

CERTIFICATION OF RESOLUTION NO. 2009-22

I certify I am the duly qualified City Clerk of the City of Barbourville, Kentucky, and the foregoing one page of Resolution No. 2009-22 is a true and complete copy duly adopted by the City Council at a duly convened meeting held on December 10, 2009, all as appears in the official records of the City of Barbourville.

WITNESS, my hand this 10th day of December 2009.

Helen Strong

Helen Strong, City Clerk

City of Barbourville

City Seal

RECEIVED AND FILED
DATE December 17, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Kandice G. Gorman*

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION
OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE**

RESOLUTION NO. 2009-22

WHEREAS, the **City of Barbourville** has enacted numerous ordinances annexing property into the corporate limits of the **City of Barbourville**; and

WHEREAS, each individual annexation contains a prior survey prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the **City** wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having being certified by a professional land surveyor for each prior annexation; and

WHEREAS, the **City** wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

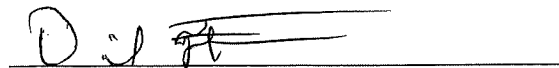
WHEREAS, the **City** does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BARBOURVILLE, KENTUCKY;

SECTION 1. That the **City Council** of the **City of Barbourville** hereby adopts the following legal descriptions, and plats attached hereto as prepared by Richard Frederick, Licensed Professional Land Surveyor No. 3051 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the **City of Barbourville** by Ordinance No. 2004-1 dated December 16, 2003 a copy attached hereto as exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the **City** for all purposes when referencing this prior annexation.

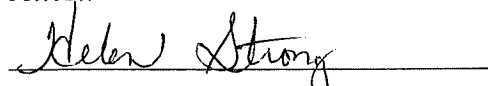
SECTION 2. This new legal description as prepared by Richard Frederick, a Licensed Professional Land Surveyor No. 3051 is attached.

This Resolution is adopted and approved by the **City Council** of Barbourville, Kentucky on this the 10th day of December 2009.



David Thompson, Mayor

Attest:



Helen Strong, City Clerk

APEX LAND SURVEYS

P.O. Box 1169

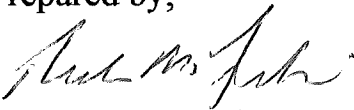
Barbourville, Kentucky 40906

CITY OF BARBOURVILLE, KENTUCKY ANNEXATION ORDINANCE NO. 2004-1

The following is a description for a tract or parcel of land as described in Annexation Ordinance No.2004-1 for the City of Barbourville. The bearings and distances are based on the deed of record for the parcel, and any errors in closure were ignored and last call was made to close the area. Any overlaps with previous annexations will be adjusted to make each parcel match to any adjacent city boundaries or newly submitted annexations. No surveying was performed and this does not constitute a boundary survey or in anyway reflect a determination of individual owners boundaries and should not be used for that purpose.

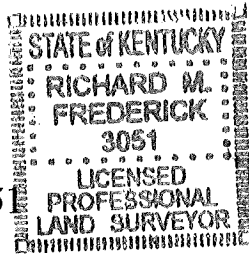
Beginning at a point on the north side right-of-way of Terrell Lane, GIS coordinates (N 1835920.05, E 2190570.43 KY South Zone); thence with the right-of-way, S 70°04'44" W, 99.86' to a point; thence leaving the right-of-way, N 16°11'51" W, 109.65' to a point; thence, N 73°29'21" E, 95.28' to a point; thence, S 18°36'40" E, 103.78' to the point of beginning. Containing 0.239 acres more or less, according to recorded documents contained in Ordinance No.2004-1.

Prepared by,



Richard Frederick, PLS No.3051

10-30-09



NOTE:

The bearings and distances shown hereon are based on deed of records for the include parcels, and any errors in closure were ignored to close the boundary. Any overlaps with previous Annexations will be adjusted to make each parcel match to any adjacent city boundaries or newly submitted annexations. No surveying was performed. Point of Beginning (P.O.B.) has been provided with GIS coordinates based on KY State Plane South Zone. Acreage is based on documents provided in ordinance.

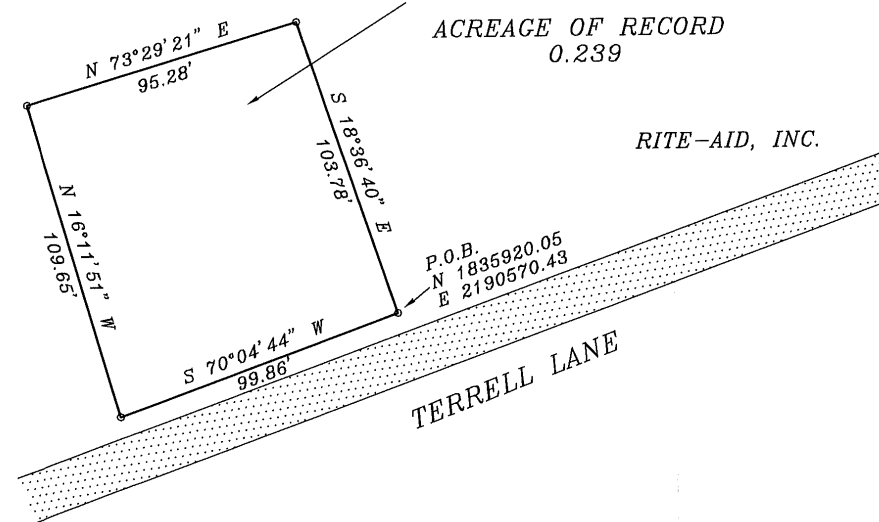
RITE-AID, INC.

CITY ANNEXATION ORDINANCE
NO. 2004-1

ACREAGE OF RECORD
0.239

FAITH TABERNACLE
CHURCH

RITE-AID, INC.



SURVEYORS CERTIFICATION

I CERTIFY THAT THE BOUNDARY OF THE "PRIOR CONSENT FOR ANNEXATION" ORDINANCE NO. 2004-1 FOR THE CITY OF BARBOURVILLE KENTUCKY AS SHOWN ON THIS PLAT IS BASED ON THE INFORMATION CONTAINED IN SHOWN ORDINANCE (ie: Deed for Parcel, Will Bk.Q, Pg.427 & Deed Bk.200, Pg.472).

THE PURPOSE OF THIS PLAT AND THE BOUNDARIES SHOWN HEREON IS TO DELINEATE THE LIMITS OF THE FORESAID ANNEXATION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY OR IN ANYWAY REFLECT A DETERMINATION OF INDIVIDUAL OWNERS BOUNDARIES AND SHOULD NOT BE USED FOR THAT PURPOSE.

Richard M. Frederick

RICHARD M. FREDERICK, KY PLS NO.3051

10-30-09
DATE

STATE OF KENTUCKY
RICHARD M. FREDERICK
3051
LICENSED PROFESSIONAL LAND SURVEYOR



Drawing DATES: 9-9-2009 REVISION DATES: _____
SCALE: 1" = 50'
TITLE SOURCE: AS SHOWN

PREPARED BY:
APEX
LAND SURVEYS
P.O. BOX 1169
BARBOURVILLE, KY. 40906
(606) 546-3889
RICHARD FREDERICK, LS

PREPARED FOR:
CITY OF BARBOURVILLE
196 DANIEL BOONE, DRIVE
BARBOURVILLE, KENTUCKY 40906

PROJECT:
ANNEXATION
20

BARBOURVILLE CITY COUNCIL
REGULAR MEETING
FEBRUARY 5, 2004

The Barbourville City Council met in a regular meeting on Thursday, February 5, 2004 at 7:30 p.m.

Members present: Wilma Barnes, Jane Skidmore, Cecil Davenport, Bert Scent, Gerald Hyde and Calvin Manis.

Members absent: None.

The meeting was called to order by Mayor W. Patrick Hauser.

A motion was made by Bert Scent second by Jane Skidmore to approve the Minutes of the January 8, 2004 regular meeting as presented. Motion Carried.

A motion was made by Wilma Barnes second by Cecil Davenport to approve the Second Reading and Passage of Ordinance # 2004-1, Prior Consent for Annexation of the Mavetta R. Swope property. Motion Carried.

OLD BUSINESS

The Mayor gave an update on the Lucy Helton property situation. He stated that Mrs. Helton's survey did not show the property line and requested the City Attorney contact a surveyor to determine the property line before any property can be exchanged.

NEW BUSINESS

Reports:

Officer Bill Swafford gave the Police Activity Report for the month of January 2004. Officer Swafford further stated that 6 new police cruisers have been purchased and are equipped and on the road.

The Mayor requested the Police direct traffic at the four way stop on Daniel Boone Drive weekday morning at 8:00 a.m. to help with the school traffic.

Jim Tye, Fire Chief stated that the Fire Department has made 4 runs since the last meeting. Chief Tye also stated that the Fire Department is in the process of analyzing their vehicle needs.

Jim Tye, Administrative Director stated that a meeting of the Finance Committee needs to be scheduled for preparation of next years budget. Mr. Tye also stated that he is in the process of acquiring quotes for the General Liability Insurance and the Hospitalization Insurance coverage. Mr. Tye further reported that the City has applied for a grant of \$31,923.00 to add 2 more high pitch sirens. The Utility Commission will set the utility poles, which will count as in kind expenses for the grant.

A motion was made by Calvin Manis second by Cecil Davenport to approve the reports as presented. Motion Carried.

A motion was made by Jane Skidmore second by Wilma Barnes to approve a Resolution supporting the efforts of the Barbourville Tourist and Recreation Commission and the Barbourville Main Street/Renaissance to purchase and restore the Owens House on High Street. Motion Carried.

A motion was made by Cecil Davenport second by Calvin Manis to authorize the Mayor to execute the deed from Union College to the City of Barbourville accepting the property of College Park Drive in the City's street system. Motion Carried.

BARBOURVILLE CITY COUNCIL
REGULAR MEETING
FEBRUARY 5, 2004 (continued)

The Mayor read a letter from Mrs. Lois Morris requesting a time limit on the handicapped parking on the Court Square. It was stated that the City couldn't limit the parking time on handicapped space and not on others.

A motion was made by Bert Scent second by Wilma Barnes to approve payment of the monthly bills. Motion Carried.

Councilman Gerald Hyde requested that an Ordinance be drawn up or something done to control the giving away of city amenities such as sewer, water and electric. After a discussion it was decided a joint meeting of the Utility Commission and the City Council be scheduled.

A motion was made by Bert Scent second by Calvin Manis to adjourn. Motion Carried.

Mayor  Clerk 