

# CITY CLERK CERTIFICATION

I, the undersigned, being duly appointed, qualified and acting as the City Clerk of the City of Booneville, Kentucky, hereby certify that the foregoing Resolution No. 2016-02(2) is a true, correct and complete copy as duly and lawfully passed and adopted by the Booneville City Council at a duly convened board of Commissioners regular monthly meeting held on the 10<sup>th</sup> day of February, 2016 all as appears in the official records of said City.

**Witness**, my hand and (Notary Seal), this 10<sup>th</sup> day of February, 2016.

Tamara Shouse  
Tamara Shouse, City Clerk

Seal (Notarial or City Seal)

RECEIVED AND FILED  
DATE July 13, 2016  
\_\_\_\_\_  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Johnson

## **Resolution 2016-02 (2)**

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 11132002

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

WHEREAS, each individual annexation contains a prior survey prepared by CMW,

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

WHEREAS, the City wishes to comply with the requirements of Amended KRS 81A.4 70 effective July 12<sup>th</sup>, 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.

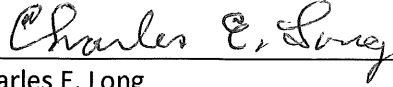
WHEREAS, the City held first (1<sup>st</sup>) reading of the ordinance May 30<sup>th</sup> 2001 and the second reading and final passage on the 30<sup>th</sup> day of August 2001. Annexation was challenged after passage on the 30<sup>th</sup> day of August 2001, the City was advise to present annexation question to voters in the protested area, Annexation question "Are you in favor of being annexed to the City of Booneville?" was placed on the ballot to be voted on November 5, 2002, annexation question received zero (0) votes. The City updated ordinance to reflect date post-election of November 13, 2002 as final passage of annexation two (2).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOONEVILLE, KENTUCKY:

SECTION 1. That the City Council of the City of Booneville hereby adopts the following legal description, and a plat attached hereto as prepared by  
by new plat as an accurate depiction of the property previously annexed into the corporate city limits of the City of Booneville by Ordinance 11132002 dated November 13<sup>th</sup> 2002, a copy of which is attached hereto 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 CMW Inc. is attached as Exhibit A labeled "Resolution for Original Ordinance 11132002". The Plat is attached as Exhibit B on plat labeled "RESOLUTION PLAT DEPICTING Original Ordinance 11132002"

Adopted by a vote of 3 in favor, 0 against, 0 abstentions this 10<sup>th</sup> day of February, 2016.



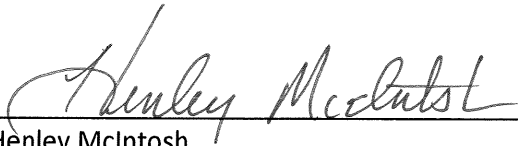
Charles E. Long  
Mayor

ATTESTED BY:



Tamara Shouse  
City Clerk

APPROVED AS TO FORM AND LEGALITY:



Henley McIntosh  
Attorney at Law  
Mulberry Street  
P.O. Box  
Booneville KY, 41314  
606-593-6233

## BOONEVILLE ANNEXATION No. 2

The purpose of this description is to denote the boundary of the lands referred to as Annexation No. 2 added to the City of Booneville, Kentucky on November 13, 2002 using metes and bounds as follows.

Beginning at a point in the centerline of Highway #11; thence leaving said centerline, N 57° 11' 55" E 222.50 feet to a point in the centerline of a drain. Thence coincident with the centerline of said drain, the next six calls -

N 66° 36' 15" E 80.99 feet, to a point;  
N 48° 38' 27" E 137.14 feet, to a point;  
N 71° 37' 17" E 169.28 feet, to a point;  
N 88° 04' 29" E 128.16 feet, to a point;  
N 42° 33' 03" E 34.71 feet, to a point;  
N 73° 03' 55" E 207.64 feet, to a point in the centerline of Old Highway #11.

Thence coincident with the centerline of Old Highway #11, the next twelve calls -

S 44° 44' 30" E 105.62 feet, to a point;  
S 68° 40' 54" E 100.67 feet, to a point;  
S 86° 02' 56" E 289.36 feet, to a point;  
S 81° 16' 41" E 102.00 feet, to a point;  
S 72° 06' 51" E 77.77 feet, to a point;  
S 65° 20' 46" E 88.29 feet, to a point;  
S 55° 43' 02" E 206.30 feet, to a point;  
S 43° 53' 18" E 149.21 feet, to a point;  
S 34° 41' 08" E 158.12 feet, to a point;  
S 25° 19' 44" E 179.74 feet, to a point;  
S 19° 38' 17" E 115.00 feet, to a point;  
S 26° 39' 47" E 273.42 feet, to a point.

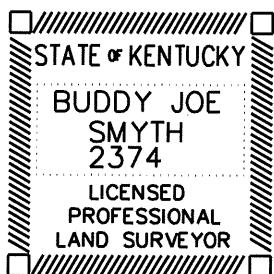
Thence leaving said centerline of Old Highway #11, the next four calls -

N 79° 44' 17" W 18.75 feet, to a point;  
N 51° 11' 58" W 193.28 feet, to a point;  
N 40° 18' 23" W 472.49 feet, to a point;  
S 85° 33' 23" W 1064.81 feet, to a point in the centerline of Highway #11.

Thence coincident with the centerline of Highway #11, N 66° 14' 44" W 713.23 feet, to the point of beginning, containing 20.12 acres.

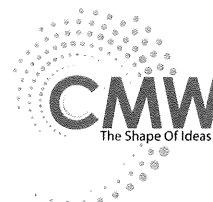
The metes and bounds above are based on the legal description and survey by CMW, Inc., Robin E. May, PLS 3160 on 7-15-2000. This description does not constitute a boundary survey and is intended only to describe the property annexed by Booneville on November 13, 2002. This description is for a KRS 81A.470 annexation submission so a field survey was not performed. Per the administrative supervisor of the land office division for the secretary of state, the board of licensure for land surveyors allows surveyors to use existing documents to prepare their descriptions for KRS 81A.470 submissions.

The boundary depicted by this description is a closed geometric figure with an unadjusted precision ratio of greater than 1:10000. The boundary described hereon complies with KRS 81A:470 for annexations.



*Buddy J Smyth*  
Buddy Joe Smyth, PLS #2374

6-28-2016  
Date



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.