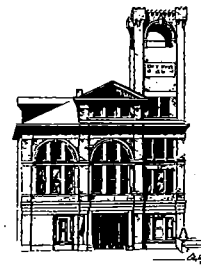


# City of Winchester



Office of the City Clerk

I certify I am the duly qualified City Clerk of the City of Winchester, Kentucky, and the foregoing 7 pages of Ordinance No. 10-2021 is a true, correct, and complete copy duly adopted by the City Commission of the City of Winchester, Kentucky at their duly convened meetings held on September 21, 2021 and October 5, 2021, all as appears in the official records of said City.

Witness by hand and seal this 27<sup>th</sup> day of December, 2021.

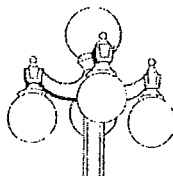
*Joy L. Curtis*

Joy L. Curtis  
City Clerk, City of Winchester

SEAL

RECEIVED AND FILED  
DATE Feb. 7, 2022

MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandis Adkins



**CITY OF WINCHESTER, KENTUCKY**  
**ORDINANCE NO. 10-2021**

**AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY,  
CERTAIN LAND IN CLARK COUNTY, KENTUCKY, IDENTIFIED AS LOCATED  
ON THE WEST SIDE OF KY 627 (PARIS PIKE) AND EAST OF THE CSX  
RAILROAD, CONTAINING 50 ACRES MORE OR LESS**

**WHEREAS,** The Board of Commissioners of the City of Winchester, Kentucky deems it advisable and in the best interests of the City to annex the herein below described property into the City, which by reason of its usage and imminent future development, is sustainable for urban industrial purposes, because the property is adjacent to City boundaries; and

**WHEREAS,** The Board of Commissioners of the City of Winchester, Kentucky deems it to be in the best interests of the citizens of the City that various City services be extended to the property to be annexed.

**NOW THEREFORE, BE IT ORDAINED** by the City of Winchester, Kentucky as follows:

- I. The property was purchased by Infiltrator Water Technologies, LLC, a Delaware Limited Liability Company, with its principal office at 4 Business Park Road, Old Saybrook, Connecticut, 06475 (also the in-care-of address which property tax bills to be sent).
- II. The property purchased by Infiltrator Water Technologies from Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust and Robert P Heinlein and Kathryn H. Heinlein, his wife, which deed can be found at the Clark County Clerk's Office in Deed Book 558, Page 611.
- III. The property proposed to be annexed is described by the legal property description below;

All that certain tract of land located in Clark County, Kentucky, and being more particularly described as follows:

Tract 2-A containing 26.17 acres and Tract 3-A containing 23.83 acres, more or less, as shown on the Minor Subdivision and Consolidation Plat of the Frank J. Ciardullo Trust, etc. et. al. of record in Slide 2318, Clark County Clerk's Office, to which plat reference is hereby made for a more particular description of the property.


Being part of the same property conveyed to Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust from John C. Hoskins and Deborah L. Hoskins, his wife, by deed dated September 13, 2006, recorded in Deed Book 436, Page 710 in said Clerk's Office. Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust, subsequently conveyed an undivided one-half interest in the subject property to Robert Heinlein and Kathryn H. Heinlein, his wife, by deed dated August 27, 2014, recorded in Deed Book 498, Page 646. Also, being part of the same property conveyed to Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust (1/2) and Robert Heinlein (1/2) by deed from Herman A. Heinlein and Ida G. Moriconi dated November 1, 2013 and of record in Deed Book 492, Page 670, in said Clerk's Office. Robert Heinlein and Kathryn H. Heinlein conveyed their interest in the property through a trustee into survivorship by deed dated August 29, 2014, recorded in Deed Book 498, Page 651, in said Clerk's Office.

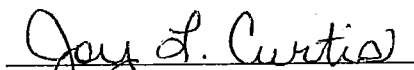
IV. Infiltrator Water Technologies requested and consented in writing to the annexation of this property.


V. Pursuant to the provisions of KRS 81A.400 et seq., and specifically KRS 80 1A.412, the territory described in Exhibits "A", "B", and "C" is fully incorporated into this ordinance and is hereby annexed into the City of Winchester, Kentucky.

**Introduced** and given first reading at a regular meeting of the Board of Commissioners of the City of Winchester, Kentucky held on September 21, 2021.

**Adopted** after second reading at a regular meeting of the Board of Commissioners held on October 5, 2021.

  
Edallen York Burtner, Mayor

  
Jay L. Curtis  
City Clerk

Prepared by:  
  
William A. Dykeman  
City Attorney

## EXHIBIT "A"

### LEGAL DESCRIPTION

All that certain tract of land located in Clark County, Kentucky, and being more particularly described as follows:

Tract 2-A. containing 26.17 acres and Tract 3-A containing 23.83 acres more or less, as shown on the Minor Subdivision and Consolidation Plat of the Frank J. Ciardullo Trust, etc. et. al. of record in Slide 2318, Clark County Clerk's Office, to which plat reference is hereby made for a more particular description of the property.

Being part of the same property conveyed to Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust from John C. Hoskins and Deborah L. Hoskins, his wife, by deed dated September 13, 2006, recorded in Deed Book 436, Page 710 in said Clerk's Office. Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust, subsequently conveyed an undivided one-half interest in the subject property to Robert Heinlein and Kathryn H. Heinlein, his wife, by deed dated August 27, 2014, recorded in Deed Book 498, Page 646. Also, being part of the same property conveyed to Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust (1/2) and Robert Heinlein (1/2) by deed from Herman A. Heinlein and Ida G. Moriconi dated November 1, 2013 and of record in Deed Book 492, Page 670, in said Clerk's Office. Robert Heinlein and Kathryn H. Heinlein conveyed their interest in the property through a trustee into survivorship by deed dated August 29, 2014, recorded in Deed Book 498, Page 651, in said Clerk's Office.





DOCUMENT NO: 268209  
RECORDED: July 29, 2021 09:02:00 AM  
TOTAL FEES: \$50.00 TRANSFER TAX: \$1,487.50  
COUNTY CLERK: MICHELLE S TURNER  
DEPUTY CLERK: CHRIS FRAZIER  
COUNTY: CLARK COUNTY  
BOOK: D558 PAGES: 611 - 615

THIS DEED, made and entered into this 28<sup>th</sup> day of July, 2021, by and between **FRANK J. CIARDULLO and GLORIA D. CIARDULLO** as Trustees of the **Frank J. Ciardullo Trust** whose address is 2200 Oyster Bay Road, Muttontown, NJ 11791 and **ROBERT P. HEINLEIN and KATHRYN H. HEINLEIN**, his wife whose address is 3398 NW 24<sup>th</sup> Terrace, Boca Raton, FL 33431, parties of the first part, and **INFILTRATOR WATER TECHNOLOGIES, LLC**, a Delaware limited liability company with its principal office at 4 Business Park Road, Old Saybrook, Connecticut 06475 (which is also the in-care-of address to which the property tax bill may be sent), party of the second part,

WITNESSETH: That for and in consideration of the sum of ONE MILLION FOUR HUNDRED EIGHTY SEVEN THOUSAND FIVE HUNDRED (\$1,487,500.00) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, the parties of the first part have bargained and sold and by these presents do bargain, sell and convey unto the party of the second part, its successors and assigns, in fee simple, the following described real estate:

All that certain tract of land located in Clark County, Kentucky, and being more particularly described as follows:

Tract 2-A. containing 26.17 acres and Tract 3-A containing 23.83 acres, more or less, as shown on the Minor Subdivision and Consolidation Plat of the Frank J. Ciardullo Trust, etc. et. al. of record in Slide 2318, Clark County Clerk's Office, to which plat reference is hereby made for a more particular description of the property. 50,53

Being part of the same property conveyed to Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust from John C. Hoskins and Deborah L. Hoskins, his wife, by deed dated September 13, 2006, recorded in Deed Book 436, page 710, in said Clerk's Office. Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust, subsequently conveyed an undivided one-half interest in the subject property to Robert Heinlein and Kathryn H. Heinlein, his wife, by deed dated August 27, 2014, recorded in Deed Book 498, page 646. Also, being part of the same property conveyed to Frank J. Ciardullo and Gloria D. Ciardullo as Trustees of the Frank J. Ciardullo Trust (1/2) and Robert

7  
Wm S

Heinlein (1/2) by deed from Herman A. Heinlein and Ida G. Moriconi dated November 1, 2013 and of record in Deed Book 492, Page 670, in said Clerk's Office. Robert Heinlein and Kathryn H. Heinlein conveyed their interest in the property through a trustee into survivorship by deed by deed dated August 29, 2014, recorded in Deed Book 498, page 651, in said clerk's office.

This conveyance is subject to all easements, conditions, and restrictions of record in the Clark County Court Clerk's office.

TO HAVE AND TO HOLD the above-described real estate, together with all the appurtenances thereunto belonging, unto the party of the second part, its successors and assigns, in fee simple, forever, with Covenant of General Warranty.

The parties hereto state that the consideration reflected in this deed is the full consideration paid for this property.

Second party (grantee herein) joins in executing this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

IN WITNESS WHEREOF, the parties of the first and second parts have subscribed their names as of the day and year first above written.

SIGNATURE PAGES WILL FOLLOW

**Frank J. Ciardullo Trust**

BY   
**FRANK J. CIARDULLO, Trustee**

By:   
**GLORIA D. CIARDULLO, Trustee**

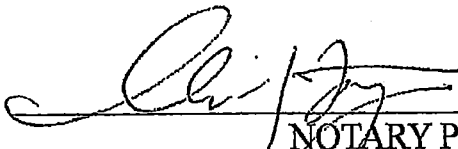
8

STATE OF NEW ~~JERSEY~~ <sup>YORK</sup> )  
COUNTY OF NASSAU ) SCT.

I, Maria J Florez, a Notary Public in and for the county and state aforesaid, do certify that this day **FRANK J. CIARDULLO and GLORIA D. CIARDULLO as Trustees of the Frank J. Ciardullo Trust**, grantee, produced the foregoing deed before me in my county and acknowledged same to be the act and deed of said trust, and swore to the Consideration Certificate contained therein.

WITNESS my hand and seal, this 26<sup>th</sup> day of July, 2021.

My Commission expires: October 31, 2021.

  
NOTARY PUBLIC  
NOTARY ID

NO. \_\_\_\_\_

MARIA J. FLOREZ  
NOTARY PUBLIC, State of New York  
No. 01154326244  
Qualified in Nassau County  
My Commission expires October 31, 2021

Robert Heinlein  
ROBERT P. HEINLEIN

Kathryn H. Heinlein  
KATHRYN H. HEINLEIN,

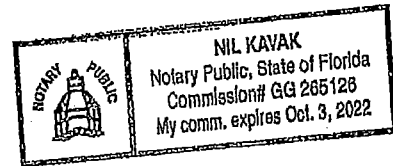
STATE OF FLORIDA )  
COUNTY OF Palm Beach ) SCT.

I, Nil Kavak, a Notary Public in and for the county and state aforesaid, do certify that this day **ROBERT P. HEINLEIN and KATHRYN H. HEINLEIN**, his wife, grantors, produced the foregoing deed before me in my county and acknowledged same to be his and her act and deed, and swore to the Consideration Certificate contained therein.

WITNESS my hand and seal, this 22 day of July, 2021.

My Commission expires: Oct 3, 2022

Nil Kavak  
NOTARY PUBLIC  
NOTARY ID NO. \_\_\_\_\_





**PUBLIC NOTICE**

**CITY OF WINCHESTER,  
KENTUCKY  
ORDINANCE NO. 10-2021**

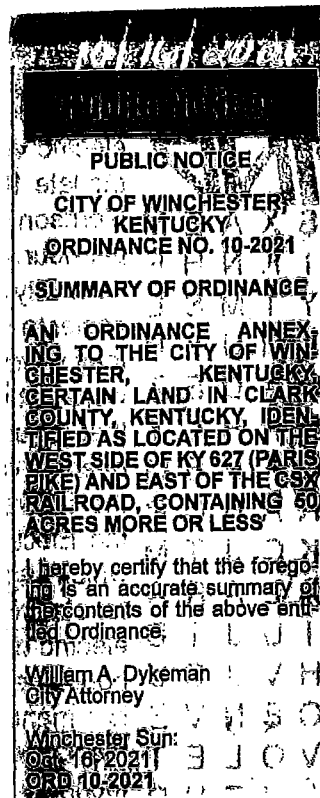
**SUMMARY OF ORDINANCE**

**AN ORDINANCE ANNEX-  
ING TO THE CITY OF WIN-  
CHESTER, KENTUCKY,  
CERTAIN LAND IN CLARK  
COUNTY, KENTUCKY, IDEN-  
TIFIED AS LOCATED ON THE  
WEST SIDE OF KY 627 (PARIS  
PIKE) AND EAST OF THE CSX  
RAILROAD, CONTAINING 50  
ACRES MORE OR LESS**

I hereby certify that the forego-  
ing is an accurate summary of  
the contents of the above enti-  
tled Ordinance.

William A. Dykeman  
City Attorney

Winchester Sun:  
Oct. 16, 2021  
ORD 10-2021



# Proof

Client CITY OF WINCHESTER Phone (859) 744-6292  
Address PO BOX 40 EMail  
WINCHESTER, KY 40392 Fax

AD # 1330468 Requested By CITY OF WINCHESTER  
Class 2610  
Start Date 10/16/21 PO #  
End Date 10/16/21 Created By STACEY.MEADO  
Run Dates 2 Creation Date 10/13/2021  
Pubs Winchester Sun, winchestersun.com Dimensions 1 X 3.333  
Order # 0 Price \$151.75

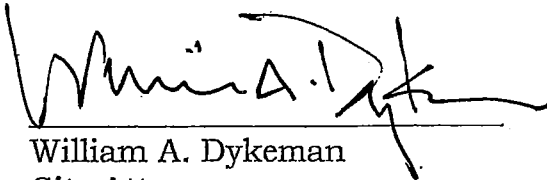
Sales Rep Stacey Meadows Phone  
EMail stacey.meadows@shelbycount-  
tyreporter.com Fax

**CITY OF WINCHESTER, KENTUCKY**  
**ORDINANCE NO. 10-2021**

**SUMMARY OF ORDINANCE**

**AN ORDINANCE ANNEXING TO THE CITY OF WINCHESTER, KENTUCKY,  
CERTAIN LAND IN CLARK COUNTY, KENTUCKY, IDENTIFIED AS LOCATED  
ON THE WEST SIDE OF KY 627 (PARIS PIKE) AND EAST OF THE CSX  
RAILROAD, CONTAINING 50 ACRES MORE OR LESS**

I hereby certify that the foregoing is an accurate summary of the contents  
of the above entitled Ordinance.



William A. Dykeman  
City Attorney

EXHIBIT B

DEED DESCRIPTION

Annexation

Ordinance No. 10 - 2021

City of Winchester, Kentucky

A certain parcel of land situated along KY 627, Paris Pike in Clark County, Kentucky, joining the city of Winchester, and being more particularly described as follows:

The **Point of Beginning (P.O.B.)** at Kentucky State Plane (NAD 83) Single Zone coordinates of Northing = 3901788.43 and Easting = 5369726.77, said point an Iron Pin and Cap, corner to Infiltrator Water Resources, LLC, in the Winchester – Clark County Industrial Park, corner to the existing city limits of Winchester, KY, and in the existing right-of-way of CSX Transportation, 50 feet from centerline, thence leaving the city limits of Winchester, KY and Infiltrator Water Resources, LLC., and continuing with the existing right-of-way of CSX Transportation, 50 feet from and parallel with CSX Transportation centerline;

North 1°31'27" West 376.92 feet to an Iron Pin and Cap, thence;

North 1°31'27" West 386.01 feet to an Iron Pin and Cap, corner to Frank and Gloria Ciardullo and Robert and Kathryn Heinlein, thence leaving the existing right-of-way of CSX Transportation with Frank and Gloria Ciardullo and Robert and Kathryn Heinlein;

South 89°08'55" East 2857.27 feet to an Iron Pin and Cap, thence;

South 1°31'27" East 412.61 feet to an Iron Pin and Cap, thence;

South 1°31'27" East 350.32 feet to an Iron Pin and Cap, corner to Infiltrator Water Resources, LLC thence;

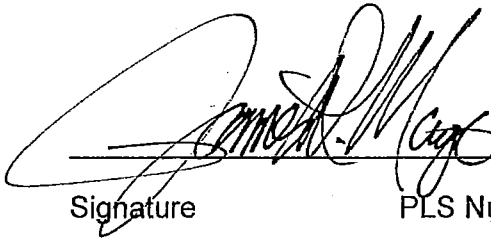
North 89°08'55" West 2857.27 feet to the **Point of Beginning (P.O.B.)**, containing 50.00± Acres of land and being a part of the same property as conveyed to Frank J. Ciardullo and Gloria Ciardullo as Trustee of the Frank J. Ciardullo Trust from John C. Hoskins and Deborah L. Hoskins, by deed, dated September 13, 2006, of record in Deed Book 436, page 710 and to Robert Heinlein and Kathryn H. Heinlein, from Frank J. Ciardullo and Gloria Ciardullo as Trustees of the Frank J. Ciardullo Trust, by deed, dated August 27, 2014, of record in Deed Book 498, page 646, and a part of the same property as conveyed to Frank J. Ciardullo and Gloria Ciardullo as Trustee of the Frank J. Ciardullo Trust and Robert Heinlein, from Herman A. and Ida Heinlein, by deed dated November 1, 2013, and recorded in Deed Book 492, page 670, and to Robert and

Kathryn Heinlein and Carol L. Smith, Trustee, from Robert and Kathryn Heinlein, by deed, dated August 29, 2014, and recorded in Deed Book 498, page 651, in the Clark County Clerk's Office.

STATEMENT OF RESOURCES

The property (10 - 2021) described above was computed from actual survey of the subject property made March 2021.

Coordinates and bearings are from existing mapping of the City of Winchester, Kentucky and are relative to Kentucky State Plane Coordinate System, Single Zone, NAD 83.

 2726 10-22-21

Signature                      PLS Number                      Date





OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.