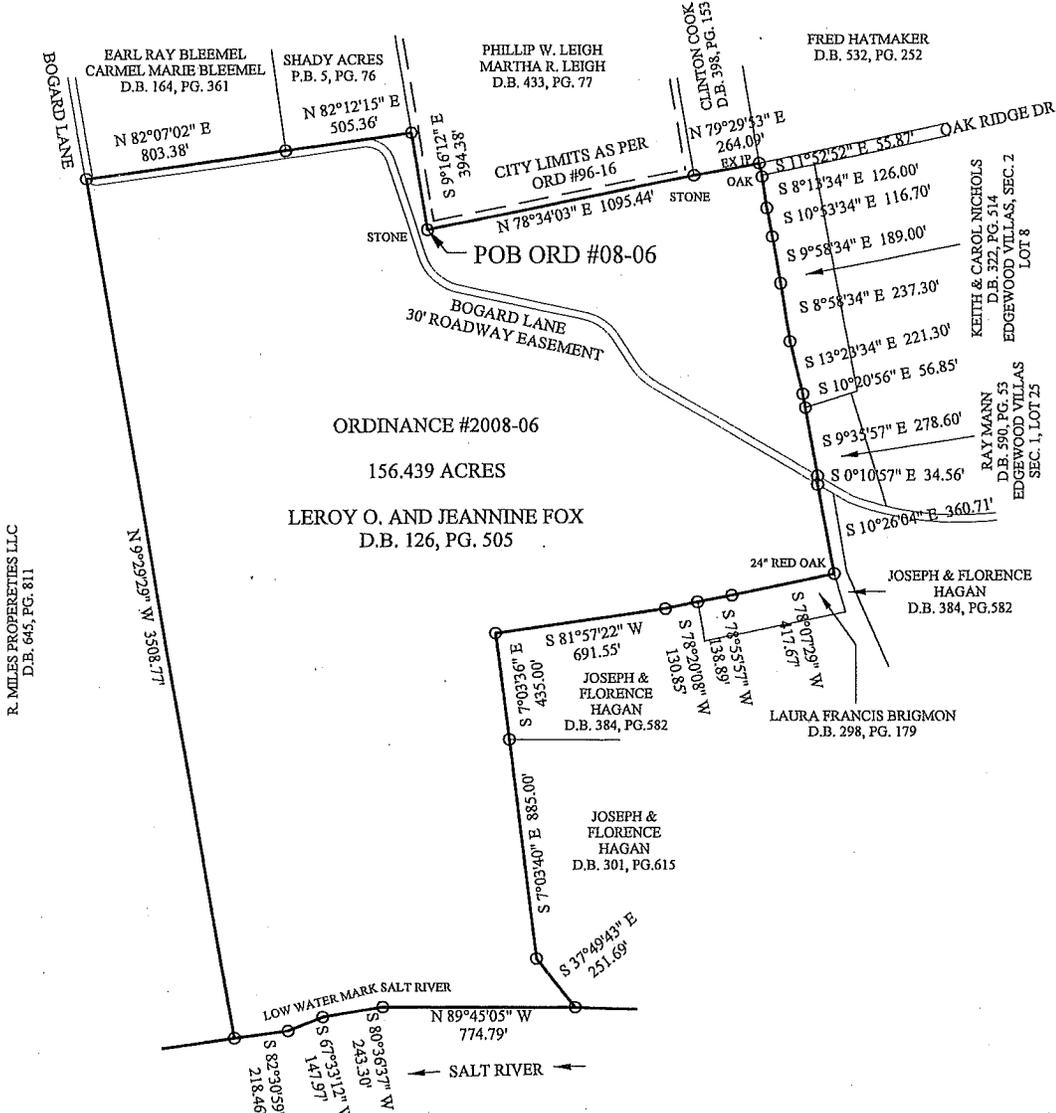
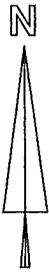
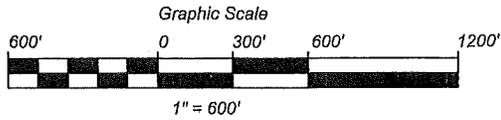
Being the same land conveyed to R. B. Armstrong, etc. by Fannie Armstrong by deed dated April 22, 1967 recorded in Deed Book 120 Page 144 in the office of the Clerk of the Bullitt County Court.

The first parties further covenant they are lawfully seized of the estate herein conveyed with the full right and power to convey same in fee simple with joint survivorship and there are no encumbrances against same except

SELLING PRICE \$ 42,000.00
DEED TAX \$ 42.00



VICINITY MAP (Not to Scale)



THIS PLAT IS DIGITAL REPRODUCTION OF A PRIOR PLAT TITLED "BOUNDARY SURVEY" FOR R. MILES PROPERTIES, LLC., DATED JANUARY 24, 2006 BY BRAD ARMSTRONG LAND SURVEYING, INC., AND IS NOT A NEW SURVEY.

THIS PLAT IS A DIGITAL ENHANCEMENT OF THE PROPERTY DESCRIBED IN DEED BOOK 126, PAGE 505 IN THE BULLITT CO. CLERKS OFFICE. THE PURPOSE OF THE PLAT IS TO ESTABLISH BEARING COURSES THAT CONFORM TO CURRENT SECRETARY OF STATE LAND OFFICE REQUIREMENTS AND CREATE AN AID IN THE PLACEMENT OF SAID PARCEL ON STATE MAPS.

John A. St. Clair 01/28/13
 JOHN A. ST. CLAIR 502-538-6616
 P.L.S. #1907

STATE OF KENTUCKY
 JOHN A. ST. CLAIR
 1907
 LICENSED PROFESSIONAL LAND SURVEYOR

ENHANCEMENT OF ORDINANCE #2008-06
 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

MT WASHINGTON ANNEXATIONS/
 ENHANCEMENTS/ORD #2008-06
 BEM

JANUARY 28, 2013

1" = 600 FT.