



Oldham County Water District

P.O. Box 51 • Buckner, KY 40010
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Superintendent
Phillip Ward

Attorney
Croley Moore & Snell

Auditor
David Hicks C.P.A.

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JAN 04 2004
Commissioners
Gus Daeuble
Merrill Burn
P. Brigham Ewen
Vincent J. Attardi
Wm. Robert Durbin
PUBLIC SERVICE
COMMISSION

Beth O'Donnell
Executive Director
Public Service Commission
730 Schenkel Lane
P.O.Box 615
Frankfort Kentucky 40602

December 29, 2004

Case 2005-00016

Re; De-Annexation of territory of the Oldham County Water District on Allen Lane

Dear Ms O'Donnell

Enclosed you will find the following:

- 1-3 Petition to de-annex
- 2-3 an order signed by the Judge Executive
- 3-3 Minutes of Oldham County Water District Commissioner's Board meeting to de-annex

As you can see all parties are in agreement to this resolution to better serve these 5 customers. Originally, this was the LaGrange Utility Commissions service area. However, we (the Oldham county water district) were able to provide service at a much earlier date than LaGrange Utilities. They (Lagrange Utilities) can now service said area, and want to buy it back at the same cost in which the district incurred in providing this service. This whole area consists of approx. 50 acres and 3500Ft. of 6" P.V.C. water main. The Oldham County Water District is hereby asking for the approval of the Public Service Commission on this resolution to de-annex this tract of land.

Respectively

By the direction of the Oldham County Water District board of Commissioners

1-3
CROLEY & MOORE, PSC

Attorneys at Law

115 W. Main St.

P.O. Box 229

La Grange, Kentucky 40031

William P. Croley
Barry D. Moore

(502) 222-5607
Telefax No. 222-2433

September 15, 2004

Honorable Mary Ellen Kinser
Oldham County Judge Executive
100 West Jefferson Street
LaGrange, Kentucky 40031

Re: De-annexation of territory of the Oldham County Water District on Allen Lane

Dear Judge Kinser:

Enclosed is a petition to de-annex certain territory in Oldham County by our client, Oldham County Water District. We request that this matter be placed on the Fiscal Court docket as soon as possible. Please advise as to when that will be and if additional information is needed.

Thank you for your attention to this matter.

Sincerely,

CROLEY & MOORE, PSC



Nikki L. Moore
Legal Assistant

Enc.: As stated
c.: John Fendley, Esquire
Oldham County Water District

OLDHAM FISCAL COURT

IN RE: OLDHAM COUNTY WATER DISTRICT

PETITION TO DE-ANNEX CERTAIN TERRITORY IN OLDHAM COUNTY

Oldham County Water District states as follows:

1. Whereas, LaGrange Utilities Commission provides water service to most of the area located within the City of LaGrange and certain areas adjacent thereto, and

2. Whereas, Oldham County Water District provides water service to many areas of Oldham County, including some in close proximity to the water lines of the LaGrange Utilities Commission, and

3. Whereas, over the years the exact boundary between the respective service territories of these two utilities has become indefinite, and

4. Whereas, in order to establish more sensible and definite territorial boundaries, it is appropriate for Oldham County Water District to relinquish a certain territory east of Allen Road, with service of that territory to be assumed by LaGrange Utilities Commission, and

5. Whereas, this proposed transfer of territory will accommodate administrative procedures and make more efficient service to the customers of both utilities, and

6. Whereas, after review of the aforementioned factors and existing service areas of each utility, Oldham County Water District and LaGrange Utilities Commission have decided by mutual agreement that the following new territorial boundaries should be established, and

7. Whereas, as a result of these factors, the proposed de-annexation of territory by Oldham County Water District and the sale of an existing water line to the LaGrange Utilities Commission is reasonably necessary.

Wherefore, Oldham County Water District hereby petitions the Court, pursuant to KRS 74.110, as follows:

1. The Oldham County Water District petitions that the following territory be de-annexed from the Oldham County Water District's territorial boundary:

All that land lying in Oldham County, Kentucky, and lying within the following described boundary:

All of Oldham County Water District's territory lying east of and parallel to the center line of Allen Road, and bounded on the south by Interstate 71, which includes all of Oldham County Water District's territory south of Kentucky Highway 146 and west of Kentucky Highway 53, which was not located within the city limits of LaGrange on April 16, 1979, it being the intention of the Oldham County Water District that the Oldham County Water District de-annex all territory east of Allen Road, south of Kentucky Highway 146, west of Kentucky Highway 53, and north of I-71. Provided, however, that Oldham County Water District will serve all customers whose property abuts Allen Road and who are served by a service line connected to the Oldham County Water District's existing water main along Allen Road, except for any

customers whose property abuts or lies south of
Commerce Parkway who will be served by LaGrange
Utilities Commission.

Witness the act of the Oldham County Water District by its
attorney, this 14 day of September, 2004.

OLDHAM COUNTY WATER DISTRICT

By: 

William P. Croley, Attorney
Board of Water District Commissioners

IN RE: OLDHAM COUNTY WATER DISTRICT

ORDER

Oldham County Water District, having petitioned the Oldham County Judge/Executive to de-annex certain territory in Oldham County, and notice (1) of the filing of the Petition, (2) of the right of residents of the area to file objections or exceptions, and (3) the setting of a hearing on said Petition in the Oldham Fiscal Court Building at 2:00 p.m., on November 2, 2004, having been published in the OLDHAM ERA newspaper in its issues of September 29, 2004 and October 20, 2004, and (4) no objections having been filed, and after inquiring into the matter and being advised, it is hereby ordered as followed:

1. The following territory is hereby de-annexed and excluded from the territory of the Oldham County Water District:

All that land lying in Oldham County, Kentucky, and lying within the following described boundary:

All of Oldham County Water District's territory bounded on the west by Allen Road, on the north by Kentucky Highway 146, on the east by Kentucky Highway 53, and on the south by Interstate 71. Provided, however, that Oldham County Water District will serve all customers whose property abuts Allen Road and who are served by a service line connected to the Oldham County Water District's existing water main along Allen Road, except for any customers whose property abuts or lies south of Commerce Parkway who will be served by LaGrange Utilities Commission.

November 2, 2004
DATE

W. Gary Ellen Kruse
OLDHAM COUNTY JUDGE/EXECUTIVE

Dtp/luc/territory/order deannaxation

OLDHAM COUNTY WATER DISTRICT
REGULAR MEETING
JULY 3, 2001
Page 3

MOTION NO 9:

Motion by John Rich, seconded by Forrest Ewen, to relinquish to the City of Lagrange a portion of the Oldham County Water District service area bounded as follows:

The area lying East of Allen Lane to the current service area of Lagrange; and from the North boundary line of I-71, North to the current service area of Lagrange. Said area runs parallel with I-71 and contains approximately 198 acres.

Within said area OCWD owns 3500 feet of existing 6" PVC water main that will be purchased by Lagrange for the amount of \$10,000.00. Lagrange shall also pay for all cost associated with said relinquishment including legal and surveying fees.

Motion carried unanimously.

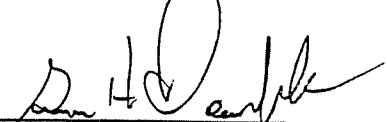
Board went into executive session at 11:00 PM.

MOTION NO 10:

Motion by Gus Daeuble, seconded by Ken McQuiston, to increase Delois Bannister 's salary to \$40,000.00 dollars, and increase Bill Baker to \$50,000.00 dollars. Phil Ward and Larry Kappeser will remain at the current level. Motion carried unanimously.

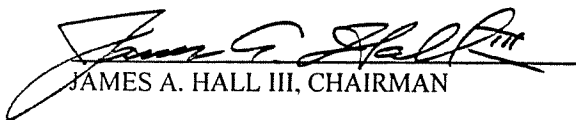
Meeting adjourned at 12:11 AM.

RESPECTFULLY SUBMITTED:



GUS DAEUBLE, SECRETARY

APPROVED:

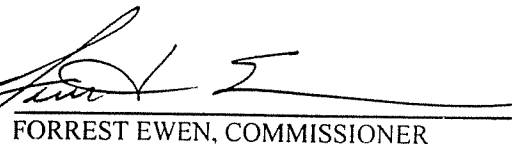


JAMES A. HALL III, CHAIRMAN

JOHN RICH, TREASURER



KENNETH MCQUISTON, COMMISSIONER



FORREST EWEN, COMMISSIONER

Oldham County Water District
P. O. BOX 51
Buckner, Kentucky 40010

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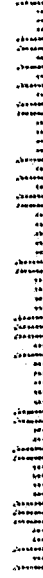
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JAN 04 2005

PUBLIC SERVICE
COMMISSION

Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort Kentucky 40602

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