

ORDINANCE 14-06

**AN ORDINANCE OF THE CITY OF MT. WASHINGTON, BULLITT COUNTY, KENTUCKY
CONFIRMING ANNEXATION OF ORDINANCE 13-14**

WHEREAS, an Ordinance was enacted on September 23, 2013 by the City Council of Mt. Washington and,

WHEREAS, said ordinance was to annex certain unincorporated territory contiguous to the City of Mt. Washington; and,

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of Mt. Washington it has become necessary to now adopt an ordinance carrying out the stated intention in the said Ordinance dated September 23, 2013 to complete the annexation of the territory as described in the aforesaid ordinance; and,

WHEREAS, more than sixty (60) days have elapsed since the Ordinance dated September 23, 2013 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.820.

NOW THEREFORE BE IT ORDAINED, That the City Council of the City of Mt. Washington hereby adopts legal description and plat a copy of which is attached hereto as Exhibit A, as prepared by John St. Clair, Licensed Professional Land Surveyor No. 1907 as an accurate depiction of the property previously sought to be annexed into the corporate city limits of the City of Mt. Washington by Ordinance 13-14 dated September 23, 2013 hereby adopts said legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this annexation.

Further, The City Clerk is hereby authorized to publish this ordinance in accordance with the Kentucky Revised Statutes.

First Reading dated: January 27, 2014
Second Reading: February 10, 2014

Adopted this 10th day of February, 2014.

Results of the roll call vote are as follows:

	YES	NO	ABSTAIN
Barry Armstrong	X	_____	_____
Shot Dooley	X	_____	_____
Greg Gentry	_____	_____	_____
Sandra Hockenbury	X	_____	_____
Gayle Troutman	X	_____	_____
Brent Wheeler	X	_____	_____

RECEIVED AND FILED
DATE January 27, 2016
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randie Allison

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 14-06 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 2/10/14 that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
Witness my hand this 20 day of Jan, 2016.
Elizabeth D. Hall
CITY CLERK CITY OF MT. WASHINGTON

Attest:

Elizabeth D. Hall
Elizabeth D. Hall
City Clerk

Joetta Calhoun
Joetta Calhoun
Mayor

67203 MASTER COMMISSIONER'S DEED

PLATED

WHEREFORE, in the action numbered 92CI-00605 in the Bullitt Circuit Court styled COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, PLAINTIFF, vs. LOUIS E. WELLS, NANCY WELLS, his wife; and PEOPLES BANK OF MT. WASHINGTON, an Agreed Order Dismissing Settled was entered December 14, 1992, in the Clerk's Office of said Circuit Court, ordering the payment of \$5,800.00 to the Defendant/Defendants, for the difference in the market value of his/her/their property resulting from this taking, which payment was authorized to be paid to the Circuit Clerk, and,

WHEREAS, in said Agreed Order Dismissing Settled, the Master Commissioner of the aforesaid Circuit Court was directed to execute a deed of conveyance to the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, and,

WHEREAS, the aforesaid consideration has been paid;

NOW, THEREFORE, THIS DEED, made and entered into this 9th day of January, 1993, by and between John A. Schmidt, Master Commissioner of the aforesaid Circuit Court, for and on behalf of the above-named Defendant/Defendants, Party/Parties of the First Part, and the Commonwealth of Kentucky, for the use and benefit of the Department of Highways, acting in its official capacity, Party of the Second Part:

W I T N E S S E T H:

That for and in consideration of the premises, Party/Parties of the First Part, has/have bargained and sold, and does/do hereby grant and convey unto the Party of

LAND CONVEYANCE FORM
DELIVERED TO P.V.A.
JAN 27 1993

the Second Part, its successors and assigns, in fee simple and not merely for right-of-way purposes, unless specifically stated otherwise the following real property rights in connection with the Highway Project, Spencer County, FSP 015 031E 003-006 024R; 000CF 01501 053, further described to wit:

Mount Washington Bypass
Parcel No. 32.

Beginning at a point in the existing right of way line 42.44 feet right of Centerline 31-E North Approach station 56+45.56, thence with the existing right of way line South 14 degrees 06 minutes 00 seconds West, 412.48 feet to a point in the proposed right of way line 29.04 feet right of Centerline 31-E North Approach station 60+50.00, thence with the proposed right of way line North 21 degrees 28 minutes 54 seconds West, 61.59 feet to a point in the proposed right of way line 65.00 feet right of Centerline 31-E North Approach station 60+00.00, thence with the proposed right of way line North 15 degrees 24 minutes 43 seconds East, 245.10 feet to a point in the proposed right of way line 60.00 feet right of Centerline 31-E North Approach station 57+54.95, thence with the proposed right of way line North 15 degrees 24 minutes 45 seconds East, 109.61 feet to a point in the north property line 68.05 feet right of Centerline 31-E North Approach station 56+57.45, thence with the north property line North 88 degrees 25 minutes 48 seconds East, 28.78 feet to the point of beginning.

The above described parcel contains 0.282 acres (12,273 sq.ft.).

Being a portion of the same property acquired by Louis Wells and Nancy Wells, his wife, from Louis Wells, Nancy Wells, his wife, Alton Wells and Ellen Wells, his wife, by deed dated March, 1983, recorded in deed book 257, page 508 in the office of the Clerk of Bullitt County, Kentucky.

The above description is taken from the plans of the above mentioned Highway Project which plans are incorporated by reference and which are on file in the office of the Transportation Cabinet, Department of Highways, in Frankfort, Kentucky. Access to and from said Highway Project shall be as set forth on said plan.

The acquisition of land for this project was authorized by the Kentucky Transportation Cabinet Official Order No. 92145. Pursuant to said order and Regulation 603 KAR 5:120, access to such project shall be controlled by permit.

TO HAVE AND TO HOLD said property unto the Party of the Second Part, its successors and assigns forever, with all the rights and privileges thereunto belonging as hereinbefore stated.

CONSIDERATION CERTIFICATE OF GRANTORS

John A. Schmidt, Master Commissioner of the Bullitt Circuit Court, Party of the First Part, grantor herein, hereby certifies that the consideration reflected in this deed as set forth hereinabove is the full consideration paid for the property herein conveyed and damages to any remainder thereof:

IN TESTIMONY WHEREOF, the aforesaid Master Commissioner, on behalf of the aforesaid Defendant/Defendants, executes this deed, including consideration certificate on the date indicated above:

Witness my hand this 8th day of January, 1993.


MASTER COMMISSIONER
BULLITT CIRCUIT COURT

PLOTTED

000 257 433 508

mail to
Alton Wells
817 Bardstown Rd
Louis Ky 40089

This DEED made and entered into this ____ day of March, 198
by and between LOUIS E. WELLS and NANCY WELLS, his wife, Route 2
Riverview Drive, Mt. Washington, Kentucky 40047, and ALTON WELLS
and ELLEN WELLS (the same person as Ella Wells), his wife, 8817
Bardstown Road, Louisville, Kentucky, first parties and LOUIS E.
WELLS and NANCY WELLS, his wife, Route 2, Riverview Drive, Mt.
Washington, Kentucky 40047, second parties.

WITNESSETH: The first parties hereby certify that the total
purchase price and consideration for this conveyance is the sum of
\$no money, which includes the indebtedness assumed herein, 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;

TRACT #1: BEGINNING at an iron pipe in the West right-of-way
line of U.S. Highway #31-E (Bardstown Road) corner to Runner
(formerly C. S. Harris); and running thence South 87 degrees
05' West 208.5 feet to an iron pipe; thence South 10 degrees
30' West 96.7 feet to a stake; thence South 27 degrees 28'
West 77.6 feet to a stake; thence South 14 degrees 28' West
154.2 feet to a stake; thence South 22 degrees 04' West 179
feet to a stake; thence South 11 degrees 15' West 271.2 feet
to a stake; thence South 19 degrees 32' West 221.3 feet to
an iron pipe; thence South 87 degrees 35' East 275.8 feet to
an iron pipe in the West right-of-way line of U. S. Highway
31-E; thence with the West right-of-way line of said U. S.
Highway 31-E, North 12 degrees 36' East 1000 feet to the
beginning and containing 5.36 acres.

TRACT #2: BEGINNING at an iron pipe in the West right-of-way
line of U. S. Highway 31-E (Bardstown Road) at the southeast
corner of the 5.36 acre tract heretofore conveyed second
parties on October 13, 1970, and recorded in Deed Book 141,
Page 338, in the office of the Clerk of the County Court of
Bullitt County, Kentucky; and running thence with the South
line of said 5.36-acre tract North 87 degrees 35' West 275.8
feet to an iron pipe; thence South 14 degrees 21' West 113
feet to a stake; thence South 0 degrees 10' East 65.4 feet
to a stake; thence South 18 deg. 15' East 151.7 feet to a
stake; thence South 0 degrees 38' East 73.4 feet to a stake;
thence South 12 degrees 59' West 74.6 feet to a gate post;
thence South 51 degrees 09' East 182.5 feet to a post in the
West right-of-way line of U.S. Highway 31-E; thence with said
right-of-way North 12 degrees 52' East 580.5 feet to the
point of beginning; and containing 2.62 acres.

TRACTS #1 and #2 BEING the same property conveyed to Louis
E. Wells and Deborah A. Wells, his wife, and Alton Wells and
Ella Wells, his wife, by Ann Duncan, as Trustee, by deed
dated February 17, 1972 recorded in Deed Book 153, Page 295
and the same property in which Deborah A. Wells conveyed all

LAND COUNTY CLERK
BULLITT COUNTY, KY
1983-10-30

PORTER,
MACCRACKEN
& EDISON
ATTORNEYS AT LAW
217 BUCKMAN STREET
SHEPHERDSVILLE,
KENTUCKY 40185
502-543-2296
502-955-6586

ORDINANCE NO. 13-14

AN ORDINANCE DECLARING INTENT TO ANNEX SUPPOSED UNINCORPORATED TERRITORY ADJOINING THE CITY OF MOUNT WASHINGTON, BULLITT COUNTY, KENTUCKY BEING 7.968 ACRES LOCATED ON THE WEST OF NORTH BARDSTOWN ROAD KNOWN AS THE WELLS SALVAGE YARD

WHEREAS, The present Owners of the hereinafter described property have not given prior written consent to the City to annex their property into the City of Mt. Washington, and

WHEREAS, such property is contiguous to the present City boundaries, and

WHEREAS, such property has been developed for urban purpose, and:

WHEREAS, the City of Mt Washington has determined it is desirable to annex the hereinafter described property, and

WHEREAS, the laws of the Commonwealth of Kentucky require that notice of the proposed annexation shall be sent by first class mail to each property owner listed on the records of Bullitt County PVA as of January 1 2013 together with a copy of this Ordinance not less than fourteen (14) days prior to the second reading of this Ordinance and the clerk shall thereafter certify the list of property owners to whom notice was sent which list shall be made part of the official record of the meeting at which the second reading of this Ordinance occurs, now therefore

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

SECTION I: The City of Mt. Washington, Bullitt County Kentucky, hereby declares its intent to annex the property described in full in Exhibit A, attached hereto and made a part hereof.

SECTION II: This ordinance shall be published according to law.

SECTION III: The City Clerk shall comply with the requirements of notice to the property owners as set forth hereinabove and in KRS 81A.425

SECTION IV: Upon passage of this Ordinance and its publication the sixty (60) days to petition for election as provided in KRS 81A. 420 shall commence to run from date of publication and the contemporaneous publication of separate notice of the rights of resident voters or owners to petition for an election on the issue of annexation. .

SECTION V: 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 VI: The second reading of this Ordinance shall occur on the 23rd day of September, 2013 at a Regular City Council Meeting commencing at 6:30 pm prevailing time in the Council Chambers in the City Hall Annex Building at 186-A Branham Way.

First Reading: August 12, 2013

Second Reading: September 23, 2013

Adopted this 23rd day of September, 2013

Results of the Roll Call Vote are as follows:

	YES	NO	ABSTAIN
Barry Armstrong	X	_____	_____
Shot Dooley	X	_____	_____
Greg Gentry	X	_____	_____
Sandra Hockenbury	X	_____	_____
Gayle Troutman	X	_____	_____
Brent Wheeler	X	_____	_____

RECEIVED AND FILED
DATE January 27, 2016

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randy Adkins

Joetta Calhoun
Honorable Joetta Calhoun, Mayor

ATTEST: Elizabeth D. Hall
Elizabeth D. Hall, 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 is a full, true and correct copy of ORD 13-14 as shown and compared with the original records in my office or which I am Legal Custodian adopted by the governing authority of said City of Mt. Washington at a meeting duly held on 9/23/13 that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.
Witness my hand this 20 day of Jan, 2016
Elizabeth D. Hall
CITY CLERK CITY OF MT. WASHINGTON



Google earth

feet
meters



CITY OF MT. WASHINGTON
WELLS ANNEXATION

PUSH PIN AT LATITUDE 38° 04' 08" N
LONGITUDE 85° 33' 08" W



*John St. Clair, Land Surveyor
138 Willow Wood Drive
Mt. Washington, Ky. 40047
Phone 502-538-6616, Fax 502-538-9113, Cell 502-548-4715
Email, jj saint@windstream.net*

*City of Mt. Washington
275 Snapp Street
Mt. Washington, Ky. 40047*

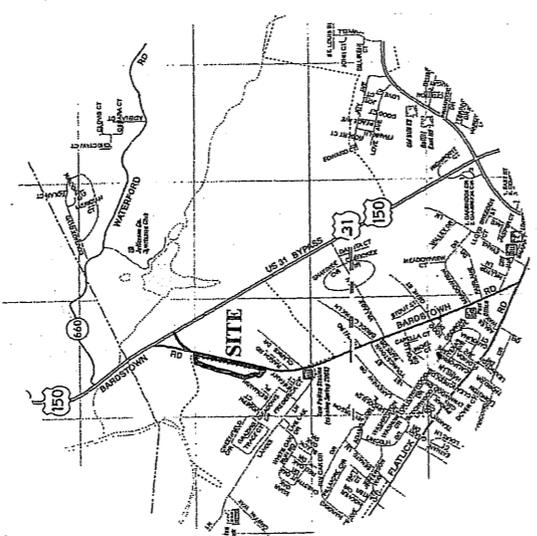
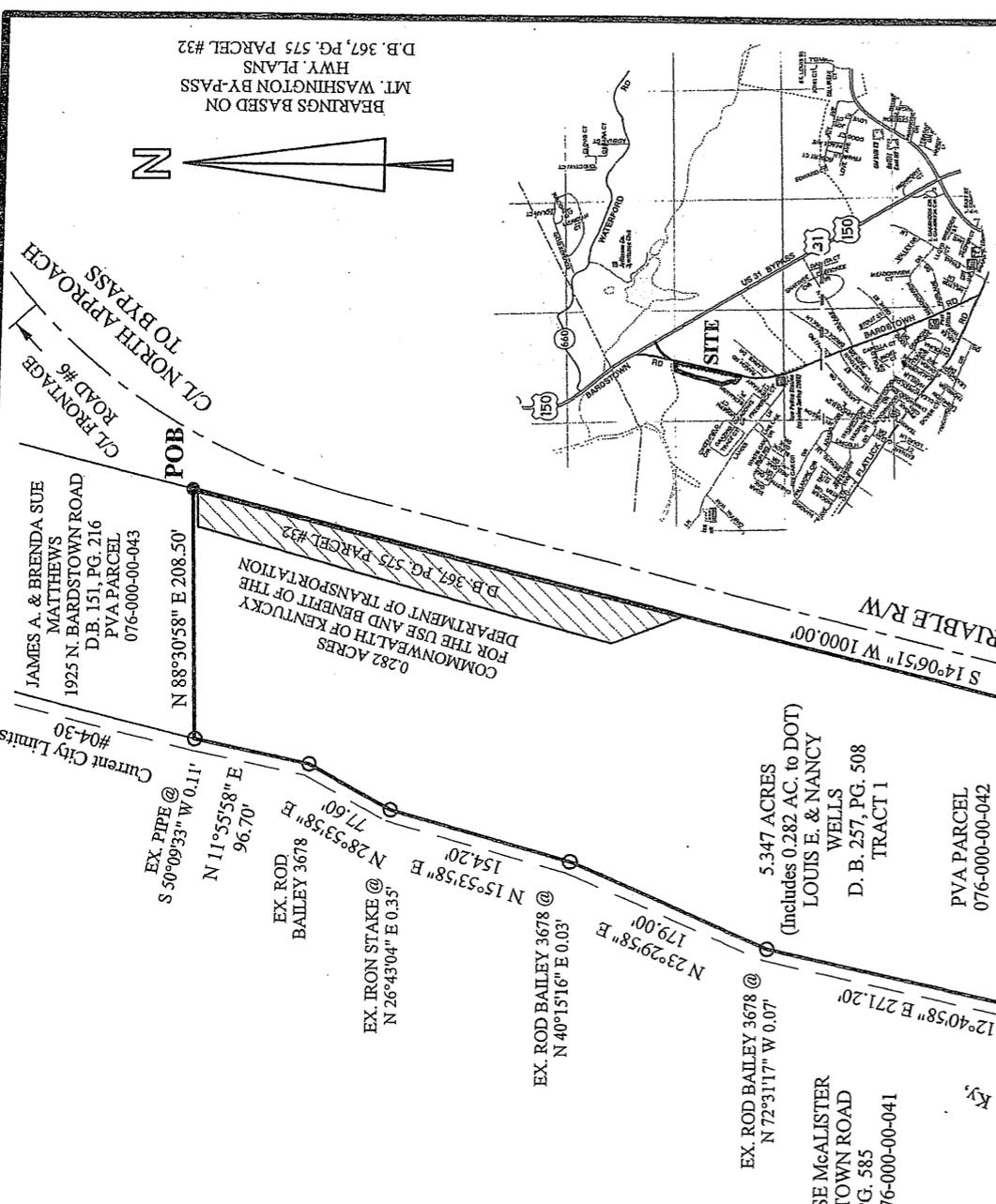
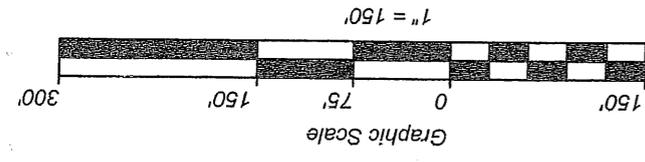
RE: Description for annexation of property on the west side of North Bardstown Road, Mt. Washington, Ky. and identified on Bullitt County Property Valuation map 76 as parcel 42. (Property is known as the Wells Salvage Yard)

Beginning at a point in the west right of way of Old Bardstown Road (aka 31E-X north approach to the U.S. Highway 31E bypass) at the southeast corner of the property conveyed to James A. and Brenda Sue Matthews by deed book 151, page 216 in the Bullitt County Clerk's office; thence with the west right of way of Old Bardstown Road, South 14 degrees 06 minutes 51 seconds West 1,000.00 feet to a point at the common corner of tract one and two of the Louis and Nancy Wells property as recorded in deed book 257, page 508 in the Bullitt County Clerk's office, thence continuing with the right of way South 14 degrees 06 minutes 51 seconds West 580.50 feet to a point in the east line of Wilmer and Louise McAlister, deed book 93, page 585 and also being the current city of Mt. Washington boundary by ordinance 2004-30; thence with McAlister and the city limit boundary, North 50 degrees 27 minutes 47 seconds West 182.50 feet to a point, thence North 14 degrees 24 minutes 58 seconds East 74.60 feet to a found rod and cap stamped "Bailey 3678" thence North 00 degrees 47 minutes 58 seconds East 73.40 feet, North 16 degrees 49 minutes 02 seconds West 151.70 feet, North 01 degrees 15 minutes 58 seconds East 65.40 feet and North 15 degrees 46 minutes 58 seconds East 113.00 feet to the common corner of Wells tract one and tract two, thence continuing with the line of McAlister, North 20 degrees 57 minutes 58 seconds East 221.30 feet, North 12 degrees 40 minutes 58 seconds East 271.20 feet, North 23 degrees 29 minutes 58 seconds East 179.00 feet, North 15 degrees 53 minutes 58 seconds East 154.20 feet, North 28 degrees 53 minutes 58 seconds East 77.60 feet to a found rod and cap stamped "Bailey 3678", thence North 11 degrees 55 minutes 58 seconds East 96.70 feet to the southwest corner of James and Brenda Sue Matthews, thence with the south line of Matthews, North 88 degrees 30 minutes 58 seconds East 208.50 feet to the beginning containing 7.968 acres and being the total of tract one and tract 2 of the Louis and Nancy Wells property and the 0.282 acre tract conveyed to the Commonwealth of Kentucky by deed book 367, page 575 and noted as parcel #32 as shown on an annexation exhibit plat for the City of Mt. Washington, Ky. by John A. St. Clair dated February 2, 2012. Additional identifiers noted on the annexation plat as references to lot corners are not contained in this description to eliminate confusion. See attached plat.

Being the same property convey to Louis E. and Nancy Wells by deed book 257, page 508 in the Bullitt County Clerk's office and being subject to a selloff to the Commonwealth of Kentucky, Department of Transportation by deed book 367, pg. 575, parcel #32.

Yours truly,

John St. Clair
John St. Clair, Ky. PLS # 1907



7.968 ACRES
TOTAL OF PROPOSED
ANNEXATION AREA
(Tracts 1 & 2 & KY. DOT)

LEGEND
○ = FOUND IRON ROD & CAP, BAILEY 3678
UNLESS NOTED OTHERWISE
● = POINT NOT SET

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS PERFORMED UNDER MY SUPERVISION BY THE METHOD OF RANDOM TRAVERSE. THE UNADJUSTED ERROR OF CLOSURE EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES FOR A CLASS "A" SURVEY.

John A. St. Clair
JOHN A. ST. CLAIR
P.L.S. #1907
502-538-6616
STATE OF KENTUCKY
LICENSED PROFESSIONAL LAND SURVEYOR
1907

ANNEXATION EXHIBIT FOR
THE CITY OF MT. WASHINGTON
275 SNAPP STREET
MT. WASHINGTON, KY. 40047

by
JOHN A. ST. CLAIR
138 WILLOW WOOD DRIVE
MT. WASHINGTON, KY. 40047

FEBRUARY 02, 2012
1" = 150 FT.