

**CITY OF PROSPECT
ORDINANCE NO. 557, SERIES 2017**

**AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF
CHAPTER 114.30 OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT**

WHEREAS, Chapter 114.30 establishes that the City Clerk shall serve as City Alcoholic Beverage Administrator for the City of Prospect; and

WHEREAS, the duties of City Alcoholic Beverage Administrator have been exercised by the Chief Administrative Officer with the assistance of the City Code Enforcement Officer; and

WHEREAS, the City Council desires to designate the City Code Enforcement Officer as the City Alcoholic Beverage Administrator.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. Chapter 114.30 is hereby amended and modified as hereinafter set forth with old language struck through, changes and new language being underlined and reading as follows:

§ 114.30 STATUTORY DUTIES TO BE ASSIGNED TO ~~CITY CLERK~~ CITY CODE ENFORCEMENT OFFICER.

(A) Pursuant to KRS 241.160, the statutory duties of City Alcoholic Beverage Control Administrator are hereby assigned to the duly appointed and qualified ~~City Clerk~~ City Code Enforcement Officer of the city.

(B) The officer referred to in division (A) of this section, shall perform those duties required of City Alcoholic Beverage Administrator as specified in KRS Chapters 241 through 244 and perform such other duties as are required by law or by ordinance of the City Council. That officer is hereby authorized to issue those licenses authorized by law or ordinance.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

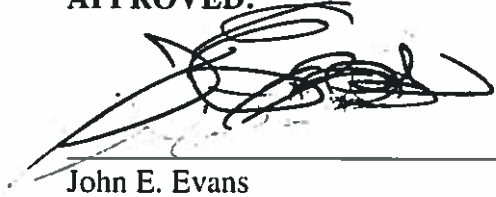
Section 3. This Ordinance shall take effect from and after its passage, signing, and publication as required by law.

First Reading this 21st day of August 2017.

Second Reading this 18th day of September, 2017.

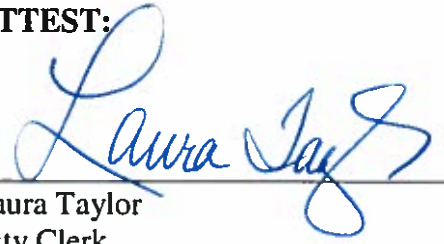
**"Aye" votes: 5
"Nay" votes: 0**

APPROVED:



John E. Evans
Mayor, City of Prospect

ATTEST:



Laura Taylor
City Clerk

**CITY OF PROSPECT
ORDINANCE NO. 530, SERIES 2014**

**AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION
OF CHAPTER 114 OF THE CODE OF ORDINANCES OF
THE CITY OF PROSPECT**

WHEREAS, Chapter 114 of the Code of Ordinances of the City of Prospect governs the issuance and enforcement of alcoholic beverage licenses within the City limits, specifically within City parks; and

WHEREAS, the Kentucky General Assembly recently enacted changes to state law that affect the licensure of establishments that sell alcoholic beverages; and

WHEREAS, the City Council of the City of Prospect (the "City Council") desires to amend update Chapter 114 to make it consistent with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PROSPECT, KENTUCKY:

SECTION 1: Chapter 114.0 is hereby amended and restated as hereinafter set forth with changes and new language being underlined and reading as shown on attached Exhibit A:

SECTION 3: All ordinances or parts of ordinances, in conflict with this ordinance are hereby repealed.

SECTION 4: This Ordinance shall take effect from and after its passage, signing and publication as required by law.

First Reading this 13th day of January 2014.

Second Reading this 17th day of February 2014.

APPROVED:

John E. Evans

Mayor, City of Prospect, Kentucky

ATTEST:

Holly LeVold
City Clerk

“Aye” Votes _____
“Nay” Votes _____

61074633.1

61074633.1

CITY OF PROSPECT, KENTUCKY
Ordinance No. 458, Series 2005

**AN ORDINANCE AMENDING SECTION 114.09(E) OF THE CODE OF
ORDINANCES OF THE CITY OF PROSPECT SO AS TO ALLOW
LIMITED SALE OF DISTILLED WINE AND SPIRITS ON SUNDAYS**

BE IT ORDAINED BY THE CITY OF PROSPECT:

SECTION 1: Section 114.09(E) of the Code of Ordinances of the City of Prospect is hereby amended as follows:


(E) The sale of distilled spirits or wine at retail may be permitted, on premises licensed for such purposes, between the hours of ~~2:00 a.m. and 4:00 a.m.~~ 6 a.m. and midnight on each day of the week, except for the hours of ~~4:00 a.m. - 1 p.m.~~ Sunday through 6:00 a.m. Monday 9 p.m. Sunday, upon issuance of a special hours license as set forth in §114.05.

SECTION 2: This ordinance would otherwise take effect from and after its passage, signing and publication according to law, however, it being an emergency of the City of Prospect as to the necessity of allowing businesses within the City to compete fairly with those throughout Jefferson County due to approval of a similar Ordinance by the Metro Council, immediate action is required and the requirement of a second reading and publication in order for this Ordinance to be effective are hereby suspended upon affirmative vote of two-thirds of the Council approving this ordinance.

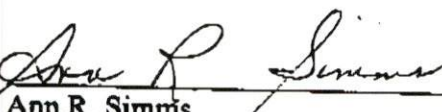
First Reading this 15 day of August, 2005.

Second Reading this ____ day of _____, 2005.

APPROVED:


Lawrence C. Falk
Mayor

ATTEST:


Ann R. Simms
City Clerk

CHAPTER 114: ALCOHOLIC BEVERAGES**Section*****Licensing Regulations***

- 114.01 Privilege license
- 114.02 License required
- 114.03 License fees
- 114.04 When payment due
- 114.05 Special hours license
- 114.06 Sunday retail drink license
- 114.07 Businesses to correspond with businesses authorized by state law
- 114.08 Expiration date; proration
- 114.09 Hours of sale
- 114.10 Conflicting provisions
- 114.11 Regulating distance between package liquor sales

City Alcoholic Beverage Control Administrator

- 114.25 Establishment
- 114.26 Duties and functions
- 114.27 Oath; bond
- 114.28 Compensation
- 114.29 Term of office
- 114.30 Statutory duties to be assigned to City Clerk
- 114.99 Penalty

LICENSING REGULATIONS**§ 114.01 PRIVILEGE LICENSE.**

The city does hereby elect to regulate license and impose license fees for the privilege of manufacturing and trafficking in alcoholic beverages within the city, as allowed by the provisions of the Kentucky Revised Statutes.

(Ord. 211-1991, passed 6-24-91)

§ 114.02 LICENSE REQUIRED.

No person shall do any act authorized by any kind of license with respect to the manufacture, storage, sale, purchase, transporting or other traffic in alcoholic beverages in the city unless that person holds the kind of license that authorized such act issued by the City Alcoholic Beverage Control Administrator.

(Ord. 211-1991, passed 6-24-91) Penalty, see § 114.99

§ 114.03 LICENSE FEES.

(A) The following kinds of distilled spirits and wine licenses may be issued by the city, the fees for which shall be:

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<i>Types of Licenses</i>	<i>Fee</i>
(1) Distiller's license, per annum	\$ 500.00
(2) Rectifier's license, per annum	1,500.00
(3) Blender's license, per annum	1,500.00
(4) Wholesaler's license, per annum	1,500.00
(5) Retail package license, per annum	600.00
(6) Retail drink license, per annum	800.00
(7) Special temporary license, per month or part of month, 1/6 of fee enumerated in division (A)(6) of this table	133.34
(8) Special private club license, per annum	150.00
(9) Special Sunday retail drink license	300.00
(10) Nonresident, special agent or solicitor's license, per annum	20.00
(11) Restaurant wine license	
(a) New applicants	300.50
(b) Renewals	300.50

(B) The following kinds of malt beverage licenses may be issued by the city, the fees for which shall be:

<i>Types of Licenses</i>	<i>Fee</i>
(1) Brewer's license, per annum	\$ 500.00
(2) Microbrewery license, per annum	250.00
(3) Distributor's license, per annum	200.00
(4) Retailer's license, per annum	
(a) New applicants	200.00
(b) Renewals	150.00
(5) Special temporary license, per month or part thereof	12.50

(Ord. 211-1991, passed 6-24-91)

§ 114.04 WHEN PAYMENT DUE.

Fees for all licenses issued under § 114.06(A) shall be due and payable on July 1 of each year, all licenses shall expire on June 30 next following date of issuance.

(Ord. 211-1991, passed 6-24-91)

§ 114.05 SPECIAL HOURS LICENSE.

(A) The City Alcoholic Beverage Control

Administrator may issue a special hours license to any person, firm or corporation holding a license to sell distilled spirits and wine at retail upon payment in advance to the city of an annual license fee of \$250.

(B) The City Alcoholic Beverage Control Administrator may issue a special hours license to any person, firm or corporation holding a license to sell malt beverages at retail upon the payment in advance to the city of the sum of \$50.

(Ord. 211-1991, passed 6-24-91)

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§ 114.06 SUNDAY RETAIL DRINK LICENSE.

(A) In addition to those other licenses authorized herein, the city shall issue a special Sunday Retail Drink License to any person who holds a license to sell at retail, liquor and wine by the drink and who otherwise qualifies for such a license in accordance with the provisions of KRS Chapter 243, as amended, upon payment in advance to the city of the sum of \$300.

(B) Sales of alcoholic beverages on Sunday pursuant to the license granted under division (A) of this section shall permit the sale of distilled spirits and wine by the drink on Sunday from 1:00 p.m. until 2:00 a.m. Monday by hotels, motels and restaurants which are licensed for the retail sale of distilled spirits and wine by the drink and which have dining facilities with a minimum seating capacity of 100 people at tables and which receive at least 50% or more of their gross annual income from their dining facilities by the sale of food in accordance with KRS 244.290.
(Ord. 211-1991, passed 6-24-91)

§ 114.07 BUSINESSES TO CORRESPOND WITH BUSINESSES AUTHORIZED BY STATE LAW.

The business authorized by the licenses provided for herein shall correspond to the business authorized by the corresponding licenses authorized by KRS Chapter 243 and KRS Chapter 446 and specifically including the definitions contained in KRS 446.010.
(Ord. 211-1991, passed 6-24-91)

§ 114.08 EXPIRATION DATE; PRORATION.

All licenses issued hereunder shall expire on June 30 next following their effective date of issue. The license provided in § 114.03, if such license is issued between January 1 and June 30 of the license year, shall be one-half of the fee so specified in § 114.03 for all such licenses except temporary licenses as provided in § 114.03(A)(7) and (B)(4).
(Ord. 211-1991, passed 6-24-91)

§ 114.09 HOURS OF SALE.

Hours and times in which distilled spirits, wine and beer may be sold are as follows:

(A) Distilled spirits and wine. It shall be unlawful for any person, firm or corporation licensed for the sale of distilled spirits or wine at retail, to sell, give away, permit to be sold or given away or permit on the licensed premises the consumption of such products between the hours of 2:00 a.m. and 6:00 a.m. on any weekday and Saturday or between 2:00 a.m. Sunday and 6:00 a.m. Monday, or on election day when polls are open in the city.

(B) Malt beverages. It shall be unlawful for any person, firm or corporation licensed for the sale of malt beverages at retail, to sell, give away, permit to be sold or given away, or permit on the licensed premises the consumption of such products between the hours of 2:00 a.m. and 6:00 a.m. on any weekday and Saturday or between the hours of 2:00 a.m. Sunday and 1:00 p.m. Sunday or on any election day when the polls are open in the city.

(C) The unlawful hours of sale of distilled spirits and wine and the unlawful hours of sale of beer indicated in divisions (A) and (B) of this section, shall be the hours of 4:00 a.m. and 6:00 a.m. for the Monday before the first Saturday in May of each year, through 4:00 a.m. of the following Sunday.

(D) The unlawful hours of sale of distilled spirits and wine and the unlawful hours of sale of beer indicated in divisions (A) and (B) of this section, shall be between the hours of 4:00 a.m. and 6:00 a.m. for January 1 of each year; except when December 31 and January 1 fall on Sunday and Monday respectively, in which case the rules from divisions (A) and (B) of this section apply.

(E) The sale of distilled spirits or wine at retail may be permitted, on premises licensed for such purposes, between the hours of 2:00 a.m. and 4:00 a.m. on each day of the week, except for the hours of 4:00 a.m. Sunday through 6:00 a.m. Monday, upon issuance of a special hours license as set forth in § 114.05.

(F) The sale of malt beverages at retail may be permitted on premises licensed for such purposes between the hours of 2:00 a.m. and 4:00 a.m. on each day of the week, except for the hours of 4:00 a.m. Sunday through 1:00 p.m. Sunday, upon issuance of a special hours license as set forth in § 114.05.

(Ord. 211-1991, passed 6-24-91) Penalty, see § 114.99

Prospect - Business Regulations**§ 114.10 CONFLICTING PROVISIONS.**

All ordinances, or parts thereof, in conflict with the provisions hereof are hereby repealed; provided, however this chapter shall not reduce the privileges granted by any other ordinance, license or supplemental license.
(Ord. 211-1991, passed 6-24-91)

§ 114.11 REGULATING DISTANCE BETWEEN PACKAGE LIQUOR SALES.

(A) No retail by the package liquor license shall be granted or issued to any licensee for any location within 2,640 feet of any existing premises licensed for such sales.

(B) All distances referred to in this section shall be measured along the right-of-way of existing public vehicular roadways from a point on any such right-of-way line nearest the entrance of any such existing premises licensed for such sales to a point on any such right-of-way line nearest the entrance of the proposed licensed premises. All intersecting right-of-way lines shall be measured at right angles and where it is necessary in such measurement to cross a right-of-way the measurement shall be made at right angles. In determining distances hereunder the assessor maps of Jefferson County shall be used and shall be presumed to be accurate by the Alcohol Beverage Control Administrator for the city. Applicants may, at their own expense, furnish a certified survey by any registered professional engineer or surveyor licensed in Jefferson County, and any such survey shall be given full consideration by the Administrator. For purposes of this section "public vehicular roadways" shall mean any "road open to general public travel and actually and substantially used for automotive travel"; unpaved rights-of-way and dead-end roadways shall not be considered in making measurements hereunder.

(C) The distance limitation prescribed by these regulations shall not affect any existing license location nor the right of the owner to transfer the license for such location. The location of any such existing license shall not be transferred to a new location in violation of this section, except (1) the location of any presently existing license or renewal thereof in case of destruction of property, or loss of lease through failure of the landlord to renew such lease, and (2) the location of any presently existing license or renewal thereof which desires to expand its operations within the same shopping center or shopping area, may be transferred to a location which is not closer than one-half the distance between an existing licensed premises and the nearest similar licensed premises.

(Ord. 393-1999, passed 5-17-99; Am. Ord. 418-2001, passed 6-25-01)

**CITY ALCOHOLIC BEVERAGE
CONTROL ADMINISTRATOR****§ 114.25 ESTABLISHMENT.**

There is hereby created the office of City Alcoholic Beverage Control Administrator pursuant to KRS 241.160. The City Alcoholic Beverage Control Administrator shall be appointed by the Mayor with approval of the Council and is removable at the pleasure of the Mayor.
(Ord. 211-1991, passed 6-24-91)

§ 114.26 DUTIES AND FUNCTIONS.

The City Alcoholic Beverage Control Administrator shall possess and exercise all duties and functions as specified in KRS Chapter 241, and those other functions as may be assigned to that office by the City Council.
(Ord. 211-1991, passed 6-24-91)

§ 114.27 OATH; BOND.

Before entering upon the duties of his/her office, the City Alcoholic Beverage Control Administrator shall take the oath prescribed by Section 228 of the Kentucky Constitution and shall execute a bond with good corporate surety in the penal sum of not less than \$1000, the cost of which bond shall be borne by the city.

(Ord. 211-1991, passed 6-24-91)

§ 114.28 COMPENSATION.

The compensation of the City Alcoholic Beverage Control Administrator is hereby fixed at the sum of \$1 per annum.

(Ord. 211-1991, passed 6-24-91)

§ 114.29 TERM OF OFFICE.

The term of the office of the City Alcoholic Beverage Control Administrator shall be the same as that of the City Council members; provided, however, such term shall be automatically extended until the Alcoholic Beverage Control Administrator is removed, or until his successor is appointed and qualifies.

(Ord. 211-1991, passed 6-24-91)

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§ 114.30 STATUTORY DUTIES TO BE ASSIGNED TO CITY CLERK.

(A) Pursuant to KRS 241.160, the statutory duties of City Alcoholic Beverage Control Administrator are hereby assigned to the duly appointed and qualified City Clerk of the city.

(B) The officer referred to in division (A) of this section, shall perform those duties required of City Alcoholic Beverage Administrator as specified in KRS Chapters 241 through 244 and perform such other duties as are required by law or by ordinance of the City Council. That officer is hereby authorized to issue those licenses authorized by law or ordinance.
(Ord. 211-1991, passed 6-24-91)

§ 114.99 PENALTY.

(A) Any person who, individually, or acting through another, directly or indirectly, violates any of the provisions of this chapter for which no other penalty is provided, shall be guilty of a misdemeanor and for the first offense, be fined not less than \$100 nor more than \$200, or be imprisoned in the county jail for not more than six months, or both; and for the second and each subsequent violation, shall be fined not less than \$200 nor more than \$500, or be imprisoned in the county jail for not more than six months, or both. Each sale in violation of this chapter shall constitute a separate offense. Penalties provided for herein shall be in addition to the revocation or suspension of the offender's license.

(B) Any person violating any provision of § 114.05 shall be guilty of a misdemeanor, and for the first offense, be fined not less than \$100 nor more than \$200 or be imprisoned not more than six months, or both; and for the second and each subsequent violation, shall be fined not less than \$200 nor more than \$500 or be imprisoned not more than six months, or both.
(Ord. 211-1991, passed 6-24-91)

FROM : CITY of PROSPECT KY

IPR. 11.2000 12:37PM P 1/1
PHONE NO. : 502 228 9542

**CITY OF PROSPECT
ORDINANCE NO. 393, SERIES 1999**

**AN ORDINANCE REGULATING THE DISTANCE
BETWEEN PACKAGE LIQUOR SALES IN THE CITY OF PROSPECT**

Be it Ordained by the City of Prospect:

Section 1. No Retail by the Package Liquor License shall be granted or issued to any licensee for any location within two thousand-six hundred-forty (2,640) feet of any existing premises licensed for such sales.

Section 2. All distances referred to in this ordinance shall be measured along the right-of-way of existing public vehicular roadways from a point on any such right-of-way line nearest the entrance of any such existing premises licensed for such sales to a point on any such right-of-way line nearest the entrance of the proposed licensed premises. All intersecting right-of-way lines shall be measured at right angles and where it is necessary in such measurement to cross a right of way the measurement shall be made at right angles. In determining distances hereunder the assessor maps of Jefferson County shall be used and shall be presumed to be accurate by the Alcohol Beverage Control Administrator for the City. Applicants may, at their own expense, furnish a certified survey by any registered professional engineer or surveyor licensed in Jefferson County, and any such survey shall be given full consideration by the Administrator. For purposes of this section "public vehicular roadways" shall mean any "road open to general public travel and actually and substantially used for automotive travel; unpaved rights of way and dead-end roadways shall not be considered in making measurements hereunder.


Section 3. The distance limitation prescribed by these regulations shall not affect any existing license location nor the right of the owner thereof to transfer the license for such location. The location of any such existing license shall not be transferred to a new location in violation of this ordinance, except the location of any presently existing license or renewal thereof in case of destruction of property, or loss of lease through failure of the landlord to renew such lease, may be transferred to a location which is not closer one-half the distance between an existing licensed premises and the nearest similar licensed premises.

Section 4. This ordinance shall take effect upon its passage, approval and publication as required by law.

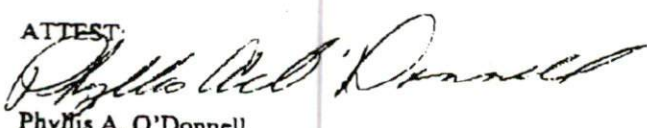
First reading this 19 day of April, 1999

Passed on second reading this 17 day of May, 1999 by a vote of 3 Aye and 2 Nay of the City Council

APPROVED


Lawrence C. Falk
Mayor

ATTEST:


Phyllis A. O'Donnell
City Clerk

CITY OF PROSPECT

Ordinance no. 143, Series 1985

AN ORDINANCE ANNEXING TO THE CITY OF PROSPECT CERTAIN TRACTS OF LAND LYING NORTH AND WEST OF THE EXISTING CITY BOUNDARY FRONTING ON U.S. HIGHWAY 42 AND ON HARRODS CREEK.

WHEREAS, by Ordinance No. 124, Series 1984, the City proposed to annex the hereinafter described areas, and,

WHEREAS, said Ordinance and notice relating thereto was published in the Louisville Times as a legal notice on August 24, 1985, and October 12, 1985, and

WHEREAS, the last date for filing of any petition in opposition was October 23, 1985, and no petition or remonstrance was filed, now, therefore,

BE IT ORDAINED BY THE CITY OF PROSPECT:

Section I. There is hereby annexed to the City of Prospect, Kentucky, and the boundary is hereby extended as to include within the boundaries of the City of Prospect, certain tracts of land which was formerly embraced with the county of Jefferson and which is adjacent to and contiguous with the present City boundary line and more particularly described as follows:

(SEE ATTACHED DESCRIPTION)

TRACT 1

Beginning at a point in the existing boundary of the City of Prospect as established by Codified Ordinance 110.1P, Series 1982 said point also being the most Easterly corner of Tract #2 conveyed to the V. V. Cooke Foundation Corporation, by Deed Book 3748, Page 236 of Record in the Office of the Clerk of Jefferson County; said point also being in the Southerly line of Harrods Creek; thence Northwesterly with the Northeasterly line of said last mentioned tract 3,600 feet more or less to the Jefferson County-Oldham County line; thence leaving the existing boundary of the City of Prospect and with the aforesaid Jefferson County-Oldham County line in Southeasterly direction 4,750 feet more or less to the Southerly line of Harrods Creek; thence with the Southerly line of Harrods Creek in a Southwesterly direction 2,100 feet more or less to the Point of Beginning.

TRACT II

Beginning at a point in the Westerly line of U.S. Highway 42, said point being the point of intersection of said line of U.S. Highway 42 with an extension of the Northerly line of the Brownsboro Prospect Turnpike Road, also known as Covered Bridge Road, said point also being in the existing boundary of the City of Prospect as established by Codified Ordinance No. 110.1P series 1974; thence with the Westerly line of U.S. Highway 42 and the existing boundary of the City of Prospect in a Southerly direction 3750 feet more or less to the point of intersection of said line of U.S. Highway 42 with the Northerly line of the tract of Record in Deed Book 4865, Page 855 in the Office of the Clerk of Jefferson County; thence leaving the West line of U.S. Highway 42 and with the North line of the aforesaid tract North 71 degrees 41 minutes 50 seconds West 98.1 feet to a point in the East line of River Road; thence with said line of River Road in a Southwesterly direction 300 feet more or less to the point of intersection of said line of River Road with an extension of the Southwesterly line of the tract conveyed to Brown by Deed Book 2037, Page 509 of Record in the Office of the Clerk of Jefferson County, Kentucky; thence leaving said line of River Road and the existing boundary of the City of Prospect and with said extension of said line of Brown in a Northwesterly direction to a point in the Northwesterly line of River Road, said point also being the Southeasterly corner of the aforesaid Brown tract; thence with Brown North 37 degrees 30 minutes West 1834.96 feet; thence North 38 degrees 10 minutes West 793.94 feet; thence North 38 degrees 48 minutes West 1070.64 feet to a corner common to the tracts of Record in Deed Book 2037, Page 509 and Deed Book 1928, Page 202 in the aforesaid Clerk's Office; thence with the Southwest line of the tract of Record in Deed Book 1928, Page 202 North 38 degrees 48 minutes West 515 feet to a point, said point being a corner common to the tracts of Record in Deed Book 1928, Page 202 and Deed Book 1901, Page 285; thence with the Southwest line of the tract conveyed to George G. Brown by Deed Book 1901, Page 285 North 31 degrees 15 minutes West 902.55 feet to a stone; thence North 39 degrees 5 minutes West 1650 feet to the top of the bank of the Ohio River; thence North 78 degrees West 287.1 feet to the low water mark of said river; thence with the low water mark of the Ohio River in a Northerly direction 4750 feet more or less to the point of intersection of said low water mark with the Oldham County, Jefferson County line; thence leaving the low water line of the Ohio River and with the Oldham County-Jefferson County line in a Southeasterly direction 3300 feet more or less to a point in the West line of Rose Island Road; thence leaving the aforesaid county line and

with the West line of Rose Island Road in a Southerly, then Southeasterly, Southerly, Southeasterly, Northeasterly and Southeasterly direction to the point of intersection of said line of Rose Island Road with the Westerly line of U.S. Highway 42; thence with the Westerly line of U.S. Highway 42 in a Southerly direction 600 feet more or less to the Point of Beginning.

TRACT III

Beginning at a point in the existing boundary of the City of Prospect as established by Ordinance 105 Series 1982, said point also being the Southeasterly corner of Lot 28 of the Carslaw Addition of Record in Plat Book 4, Page 73 in the Office of the Clerk of Jefferson County, Kentucky; thence with a line of the aforesaid Carslaw Addition South 58 degrees 25 minutes West 278 feet to a point in the Northeast line of Carslaw Court; thence crossing Carslaw Court South 58 degrees 25 minutes West 40 feet to a point in the Southwest line of Carslaw Court; as shown in Plat and Subdivision Book 4, Page 73; thence with said line of Carslaw Court North 35 degrees 15 minutes West 140 feet; thence leaving Carslaw Court South 58 degrees 25 minutes West 278.0 feet; thence South 35 degrees 15 minutes East 140 feet to a point in the Northwest line of the tract conveyed to Blanche Pinnell by Deed Book 1724, Page 388 of Record in the aforesaid Clerk's Office; thence with the Northwest line of the Pinnell tract South 60 degrees 56 minutes 42 seconds West 667 feet more or less to a corner in said Pinnell tract; thence leaving said line of said Pinnell tract and the existing boundary of the City of Prospect and with the South line of the tract conveyed to Helm and Blair of Record in Deed Book 5463, Page 528 in the aforesaid Clerk's Office North 61 degrees 44 minutes 18 seconds West 796.00 feet to an iron pipe in the Southeast right-of-way line of Upper River Road; thence with Upper River Road North 23 degrees 32 minutes 04 seconds East 416.49 feet to a pipe; thence North 26 degrees 45 minutes 32 seconds East 111.94 feet to a pipe; thence North 26 degrees 08 minutes 55 seconds East 129.81 feet to a pipe; thence North 30 degrees 40 minutes 03 seconds East 73.52 feet to a pipe; thence North 36 degrees 54 minutes 35 seconds East 65.02 feet to a pipe; thence North 45 degrees 49 minutes 19 seconds East 86.59 feet to a pipe; thence North 55 degrees 19 minutes 13 seconds East 98.19 feet to a pipe; thence North 61 degrees 13 minutes 42 seconds East 206.04 feet to an iron pipe, said pipe being a corner common to the aforesaid Helm and Blair and to the aforesaid Carslaw addition of Record in Plat Book 4, Page 73 in the aforesaid Clerk's Office; thence with the Southwesterly line of the Carslaw Addition South 35 degrees 15 minutes East 799.61 feet to an iron pipe, said point being the Northwest corner of Lot 36 of the aforesaid Carslaw Addition of Record in Plat Book 4, Page 73 in the aforesaid Clerk's Office; thence with the line common to Lots 35 and 36 of said Carslaw Addition North 58 degrees 25 minutes East 280 feet more or less to a point in the Southwesterly right of way line of Carslaw Court, said point also being a corner common to Lots 35 and 36 of the aforesaid Carslaw Addition; thence with said line of

Carslaw Court South 35 degrees 15 minutes East 150 feet more or less to a point, said point being the point of intersection of the Southwesterly line of Carslaw Court with an extension of the Northerly line of the lot conveyed to Phillip Cochran by Deed Book 4616, Page 8 of Record in the aforesaid Clerk's Office; thence with said extension of said line North 62 degrees 10 minutes East to a point in the Northeasterly line of Carslaw Court; thence with the aforesaid line of Cochran North 62 degrees 10 minutes East 280 feet to a point, said point being a corner common to B.A. Crabtree and to Bruce White; thence with the Easterlymost lines of Lots 27 and 28 of the aforesaid Carslaw Addition South 35 degrees 15 minutes East 172.5 feet to the Point of Beginning.

TRACT IV

Beginning at a point in the existing boundary of the City of Prospect as established by Ordinance No. 105, Series 1982, said point also being the Northwesternmost corner of the tract conveyed to The First Baptist Church of Prospect by Deed Book 2372, Page 299 of Record in the Office of the Clerk of Jefferson County, Kentucky; thence with the existing boundary of the City of Prospect, with said tract South 63 degrees 39 minutes 33 seconds East 731.59 feet to a point in the West line of U.S. Highway 42; thence with said line of U.S. Highway 42 in a Southwesterly direction to the point of intersection of said line with the extension of the North line of the tract conveyed to Warfels Marina and Boat Sales, Inc., of Record in Deed Book 4338, Page 555 in the aforesaid Clerk's Office; thence with said extension of said line in an Easterly direction to its point of intersection with the East line of U.S. Highway 42 said point being in the existing boundary of the City of Prospect as established by Ordinance No. 100, Series 1982; thence with the East line of U.S. Highway 42 and a curve to the left a chord of which is South 20 degrees 28 minutes 38 seconds West 195.13 feet; thence North 70 degrees 50 minutes 43 seconds West 20.00 feet; thence with a curve to the left a chord of which is South 18 degrees 41 minutes 40 seconds West 68.25 feet; thence with a curve to the left a chord of which is South 15 degrees 20 minutes 30 seconds West 422.89 feet; thence South 77 degrees 50 minutes 45 seconds East 50.00 feet; thence with a curve to the left a chord of which is South 10 degrees 46 minutes 27 seconds West 252.28 feet; thence South 9 degrees 03 minutes 57 seconds West 342.94 feet; thence South 80 degrees 56 minutes 23 seconds East 70.00 feet; thence South 9 degrees 03 minutes 57 seconds West 62.27 feet to the centerline of Harrods Creek; thence with the centerline of Harrods Creek and the existing boundary of the City of Prospect as established by Ordinance 100, Series 1982, South 89 degrees 59 minutes 38 seconds East 10.14 feet; thence South 56 degrees 29 minutes 38 seconds East 165.00 feet; thence South 35 degrees 59 minutes 38 seconds East 132.00 feet; thence South 17 degrees 44 minutes 38 seconds East 295.00 feet to the Southeast corner of the aforesaid tract of Record in Deed Book 4338, Page 555; thence continuing with the existing boundary of the City of Prospect as established by Codified Ordinance No. 110.2P, Series 1974 and with the Southerly line of Harrods Creek 2,900 feet more or less to the point of intersection of said line of Harrods Creek with the Easterlymost line of the tract conveyed to Dulworth Enterprises by Deed Book 4209, Page 338 of Record in the aforesaid Clerk's Office; thence leaving said line of

Harrods Creek and the existing boundary of the City of Prospect and with the lines of the tract conveyed to Dulworth Enterprizes South 10 degrees 15 minutes 00 seconds West 1,235 feet more or less; thence due East 717.64 feet to a corner in the tract conveyed to William A. Gwillim by Deed Book 3323, Page 359; thence due South 791.40 feet to a point, said point being a corner to the tract conveyed to David H. Kannapell by Deed Book 2900, Page 389; thence North 89 degrees 17 minutes 20 seconds East 88.50 feet; thence South 3 degrees 57 minutes 40 seconds East 279.84 feet to the Southwest corner of the tract conveyed to Lillian B. Graves by Deed Book 4058, Page 406; thence North 80 degrees 34 minutes East 217.79 feet; thence South 49 degrees 14 minutes 27 seconds East 203.03 feet; thence South 36 degrees 17 minutes East 102 feet; thence North 53 degrees 43 minutes East 140 feet; thence South 21 degrees 15 minutes 30 seconds East 165 feet more or less to the point of intersection of the East line of the tract conveyed to Mary B. Ewing by Deed Book 761, Page 56 and the Northwesterly line of Wolf Pen Branch Road; thence with the Northwesterly line of Wolf Pen Branch Road 560 feet more or less to the point of intersection of said line of said road with the Northerly right-of-way line of the Jefferson Freeway; thence in a Westerly direction with the Northerly line of the Jefferson Freeway to the point of intersection of said line with an extension of the Westerlymost line of the existing boundary of the City of Green Spring; thence leaving the Northerly line of Jefferson Freeway and with said extension of the Westerly-most boundary of the City of Green Spring in a Southerly direction to the Northwesterlymost corner of the City of Green Spring; thence with the Westerly line of the existing boundary of the City of Green Spring in a Southerly direction to the point of intersection of the Westerlymost boundary of the City of Green Spring with the extension of the South line of Springdale Road; thence leaving the existing boundary of the City of Green Spring and following a Northwesterly course to the point of intersection of the South line of Wolf Pen Branch Road and the West line of Barbour Lane; thence with the South line of Wolf Pen Branch Road 1,700 feet more or less in a Westerly direction to the point of intersection of the South line of Wolf Pen Branch Road with the East line of U.S. Highway 42; thence continuing in a Westerly direction, crossing U.S. Highway 42 to the point of intersection of the South line of Wolf Pen Branch Road and the West line of U.S. Highway 42; thence with the Westerly line of U.S. Highway 42 in a Northerly direction 6100 feet more or less to the Southeast corner of the tract conveyed to the Fire Department by Deed Book 4903, Page 35 of Record in the aforesaid Clerk's Office; thence leaving U.S. Highway 42 and with the South line of the aforesaid tract North 65 degrees 35 minutes West 450 feet to the Southeast corner of tract #1 of Record in Deed Book

4481, Page 411 in the aforesaid Clerk's Office; thence North 65 degrees 35 minutes West 200 feet to the Southeast corner of the tract conveyed to Lentz by Deed Book 3430, Page 498 of Record in the aforesaid Clerk's Office; thence North 16 degrees 53 minutes East 247.60 feet; thence with the Northerly line of Lentz North 66 degrees 45 minutes West 172.57 feet to the Northwestern corner of Lentz; thence leaving Lentz, North 24 degrees 53 minutes East 250 feet more or less to the Southwest corner of the tract conveyed by Deed Book 2372, Page 299 of Record in the aforesaid Clerk's Office; thence with the Northwestern line of said tract North 25 degrees 44 minutes 30 seconds East 200.06 feet to the Point of Beginning.

Section II. All Ordinances heretofore duly adopted and in force in the present City of Prospect shall equally apply to the area described in this Ordinance.

Section III. Immediately upon the passage hereof, the City Clerk is authorized and directed to publish this Ordinance pursuant to KRS Chapter 424 and said Ordinance shall be in full force and effect from and after its enactment and publication.

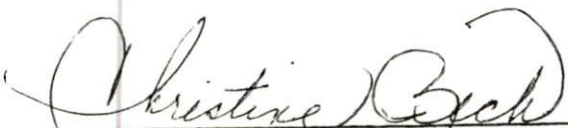
FIRST READING held this 26 day of November, 1985.

PASSED AND APPROVED this 16 day of December, 1985.

VETOED:

APPROVED:

CHRISTINE RICH, Mayor



CHRISTINE RICH, Mayor

DATE: _____

DATE: December 16, 1985

ATTEST:



CITY CLERK