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**Damon R. Talley**

**Attorney At Law**

October 20, 2014

Mr. Jeff Derouen  
Executive Director  
Public Service Commission  
PO Box 615  
Frankfort, KY 40602

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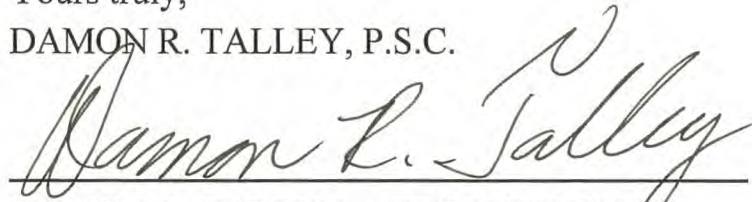
PUBLIC SERVICE  
COMMISSION

RE: Case No. 2014-00289  
Hardin County Water District No. 2  
Financing – Promissory Note for \$8,000,000

Dear Mr. Derouen:

Enclosed for filing on behalf of Hardin County Water District No. 2 are the original and ten (10) copies of the Order describing the District's entire Service Area.

Yours truly,  
DAMON R. TALLEY, P.S.C.



DAMON R. TALLEY, ATTORNEY FOR  
HARDIN COUNTY WATER DISTRICT NO. 2

DRT:ms  
Enclosures

cc: Hardin County Water District No. 2

**COMMONWEALTH OF KENTUCKY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

THE APPLICATION OF THE HARDIN	)	
COUNTY WATER DISTRICT NO. 2 FOR	)	
AUTHORITY TO EXECUTE A PROMISSORY	)	CASE NO.
NOTE IN THE PRINCIPAL AMOUNT OF	)	2014-00289
\$8,000,000 PURSUANT TO THE PROVISIONS	)	
OF KRS 278.300 AND 807 KAR 5:001	)	

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**NOTICE OF FILING**  
**OF**  
**ORDER ANNEXING ELIZABETHTOWN SERVICE AREA**

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1. Hardin County Water District No. 2 (the “Hardin County No. 2”), by counsel, hereby gives notice that it has filed a copy of the attached Order Annexing Territory in the record in this proceeding.

2. The purpose of this Notice of Filing is to provide notice that Hardin County No. 2 has obtained an Order from the Hardin County Judge/Executive which enlarges the territorial limits of Hardin County No. 2 so that all the land formerly encompassed within the water service area of the City of Elizabethtown in now included within the new territorial limits of Hardin County No. 2.

3. The Order is dated October 14, 2014, is designated as Executive Order No. 2014-004, and is duly recorded in Executive Order Book 7, Page 533 in the office of the Hardin County Clerk.

4. **Exhibit 1** to the Order is a map which depicts Hardin County No. 2's new territorial boundary limits, including the former water service area of the City of Elizabethtown.

5. **Exhibit 2** to the Order is a narrative legal description which describes Hardin County No. 2's new territorial boundary limits, including the former water service area of the City of Elizabethtown.

This 20<sup>th</sup> day of October, 2014.

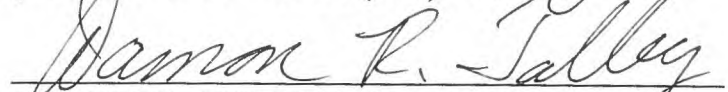
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DAMON R. TALLEY, ATTORNEY FOR  
HARDIN COUNTY WATER DISTRICT NO. 2

**HARDIN COUNTY  
COMMONWEALTH OF KENTUCKY**

**EXECUTIVE ORDER No. 2014-004**

**IN THE MATTER OF:**

**PETITION OF HARDIN COUNTY WATER DISTRICT  
NO. 2 TO ANNEX CERTAIN TERRITORY IN HARDIN  
COUNTY, KENTUCKY PURSUANT TO KRS 74.110**

**ORDER ANNEXING TERRITORY**

**WHEREAS**, this matter is before the Hardin County Judge/Executive upon the petition of the Hardin County Water District No. 2 (the “District No. 2”) seeking to enlarge its territorial limits. The petition was filed with the Hardin County Judge/Executive on August 27, 2014;

**WHEREAS**, the Hardin County Judge/Executive, by Executive Order entered on August 29, 2014, scheduled this matter for a public hearing on the question of whether to enlarge the territorial limits of District No. 2 so that all the land encompassed within the current water service area of the City of Elizabethtown will be included within the new territorial limits of District No. 2;

**WHEREAS**, reasonable notice of the public hearing has been given by publishing a Notice of Public Hearing in the September 5, 2014 and September 26, 2014 editions of *The News-Enterprise* as required by KRS 74.110(2) and KRS Chapter 424;

WHEREAS, the City of Elizabethtown is the only utility providing potable water service to the area sought to be annexed by District No. 2;

WHEREAS, on July 28, 2014, the City of Elizabethtown and District No. 2 executed an Asset Purchase Agreement (the "Agreement") whereby the City of Elizabethtown agreed to transfer certain water system assets, including its City Springs water treatment facilities and its water distribution system (the "Elizabethtown Water System"), to District No. 2;

WHEREAS, as required by KRS 74.120(1), the Elizabethtown City Council consented to the proposed annexation, with respect to water service, by enacting Ordinance No. 14-2014 which approved the Agreement;

WHEREAS, one of the closing requirements set forth in paragraph 24 of the Agreement is for District No. 2 to obtain an Order from the Hardin County Judge/Executive expanding the territorial limits of District No. 2 to include all territory within the City of Elizabethtown's current water service area;

WHEREAS, District No. 2's territorial limits have been both enlarged and diminished on numerous occasions since District No. 2 was established on June 23, 1965;

WHEREAS, District No. 2 desires to obtain a single, complete, and comprehensive legal description describing the Hardin County portion of its territorial boundaries;

WHEREAS, the Hardin County Judge/Executive conducted a public hearing, pursuant to KRS 74.110(3), on October 14, 2014 at 3:30 p.m. E.D.T.; and

WHEREAS, no written objections or exceptions to the proposed annexation have been received by the Hardin County Judge/Executive.

NOW, THEREFORE, it is hereby ORDERED as follows:

1. It is the finding of the Hardin County Judge/Executive that it will be in the best interests of the public health, safety, and general welfare of the inhabitants of the territory sought to be annexed if this annexation is granted.

2. Unless the proposed annexation is granted, the Elizabethtown Water System cannot be combined and consolidated with the water system of District No.


2. Consolidation of these water systems will achieve economies of scale and will enable the combined water system to be managed, operated, and maintained in a more cost effective manner as contemplated by the Agreement. Therefore, it is the finding of the Hardin County Judge/Executive that the proposed annexation is reasonably necessary.

3. The petition of District No. 2 is granted and all land encompassed within the current water service area of the City of Elizabethtown may be and is hereby annexed to and made a part of District No. 2's territorial limits.

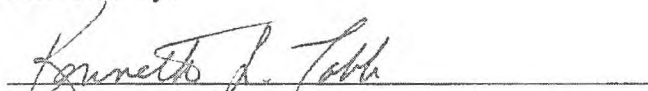


4. From and after the date of this Executive Order, that portion of District No. 2's territorial boundary limits located within the confines of Hardin County shall be as depicted on the map which is attached hereto and incorporated herein by reference as **Exhibit 1** and as described in the narrative legal description which is attached hereto and incorporated herein by reference as **Exhibit 2**.

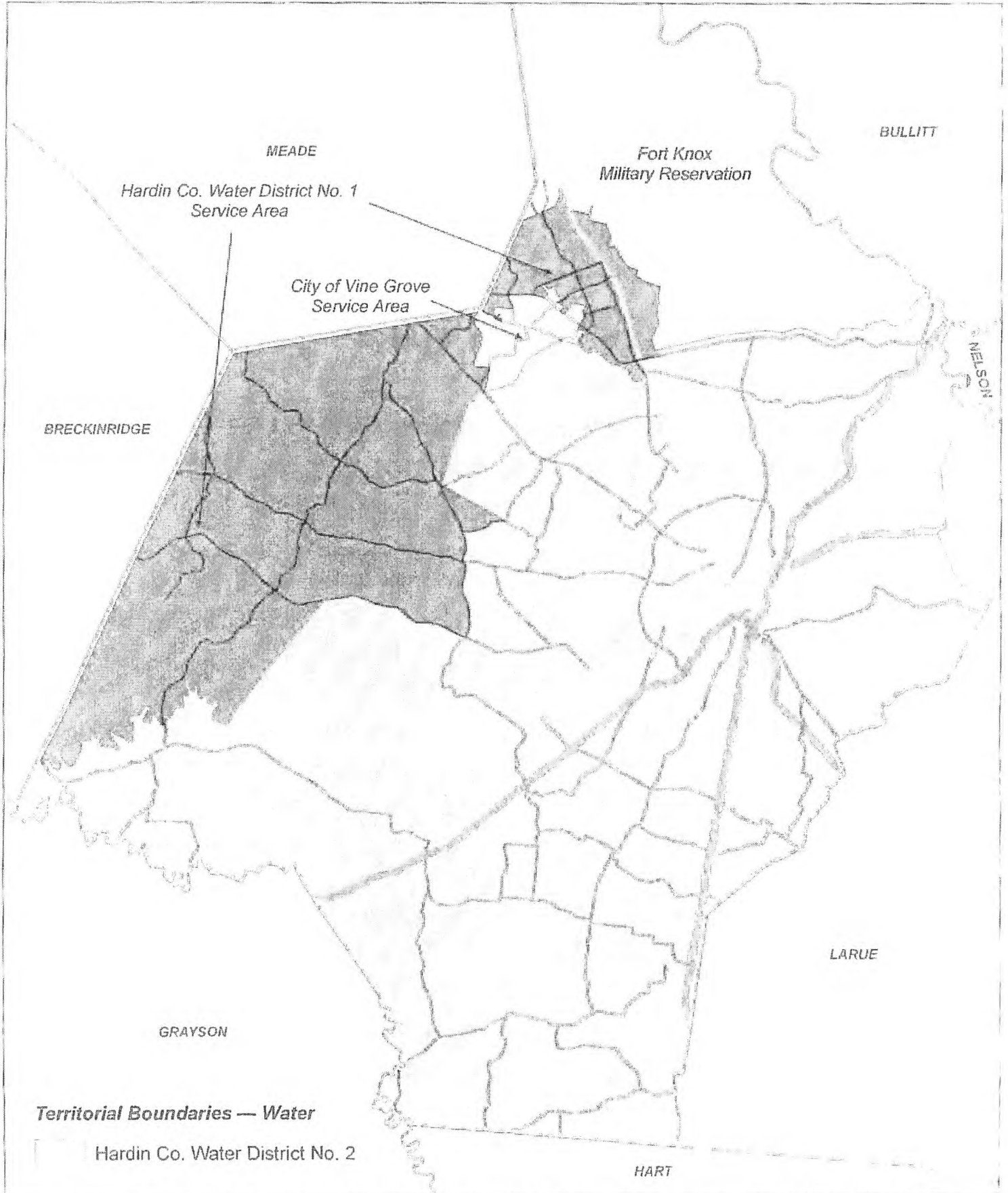
This 14<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
Harry L. Berry  
Hardin County Judge/Executive

Attested by:

  
\_\_\_\_\_  
Kenneth L. Tabb  
Hardin County Clerk

BK0007PG-0542 Hardin County Water District No. 2 EXHIBIT 1  
Territorial Boundaries — Water





**LEGAL DESCRIPTION**

**TERRITORIAL BOUNDARY LIMITS FOR**

**HARDIN COUNTY WATER DISTRICT NO. 2**

Hardin County Water District No. 2's territorial boundaries<sup>1</sup> are described as follows:

Call No.	Description
1.	Beginning at the point south of Upton where the Hardin-LaRue County line intersects with the Hart County line;
2.	Thence in a westerly direction along the Hardin-Hart County line, a distance of approximately 8.5 miles, to the point where the Hardin-Hart County line corners with Grayson County;
3.	Thence in a northwesterly direction along the Hardin-Grayson County line, a distance of approximately 30 miles, to the point where the Hardin-Grayson County line corners with Breckinridge County;
4.	Thence in a northerly direction along the Hardin-Breckinridge County line, a distance of approximately 2.0 miles, to the center-line of Sonora Hardin Springs Road (Ky. Hwy. 84);
5.	Thence in a southeasterly direction along the center-line of Sonora Hardin Springs Road (Ky. Hwy. 84), a distance of approximately 0.3 miles, to Rough River;
6.	Thence in a northeasterly direction meandering along Rough River, a distance of approximately 7.5 miles, to the confluence of Linders Creek with Rough River (Near Pierce Mill);
7.	Thence in generally easterly direction meandering along Linders Creek, a distance of approximately 7.7 miles, to the center-line of Laurel Ridge Road;

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<sup>1</sup> Hardin County Water District No. 2's territorial boundaries encompass not only a substantial portion of Hardin County but also portions of LaRue County and Hart County. The legal description contained in this document **only** describes the portion of Hardin County Water District No. 2's boundaries which are located within Hardin County.

8. Thence cross country in a northerly direction, a distance of approximately 4.5 miles, to the intersection of Hardinsburg Road (Ky. Hwy. 86) and Horn Road. This intersection is located approximately 0.5 miles west of Howe Valley;
9. Thence in an easterly direction along the center-line of Hardinsburg Road (Ky. Hwy. 86), a distance of approximately 4.8 miles, to Franklin Cross Roads;
10. Thence in a northerly direction along the center-line of N. Long Grove Road (Ky. Hwy. 1375), a distance of approximately 3.5 miles, to the intersection of N. Long Grove Road (Ky. Hwy. 1375) and Fuller Road (Ky. Hwy. 2212);
11. Thence in an easterly direction along the center-line of Fuller Road (Ky. Hwy. 2212), a distance of approximately 1.5 miles, to the intersection of Fuller Road (Ky. Hwy. 2212) with Rineyville School Road;
12. Thence cross country in a northwesterly direction, a distance of approximately 2.4 miles, to the intersection of N. Long Grove Road (Ky. Hwy. 1375) and Rineyville Big Springs Road (Ky. Hwy. 220);
13. Thence cross country in a northerly direction, a distance of approximately 2.3 miles, to the intersection of Owsley Road with Berrytown Road;
14. Thence in a northeasterly direction along the center-line of Owsley Road, a distance of approximately 1.0 miles, to Rineyville Road (Ky. Hwy. 1600);
15. Thence in a southeasterly direction along the center-line of Rineyville Road (Ky. Hwy. 1600), a distance of approximately 600 feet, to a point in the center-line of Rineyville Road (Ky. Hwy. 1600);
16. Thence cross country in a northeasterly direction, a distance of approximately 1.0 miles, to a point located approximately 1,300 feet northwest of McIntyre Road;
17. Thence cross country in a northeasterly direction, a distance of approximately 0.8 miles, to the center-line of Duggin Switch Road, said point being located approximately 1,700 feet east of the intersection of Browns Lane and Duggin Switch Road;

18. Thence cross country in a northeasterly direction, a distance of approximately 1.3 miles, to the intersection of Deckard School Road with Rogersville Road (Ky. Hwy. 1500);
19. Thence in a southeasterly direction, a distance of approximately 0.7 miles, to a point located at the northernmost corner of Lot 45 of Wooded Hills Estate subdivision, Section 2;
20. Thence in a southeasterly direction along the northeast boundary of Wooded Hills Estate subdivision, Section 2, a distance of approximately 0.3 miles, to its intersection with the northwestern boundary of Cedar Grove Acres subdivision;
21. Thence in a northeasterly direction along the boundary of Cedar Grove Acres subdivision, a distance of approximately 0.2 miles, to a point;
22. Thence in a southeasterly direction along the boundary of Cedar Grove Acres subdivision, crossing Patriot Parkway (Ky. Hwy. 361), and continuing for another 500 feet, a total distance of approximately 0.7 miles, to a point which is the northeast corner of property owned by Hardin County Water District No. 2 (D. B. 1373, P 380);
23. Thence in a southeasterly direction, a distance of approximately 0.75 miles, to a point which is the northwest corner of Notting Hill Estates subdivision;
24. Thence along the southwest boundary of Notting Hill Estates subdivision, a distance of approximately 1,300 feet, to a point where the southwest corner of Notting Hill Estates subdivision intersects with the northwest corner of Southfork Subdivision;
25. Thence along the northern boundary of the Southfork Subdivision, a distance of approximately 0.3 miles, to a point which is the southeast corner of the Longview Tank Site owned by Hardin County Water District No. 1 (D.B. 608, P 498);
26. Thence in a northerly direction along Hardin County Water District No. 1's property line and property line extended, a distance of approximately 250 feet, to a point which is located approximately 300 feet southwest of the west right-of-way line of S. Wilson Road (Ky. Hwy. 447);

27. Thence in a northeasterly direction crossing S. Wilson Road (Ky. Hwy. 447) and the south bound lanes of N. Dixie Highway (U.S. Hwy. 31W), a distance of approximately 400 feet, to a point in the median of N. Dixie Highway (U.S. Hwy. 31W);
28. Thence in a northerly direction along the median of N. Dixie Highway (U.S. Hwy. 31W), a distance of approximately 0.5 miles, to a point in the center-line of Joe Prather Highway (Ky. Hwy. 313);
29. Thence in an easterly direction along the center-line of Joe Prather Highway (Ky. Hwy. 313), a distance of approximately 0.5 miles, to a point in the center-line of Joe Prather Highway (Ky. Hwy. 313);
30. Thence in a northerly direction, a distance of approximately 1,000 feet, to a point located approximately 1,000 feet north of the center-line of Joe Prather Highway (Ky. Hwy. 313);
31. Thence in an easterly direction following a line approximately 1,000 feet north of, and parallel with, Joe Prather Highway (Ky. Hwy. 313), a distance of approximately 6.0 miles, to the center-line of Woolridge Ferry Road;
32. Thence in a northeasterly direction and following the southern boundary of the Fort Knox Military Reservation, a distance of approximately 4.0 miles, to the Rolling Fork River, which is the boundary line between Hardin and Bullitt Counties;
33. Thence in a southerly direction meandering along the Rolling Fork River, a distance of approximately 5.5 miles, to a point located approximately 8,000 feet northwest of the center-line of Bardstown Road (U.S. Hwy. 62);
34. Thence cross country in a southwesterly direction crossing Lower Colesburg Road, a distance of approximately 0.7 miles, to a point located approximately 1,500 feet northeast of the center-line of Stovall Road;
35. Thence cross country in a southeasterly direction, a distance of approximately 0.7 miles, to a point which is a corner of Lot 11 of the Mountain View Estates subdivision, said point being located approximately 1,300 feet northeast of the center-line of Stovall Road and approximately 0.75 miles northwest of the center-line of Bardstown Road (U.S. Hwy. 62);

36. Thence cross country in a southwesterly direction along the western boundary line of Mountain View Estates subdivision and boundary line extended, a distance of approximately 1.25 miles, to the center-line of Bardstown Road (U.S. Hwy. 62), said point is located approximately 670 feet east of the intersection of Stovall Road with Bardstown Road (U.S. Hwy. 62);
37. Thence cross country in a southerly direction, a distance of approximately 2.0 miles, to the point where Miller Road crosses under the Bluegrass Parkway;
38. Thence cross country in a southeasterly direction, a distance of approximately 1.75 miles, to the end point of Ash Lane;
39. Thence cross country in a southeasterly direction, a distance of approximately 1.2 miles, to the Hardin-LaRue County line, said point being located just north of the end point of Devers Road; and
40. Thence in a southwesterly direction along the Hardin-LaRue County line, a distance of approximately 25.0 miles, to the point where the Hardin-LaRue County line intersects with the Hart County line, which is the point of beginning.