

City of Wilmore

JESSAMINE COUNTY, KENTUCKY

- IN THE HEART OF THE BLUEGRASS -

HAROLD L. RAINWATER
Mayor

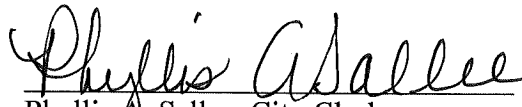
335 East Main Street
Wilmore, Kentucky 40390
(859) 858-4411
FAX (859) 858-3595
www.wilmore.org

PHYLLIS SALLEE
City Clerk

HAYLEY ELLIS, CPA
Finance Director

I certify I am the duly qualified City Clerk of the City of Wilmore, Kentucky, and the foregoing 9 pages of Ordinance No 269-84 is a true, correct and complete copy duly adopted by the Wilmore City Commission at a duly convened meeting held on August 6, 1984, all as appears in the official records of said City.

WITNESS, my hand this 12th day of November, 2012.


Phyllis A. Sallee, City Clerk
City of Wilmore

RECEIVED AND FILED
DATE Nov. 30, 2012

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

WHEREAS, the City of Wilmore, Kentucky, has been requested by GEORGIA SWEENEY, to annex certain real property belonging to the same GEORGIA SWEENEY, into the city limits of Wilmore, Kentucky; and,

WHEREAS, said property is contiguous to the city limits of the City of Wilmore, Kentucky, being described as follows:

A certain tract or parcel of land located in Jessamine County, Kentucky, and bounded as follows, to wit:

On the North by a triangular piece of land belonging to J. S. Lowry, on the East by the land of George H. Bryant and wife, and on the South by the Old Shaker Ferry Dirt Road, and on the West by the Southern Railway Lands. The shape of said described tract of land being trapezium, the four (4) corners are marked by stones set up and agreed upon as corner stones, containing one and one-half (1 1/2) acres, more or less.

Being the same property conveyed to LAWRENCE M. SWEENEY and GEORGIA SWEENEY, his wife, by deed of LEWIS WELLS, a single person, dated the 8th day of March, 1983, and recorded in Deed Book 186, page 31, in the office of the Jessamine County Clerk.

WHEREAS, the City deems it to be in the best interest of the City of Wilmore, Kentucky, to annex same and in doing so, to protect and provide for the natural and orderly growth of said City; and,

WHEREAS, the City of Wilmore proposes to annex the above described property, which is wholly owned by GEORGIA SWEENEY, into the City of Wilmore, provided that the owner of said property shall comply with all legal requirements of said annexation.

NOW THEREFORE, the City of Wilmore, Kentucky hereby proposes to annex the above described property into the City of Wilmore, Kentucky, according to the boundary and description hereinabove given.

DATED: August 6, 1984

Harold L. Rainwater
HAROLD L. RAINWATER - Mayor

ATTEST:

Colleen Brandenburg
COLLEEN BRANDENBURG, CLERK

FIRST READING May 21, 1984

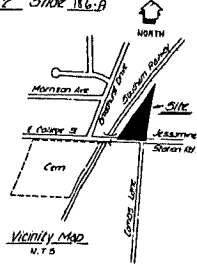
SECOND READING August 6, 1984

- Legend**
- Property Corner (By Deed)
 - Property Corner (Set)
 - Iron Pin, 1/4" - 1/2" Dia. Spike
 - Mon. Conc. Monument
 - Est. or Prop. Line
 - Property Line
 - Centerline
 - Right-of-Way
 - Fence Line
 - Edge of Pavement
 - Existing Roadway
 - Utility Pole

Method of Survey

This survey was conducted via random offset traverse with total corner ties, at a traverse precision of 1:5000 using an HP-3000 EDM and Wild T1A adjustment of traverse by Crandall Method. Computations were conducted with an HP-3015A computer. Bearings determined from measured angles. North related to base bearing noted.

Plot Cabinet 2 Slide 186-A



Bearing Note

Magnetic declination this and prior survey assumed as 0°00'00". Direction this survey related to prior survey course being bearing S 85°10'16"E

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Wilmore-Jessamine County Joint Planning Commission with the exceptions of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the office of the County Clerk.

Richard A. Wells
County Administrator

Owner's Certification

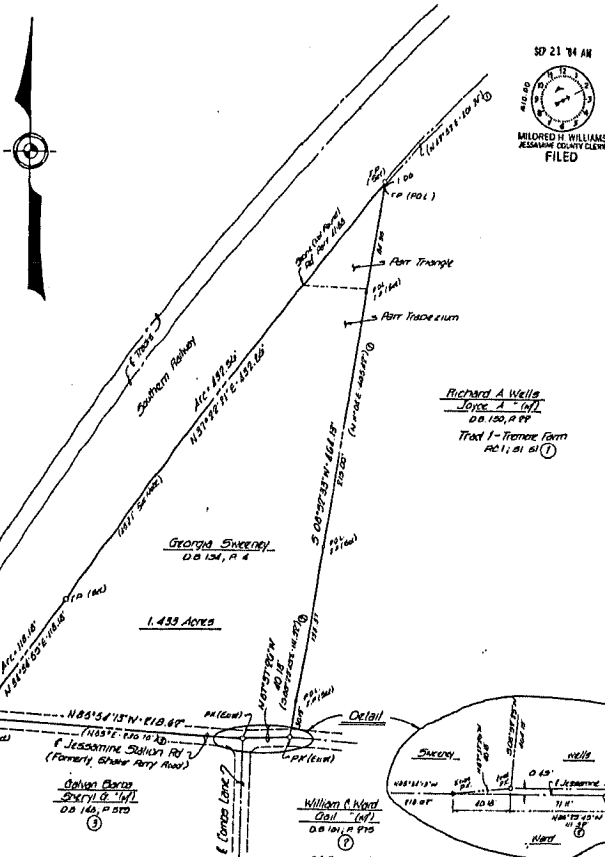
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my(our) file copies, establish the minimum building restriction lines and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as shown in accordance with the Wilmore-Jessamine County Subdivision Regulations, unless otherwise noted.

Richard A. Wells
Owner

Certificate of Accuracy

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Wilmore-Jessamine County Joint Planning Commission and that the monuments have been placed as shown hereon to the specifications of the Jessamine County Engineer or other authorized officer.

Richard A. Wells
Surveyor



STATE OF KENTUCKY
COUNTY OF JESSAMINE
I, RICHARD A. WELLS, CLERK OF JESSAMINE COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT HAS BEEN FILED IN MY OFFICE FOR RECORD, AT JESSAMINE, KENTUCKY, ON THE 21ST DAY OF AUGUST, 1984.
RICHARD A. WELLS
CLERK OF JESSAMINE COUNTY

SURVEY NOTE

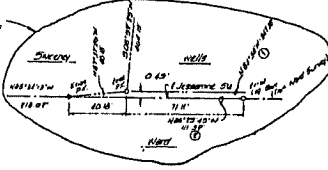
Legal description of present title holder (Sweeney, DB 194, p. 4) has moved unchanged thru deed chain from Sarah C. Parr, DB 4, p. 189 dated 10/16/1884. Sarah C. Parr was also title holder (of parcel shown hereon as Parr Triangle) by virtue of an exception in conveyance to Bryan under DB 4, p. 188 dated 10/16/1884. Therefore, in 1884 Parr held title to the entire tract shown hereon as follows:

- PARR Trapezium DB 4, 189 10/16/1884
- PARR Triangle DB 4, 177 10/2/1884 (Excepted in DB 4, 188)

The chain of Sweeney goes to Susie Carroll who purchased from Sarah C. Parr (the description being the same as Sweeney) under deed of record Parr to Carroll DB 13, p. 585 dated April 2, 1898. However, the deed does not provide source of record of note as being "part of" or "name as". Evidence on the ground and understanding of present and prior title holders is that the entire consolidated triangular shaped tract consisting of "Parr Triangle" and "Parr Trapezium" is one tract and is/was considered property under the deed held. This apparently has been the understanding since 1898. Calls from deed of adjointer does not dispute this factor. Also, this survey is unable to locate an outconveyance from Sarah C. Parr which references the "Parr Triangle" retained an exception in DB 4, p. 188, dated 10/16/1884.

Therefore, it is the opinion of this surveyor that the original description used in Parr to Carroll DB 13, p. 584, dated April 2, 1898 failed to include the Parr Triangle and subsequent conveyances have remained unchanged since. Also, that it is apparent that the "Parr Triangle" should have been included. Based on the above stated opinion I have established the boundary of Sweeney as a triangular shaped parcel as shown hereon.

Plot of Retracement Survey of the Georgia Sweeney Property Jessamine Station Road Wilmore, Kentucky



Graphic Scale: 1" = 50'

RECEIVED AUG 17 1984

HORNE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - PLANNERS
LANDSCAPE ARCHITECTS
216 S. MAIN ST., NICHOLASVILLE, KENTUCKY 40386
SCALE: 1" = 50'; DRAWN BY: JCS; CHECKED BY: JCS; DATE: 8/16/84; JOB NO. 84-00284
RD 7-14

THIS DEED OF CONVEYANCE, made and entered into this 8th day of March, 1983, by and between LEWIS WELLS, a single person, party of the first part, and LAWRENCE M. SWEENEY and GEORGIA SWEENEY, his wife, parties of the second part, of Route One, Box 285, Wilmore, Kentucky 40390.

W I T N E S S E T H :

That the party of the first part, for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, and the further consideration of the agreement of the second parties to generally provide for and assist in maintaining the first party during the remainder of his natural life; said assistance specifically including but not limited to, the establishment or maintenance of a home and the providing of nutre and care to the person of the first party, the party of the first part has BARGAINED and SOLD and does hereby GRANT and CONVEY unto the parties of the second part, with remainder in fee simple to the survivor of them, his or her heirs and assigns, forever, the following described property located in Jessamine County, Kentucky:

A certain tract or parcel of land located in Jessamine County, Kentucky, and bounded as follows, to wit:

On the North by a triangular piece of land belonging to J.S. Lowry, on the East by the lands of George H. Bryant, and wife, and on the South by the Old Shaker Ferry Dirt Road, and on the West by the Southern Railway lands. The shape of said described tract of land being trapezium, the four (4) corners are marked by stones set up and agreed upon as corner stones, containing one and one-half (1½) acres, more or less.

Being the same property which was devised to LEWIS WELLS and JAMES HOMER WELLS, by Will of MARY NOLA WELLS, as found in Will Book _____, at Page _____, in the office of the Jessamine County Clerk. JAMES HOMER WELLS having predeceased MARY NOLA WELLS, the entire interest descended to LEWIS WELLS. Also being the same property conveyed to LEWIS WELLS, by deed of CARL W. FRENCH, EXECUTOR OF THE ESTATE OF MARY NOLA WELLS, dated the 24th day of July, 1982, and recorded in Deed Book 182, at Page 353, in the office of the Jessamine County Clerk.

It is understood, however, that the first party reserves the right

\$.50 Transfer Tax Paid
3-9-83
KL DC

-1-

*W-1
Lawrence Sweeney
April 4, 1983
Milled this document
AKB d/c*

to the use and occupancy of the above-described premises during the remainder of his natural life.

This conveyance is made subject to all restrictions, conditions, covenants and easements which may appear of record, and to all applicable zoning laws and ordinances, if any.

TO HAVE AND TO HOLD the above-described property, together with all the rights, privileges and appurtenances thereunto belonging, unto the said parties of the second part, for and during their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns, forever.

The party of the first part hereby releases and relinquishes unto the parties of the second part, their heirs and assigns, all his right, title and interest in and to the above-described property, including dower and curtesy, and all exemptions allowed by law, and hereby covenants to and with said parties of the second part, their heirs and assigns, that they are lawfully seized with fee simple title to said property and have a good right to convey same as herein done; that said property is free and clear of all encumbrances of whatsoever nature, except as herein stated, and that he will WARRANT GENERALLY the title to said property.

Any action for breach of the covenant of assistance contained herein shall be brought during the lifetime of the first party or the right to bring said action shall be deemed waived.

IN WITNESS WHEREOF, the party of the first part has hereunto placed his hands the day and year first above written.

Lewis Wells
LEWIS WELLS

STATE OF KENTUCKY
COUNTY OF JESSAMINE

The foregoing instrument was signed and acknowledged before me this the 8th day of March, 1983, by LEWIS WELLS.

My commission expires: September 25, 1985.

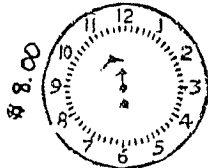
Dwight Robert Hinch
NOTARY PUBLIC, KENTUCKY STATE AT LARGE

PREPARED BY:

Dwight Hobart Hitch

DWIGHT HOBART HITCH
112 West Maple Street
Nicholasville, Kentucky 40356
Telephone: (606) 885-6595
ATTORNEY AT LAW

MAR 9 '83 AM



MILDRED H. WILLIAMS
JESSAMINE COUNTY CLERK
FILED

STATE OF KENTUCKY }
COUNTY OF JESSAMINE }

I, MILDRED H. WILLIAMS, CLERK OF JESSAMINE
COUNTY COURT, HEREBY CERTIFY THAT THE
FOREGOING INSTRUMENT HAS BEEN FILED IN MY
OFFICE FOR RECORD, AT 10:59 A.M. ON
DAY OF March 9, 1983.

Mildred H. Williams CLERK
BY: *Kathryn Callahan* D.C.

WILMORE CITY COUNCIL

May 21, 1984

807

The Wilmore City Council met in regular session, Monday night May 21, 1984 at 5:00 p.m. with Mayor Harold Rainwater presiding. Councilmen present were Dick Houp, Joyce Gillispie, Stan Wiggam, Henry James, Steve Kroehler and Leonard Fitch. City Attorney Gullette was also present.

Councilman James led in prayer.

Minutes of May 7 were approved as distributed.

Councilman James made the motion, seconded by Councilman Kroehler to pay the bills as presented. Motion carried.

Revenue received was reported as follows: Farmers Bank Int. on CD4589 \$684.37; Farmers Bank Int. on CD4588 \$456.26; Commonwealth of Ky. Municipal Street Aid \$1,996.77; Commonwealth of Ky. Police Incentive \$624.99.

Mayor Rainwater presented the 2 bids which were received May 17 for the River Pump Intake Improvements and Surge Control Valve Vault. They were as follows:

Alleh-Hicks Electrical Engineering Corporation	\$106,400.50
W. Rogers Company	86,600.00

Councilman Wiggam made the motion, seconded by Councilman Kroehler to accept the low bid of \$86,600.00 from W. Rogers Company and to award the contract. Motion carried.

Ordinance 269-84, concerning the annexation of Mrs. Georgia Sweeney's property on Jessamine Station Road was given the first reading. Councilman Houp made the motion, seconded by Councilman Wiggam to accept the ordinance. Motion carried. Second reading of Ordinance to be 60 days from publication and will be held at the council meeting of August 6, 1984.

John Horne, engineer for the Talbott Subdivision #4 was present to discuss width of Kinlaw Drive. After much discussion Councilman Kroehler made the motion, seconded by Councilman Houp to accept Kinlaw Drive with a width of 26 feet and a 7 feet shoulder. Motion carried. Mr. Horne asked for permission to rewrite the variances requested to the Planning Commission, submit to the Mayor for his review and approval and to concur that everything that has been discussed is contained in the variances and authorize his signature so that it can be re-submitted to the Planning Commission fully indicating that all requirements have been met. Councilman Kroehler made the motion, seconded by Councilman Fitch. An amendment to the motion was made, authorizing the Mayor to sign the preliminary plat stating that water and sewer is available and with approved roadways. Councilperson Gillispie requested that a letter stating the Council's approval be sent to the Planning Commission. The Mayor requested that Mr. Horne draft a letter that would cover the points concerned and with the Council's permission based on the recommendations authorize the Mayor to sign. Motion carried.

David Stewart from Bluegrass Area Development Office appeared before the council and discussed the Urban Development Action Grant money which is available.

Henry Dunn from the Department of Local Government presented the Personnel Study which had been requested by the City. Councilman Wiggam made the motion, seconded by Councilperson Gillispie to accept the report and information as reported. Motion carried.

A work copy of the 1984-85 Fiscal Year Budget was/ ^{presented.} Any additions to budget are to be reported to the Mayor by Friday.

Mayor Rainwater left the meeting at 6:45 and Mayor Pro-tem Fitch presided.

Several residents of Wood street were present presenting objections to Icthus weekend. Councilman Wiggam made the motion, seconded by Councilperson Gillispie to contact the Icthus Committee, President and Vice President of the Camp Ground Board and requested

(Over)

that residents of that area to be present for the June 4th Council meeting to discuss the problems concerning Icthus. Motion carried.

Meeting adjourned at 7:10 p.m.

Respectfully submitted,

Harold L. Rainwater

HAROLD L. RAINWATER, MAYOR

Colleen Brandenburg

COLLEEN BRANDENBURG, CITY CLERK

WILMORE CITY COUNCIL
August 6, 1984

841

The Wilmmre City Council met in regular session, Monday August 6, 1984 at 5:00 p.m. with Mayor Harold Rainwater presiding. Councilmen present were Dick Houp, Joyce Gillispie and Leonard Fitch. The Mayor made the quorum. City Attorney Gullette was also present.

Councilman Fitch led in prayer.

Minutes of July 16 meeting were approved as distributed.

Councilman Houp made the motion, seconded by Councilman Fitch to pay the bills as presented. Motion carried.

Revenue received was reported as follows:

Commonwealth of Ky. Municipal Street Aid	\$ 2,177.70
Farmers Bank Int. on CD 4526	4,848.19
First National Bank Int. on CD18453	4,827.24
Farmers Bank Int. on Cd4519	850.94
Commonwealth of Ky. Severance Tax	81.11
Asbury Seminary on ladder fire truck	4,500.00
Asbury College on ladder fire truck	4,500.00

The Mayor reported that the ladder fire truck had been purchased with funds provided by the two institutions and the truck had been certified. (Copy attached)

Financial Statement Report was accepted for the quarter ending June 30, 1984.

Councilman Houp made the motion, seconded by Councilman Fitch to accept the ^{second} reading of Ordinance 269-84 concerning the annexation of Mrs. Georgia Sweeney's property. Motion carried. Ordinance to be in effect upon publication.

Donation to Rescue Squad tabled to next meeting.

Parking Citation Ordinance tabled to next meeting.

Flood Damage Ordinance tabled to next meeting.

Closing of alley between Fire Station and Ben Franklin Store tabled to next meeting.

New ordinance for water and sewer tap-ons to be discussed at next meeting.

Mayor Rainwater reported that the Personnel Manual is due in September.

A replacement for Gene Parson on the Board of Adjustments was tabled.

A letter from Ron Eade was distributed concerning the Youth Center upstairs. (see copy attached)

Larry Thompson of 518 N. Lex. Ave requested that something be done about the dog situation near him. Owners of the dogs are to be notified.

Miss Grace Duncan requested that the mail boxes on Walters Lane which are on her property be placed on the side of the home owners. City Attorney Gullette to contact the Post Office.

Meeting adjourned at 5:40 p.m.

Respectfully submitted,

Collen Brandenburg
Collen Brandenburg, City Clerk

Harold L. Rainwater, Mayor

Resolution No 20-2012

LIST OF PROPERTY OWNERS

Exhibit D

Ordinance No.269-84

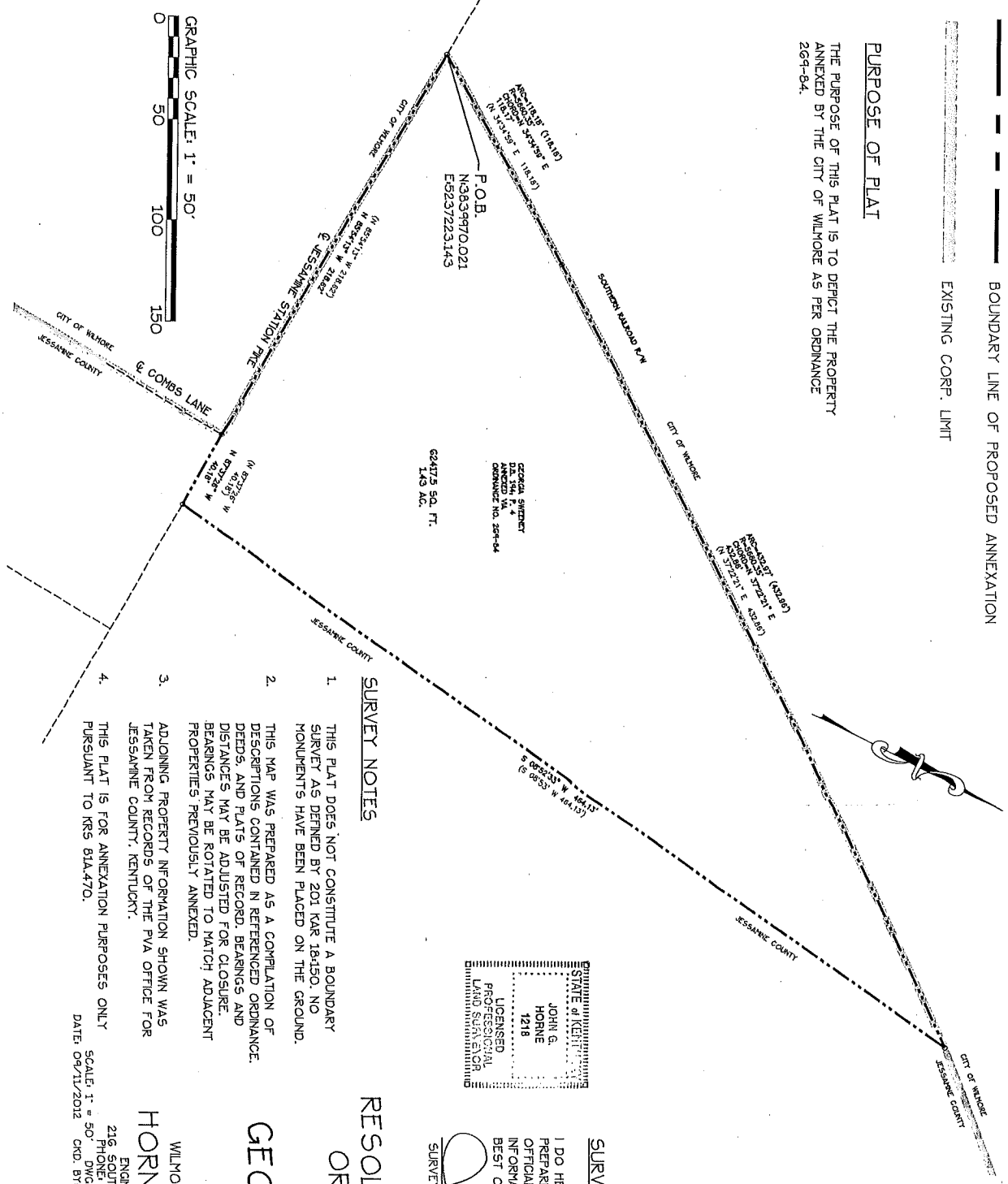
Information taken from PVA on 10-25-12

PVA Number	Property Owner Name & Address
024-00-00-006.00	TURNER LISA J & SMITH BRADLEY H 2397 JESSAMINE STATION WILMORE KY 40390

BOUNDARY LINE OF PROPOSED ANNEXATION
 EXISTING CORP. LIMIT

PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO DEPICT THE PROPERTY ANNEXED BY THE CITY OF WILMORE AS PER ORDINANCE 269-84.



SURVEY NOTES

1. THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY AS DEFINED BY 201 KAR 18-150. NO MONUMENTS HAVE BEEN PLACED ON THE GROUND.
2. THIS MAP WAS PREPARED AS A COMPILATION OF DESCRIPTIONS CONTAINED IN REFERENCED ORDINANCE, DEEDS, AND PLATS OF RECORD. BEARINGS AND DISTANCES MAY BE ADJUSTED FOR CLOSURE. BEARINGS MAY BE ROTATED TO MATCH ADJACENT PROPERTIES PREVIOUSLY ANNEXED.
3. ADJOINING PROPERTY INFORMATION SHOWN WAS TAKEN FROM RECORDS OF THE FVA OFFICE FOR JESSAMINE COUNTY, KENTUCKY.
4. THIS PLAT IS FOR ANNEXATION PURPOSES ONLY PURSUANT TO KRS 81A.470.



SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT THIS ANNEXATION PLAT WAS PREPARED USING THE INFORMATION SUPPLIED TO ME BY THE OFFICIALS OF THE CITY OF WILMORE AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

John G. Horne
 SURVEYOR, JOHN G. HORNE - LS 1218, KY.
EXHIBIT 'B'
 DATE 11-5-12

RESOLUTION NO. 20-2012
ORDINANCE 269-84

ANNEXATION PLAT
OF THE
GEORGIA SWEENEY
PROPERTY
HORNE ENGINEERING, INC.
 JESSAMINE STATION ROAD
 WILMORE, JESSAMINE COUNTY, KENTUCKY

ENGINEERS - PLANNERS - LAND SURVEYORS
 216 SOUTH MAIN STREET, WILMORE, KY 40356
 PHONE: (606) 685-7441 FAX: (606) 685-3160
 DWG. BY: BC/cls DWG. NO: 12-09-03866 SWENENT, 269-84
 CND. BY: JGH FILE:\SCCESWORK\WO3866\Plat_Sweeney_269-84.DWG
 DATE: 09/11/2012

