

City of Wilmore

JESSAMINE COUNTY, KENTUCKY

- IN THE HEART OF THE BLUEGRASS -

HAROLD L. RAINWATER
Mayor

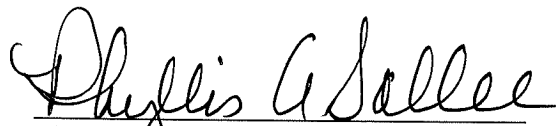
335 East Main Street
Wilmore, Kentucky 40390
(859) 858-4411
FAX (859) 858-3595
www.wilmore.org

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 4 pages of Ordinance No 221-77 is a true, correct and complete copy duly adopted by the Wilmore City Commission at a duly convened meeting held on April 18, 1977, 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 November 30, 2012

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

ORDINANCE NO. 221-77

WHEREAS, the City of Wilmore has been requested by the Petition of ASBURY COLLEGE to annex certain real property, belonging to said ASBURY COLLEGE, into the city limits of the City of Wilmore; and

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

Beginning at a point in the west right-of-way of Hinkle Street where it intersects the existing City Limit line; thence with the west right-of-way of Banta Lane N 19° 06' 58" E 370.04 feet to a new corner with Asbury College; thence for four new lines with Asbury College N 70° 07' 32" W 820.0 feet, S 19° 06' 58" W 170.02 feet, N 70° 07' 32" W 50.32 feet and S 23° 13' 48" W 200.35 feet to the existing City Limit line; thence with the existing City Limit line S 70° 07' 32" E 884.69 feet to the beginning and containing 314,911 square feet or 7.229 acres.

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

NOW THEREFORE, IT IS HEREBY ORDERED AND RESOLVED that:

1. The City of Wilmore proposes to annex, and shall annex upon completion of required procedure, the above described property according to the boundary and description herein given; and

2. Within thirty (30) days after the publication of this ORDINANCE, a petition shall be filed in the Jessamine Circuit Court, Nicholasville, Kentucky, in the name of and on behalf of the City of Wilmore, praying for a judgment to annex the above described property into the city limits of the City of Wilmore.

18 April 1977

Harold Rainwater, Mayor

Harold L. Rainwater, Mayor

Ruth Kusche, City Clerk
Attest:

Ruth Kusche,
Clerk

Minutes of the Wilmore City Council

Monday, April 18, 1977

The Wilmore City Council met in a regularly scheduled meeting on Monday, April 18, 1977, at 5:00 P.M., with Mayor Harold Rainwater presiding. Councilmen present were: Leonard Fitch, Paul Gray, Dick Houp, Henry James and James Lyman. Councilman Lyman opened the meeting with prayer.

The minutes of the April 4 meeting were distributed and approved. The First Quarterly Financial report was distributed. The Mayor requested that approval be given at the next meeting.

The Mayor stated that he received a letter from HUD today and that the City of Wilmore has been assigned a number and that representatives will be in Wilmore tomorrow morning to look over the water system.

Councilman James moved that we adopt Resolution No. 149-77 approving the execution of a contract between the City of Wilmore that the Bureau of Highways for a total of \$14,179 to be applied for resurfacing of specified, approved city streets. Councilman Houp seconded the motion which carried.

The Mayor reported that Hamilton Harris of G. Reynold Watkins Engineers has been to Wilmore and has pinpointed eight areas where he felt there were infiltration problems in the sewer system. He will be coming to Wilmore and having these areas smoke tested. Preliminary agreement has been entered into with Pitometer Association to do a water leak survey, he further reported.

Advertisements were made for a bid for a utility truck. One bid was received from Clay Corman in the amount of \$4,000.00. Councilman Lyman, seconded by Councilman Houp, moved that this bid be accepted. The motion carried.

The Mayor stated that Hager Construction Company had been contacted. They have the contract for the construction of the addition on the newly annexed property from Asbury College for the roadwork. The Company gave the City a price of a total of \$1,537.00 to put in the tap mains, etc. for the City. Councilman Houp moved that the Mayor be authorized to enter into an agreement with Hager Construction Company. Councilman Gray seconded the motion which carried without dissent.

Councilman James moved that Ordinance No. 221-77 be adopted. Councilman Houp seconded the motion which carried.

ORDINANCE NO. 221-77

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Beginning at a point in the west right-of-way of Winkle Street where it intersects the existing City Limit Line;

thence with the west right-of-way of Banta Lane N 19° 05' 58" E 370.04 feet to a new corner with Asbury College N 70° 07' 32" W 820.0 feet, S 19° 06' 58" W 170.02 feet N 70° 07' 32" W 50.32 feet and S 23° 13' 48" W 200.35 feet to the existing City Limit line; thence with the existing City Limit line S 70° 07' 32" E 884.69 feet to the beginning and containing 314,911 square feet or 7.229 acres.

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18 April 1977

Harold H. Rainwater
Harold Rainwater, Mayor

Attest:

Ruth Kusche

Ruth Kusche, City Clerk

Councilman Gray recommended that the City hire James Anderson as Assistant Fire Chief at \$35.00 a month and that the pay of the Volunteer Firemen be raised from \$6.00 to \$9.00 per fire call beginning as of April 1. Councilman Houp moved that the recommendations be so ordered. Councilman Fitch seconded the motion which carried.

Mayor Rainwater recognized Darlene Hucks, the City's Utilities Clerk. She presented three bills as uncollectible:

James Brewster	81.13
Jerry Adkins	3.15
Donnie Sallee	68.19

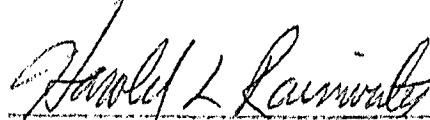
Councilman Houp moved, seconded by Councilman James, that the above three bills be considered uncollectibles. The motion carried.

Bill Meads spoke to the Council concerning his utilities bill. His meter had been covered since September. It was agreed that his bills for the next two months would be averaged and this average used to determine his bill for the past months.

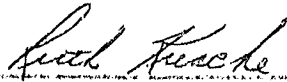
Several citizens came before the Council concerning the recent ordinance on charges for the privilege of connecting with both the water and sewer systems. The Mayor and Council agreed to take the matter under advisement but felt that very little could be done to alter the matter since the water treatment plant must be enlarged.

Councilman Lyman moved the meeting be adjourned at 6:50 P.M.

Respectfully submitted,



Harold L. Reinwater, Mayor


Ruth Kische, City Clerk

Resolution No 22-2012

LIST OF PROPERTY OWNERS
 Exhibit D
 Ordinance No. 221-77
 Information taken from PVA on 10-08-12

PVA Number	Property Owner Name & Address
023-20-07-003.00	DAVIS J BRENT & MELISSA L 300 CORBITT DR WILMORE KY 403901019
023-20-07-002.00	LINTEMUTH EUGENE L & JUNE E 302 CORBITT DR WILMORE KY 403901019
023-20-07-001.00	HAMMOND MAX D III AND JILL M 304 CORBITT DR WILMORE KY 40390
023-20-02-009.00	POLSON GEORGE A JR & CHARISSA L 400 CORBITT DR WILMORE KY 40390
023-20-02-008.00	HARPER THOMAS & JANICE REVOCABLE L TRUST 402 CORBITT DR WILMORE, KY 403901021
023-20-02-007.00	REYNOLDS STEVEN D AND CHARISSE L 404 CORBITT DRIVE WILMORE KY 40390
023-20-02-006.00	MOORE MARGARET M 500 CORBITT DR WILMORE, KY 403901023
023-20-04-021.00	WHITE DAVID C & KAREN 501 CORBITT DRIVE WILMORE KY 40390

023-20-04-022.00	JOHNSON CLARENCE R & DIANE 525 TALBOTT DR WILMORE, KY 403901041
023-20-05-060.00	MECKSTROTH TERRY L & JOANNE 524 TALBOTT DR WILMORE, KY 403901042
023-20-05-001.00	JOHNSON TIMOTHY R & DEBORAH L 403 CORBITT DRIVE WILMORE KY 40390
023-20-05-002.00	GIURGEVICH MARK & SUSAN 401 CORBITT DR WILMORE KY 40390
023-20-05-003.00	HUNTER DAVID J & LAURA A 601 BELLVUE AVE WILMORE KY 403900000
023-20-08-001.00	JOHNSON ARLENE M 305 CORBITT DR WILMORE KY 40390
023-20-08-002.00	MURPHY MARCIA S 303 CORBITT DR WILMORE, KY 403901018
023-20-08-003.00	DARGAN MYRTLE M TRUSTEE LIVING TRUST 301 CORBITT DR WILMORE, KY 403901018

ORDERS

JESSAMINE CIRCUIT COURT

OPEN COURT
TIME _____ ENTERED _____
O. S. 11 PAGE _____

SEP 21 1977

JESSAMINE CIRCUIT COURT
CIVIL ACTION NO. _____

ATTN: V. Burton
BY: M. Estis D.C.

CITY OF WILMORE,
a Municipal Corporation

PETITIONER

VS. ORDER

ASBURY COLLEGE,
an Educational Institution

DEFENDANT

* * * * *

This cause having come on for hearing upon motion of Petitioner for a judgment on the pleadings herein; and the Court having considered the record herein and the attorney for Petitioner having been present and having submitted proof herein; and the Court being otherwise sufficiently advised, makes the following Findings of Fact, Conclusions of Law, and Order herein.

FINDINGS OF FACT:

1. That the Petitioner is a Municipal Corporation created and existing under the laws of the State of Kentucky.
2. That on the 18th day of April, 1977, at it's regular scheduled meeting, the City Council of the City of Wilmore adopted and passed ORDINANCE NO. 221-77, which provided for the annexation of certain property, with improvements thereon, located adjacent to the city limits of the CITY OF WILMORE, being described as follows:

BEGINNING at a point in the West right-of-way of Hinkle Street where it intersects the existing City Limit line; thence with the West right-of-way of Banta Lane N 19' 06' 58" E 370.04 feet to a new corner with Asbury College; thence for four new lines with Asbury College N 70° 07' 32" W 820.0 feet, S 19° 06' 58" W 170.02 feet, N 70° 07' 32" W 50.32 feet and S 23° 13' 48" W 200.35 feet to the existing City Limit line; thence with the existing City Limit line S 70° 07' 32" E 884.69 feet to the beginning and containing 314,911 square feet or 7.229 acres.

3. That said Ordinance was published and advertised in the Jessamine Journal, a newspaper of general circulation in Jessamine

ORDERS } JESSAMINE CIRCUIT COURT

County, Kentucky, on April 28, 1977; a copy of this Ordinance is filed herein as Exhibit "A".

4. That the objects and purposes of said Ordinance are to protect and provide for the natural and orderly growth of Petitioner, CITY OF WILMORE.

5. That the Defendant, ASBURY COLLEGE, has filed an Entry of Appearance herein and makes no exceptions to said property being annexed.

6. That the Petition was filed not less than twenty (20) days before the first day of September, 1977 term of Court.

7. That notice of the filing of the Petition was given by publishing same in the Jessamine Journal, a newspaper of general circulation in Jessamine County, on the 19th day of May, 1977.

8. That this Court has jurisdiction of the proceedings and action herein.

9. No defense has been made during this the first term of the Jessamine Circuit Court after the filing of the Petition and Notice herein, and the Court makes no order for granting future time for making a defense.

CONCLUSIONS OF LAW:

1. All requirements of KRS 81.210 have been complied with by Petitioner, CITY OF WILMORE.

THEREFORE, IT IS ORDERED AND ADJUDGED as follows:

That the following described property is hereby annexed to the City of Wilmore, Jessamine County, Kentucky:

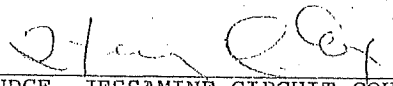
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ORDERS

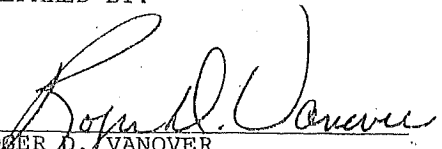
JESSAMINE CIRCUIT COURT

This the 2 day of September, 1977.



JUDGE, JESSAMINE CIRCUIT COURT

PREPARED BY:



ROBERT D. VANOVER
Attorney at Law
107 West Walnut Street
Nicholasville, Kentucky
ATTORNEY FOR PETITIONER

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 PVA OFFICE FOR JESSAMINE COUNTY, KENTUCKY.
4. THIS PLAT IS FOR ANNEXATION PURPOSES ONLY PURSUANT TO KRS 81A.470.
5. BOUNDARY SHOWN WAS TAKEN FROM DESCRIPTION CONTAINED IN ORDINANCE 221-77.

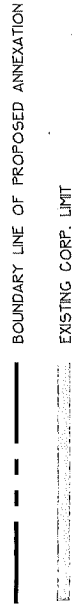
PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO DEPICT THE PROPERTY ANNEXED BY THE CITY OF WILMORE AS PER ORDINANCE 221-77

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 · L.S. 1218, KY. DATE 11-5-12



STATE OF KENTUCKY
 JOHN G.
 HORNE
 1218
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

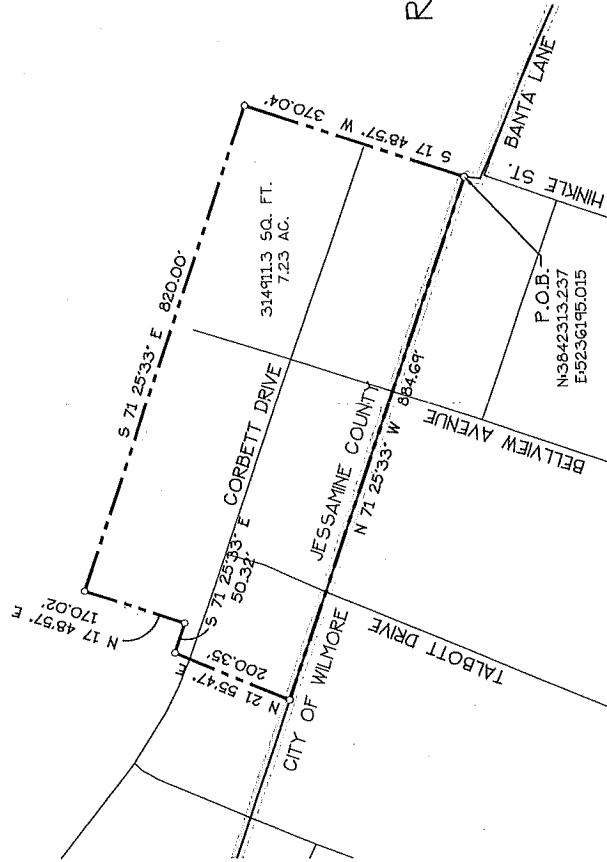
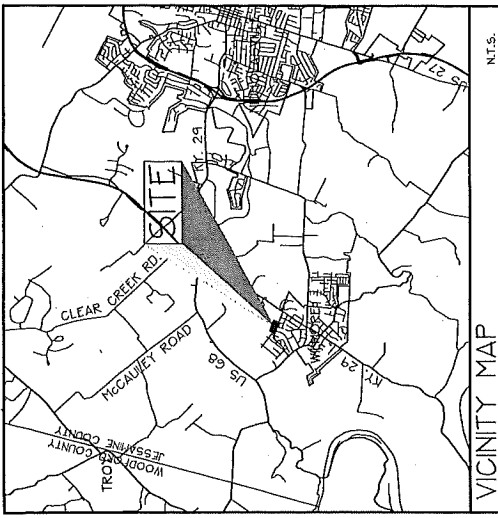


EXHIBIT "B"
 RESOLUTION NO. 22-2012
 ORDINANCE 221-77
 ANNEXATION PLAT
 OF THE
ASBURY COLLEGE
PROPERTY

CORBETT DRIVE
 WILMORE, JESSAMINE COUNTY, KENTUCKY
HORNE ENGINEERING, INC.

ENGINEERS - PLANNERS - LAND SURVEYORS
 216 SOUTH MAIN STREET - NICHOLASVILLE, KY. 40356
 PHONE: (859) 885-4441 FAX: (859) 885-5160
 SCALE: 1" = 200' DWG. BY: CBS DWG. NO. 12-10-03866_ASUBURY

DATE: 10/08/2012 CKD: BY: JCH FILE: G:\SCCES\WORK\W03866\Fat_Asbury_221-77.dwg

Exhibit B
 Resolution No. 22-2012
 of
 Ordinance No. 221-77