

RECEIVED AND FILED
DATE Sept. 23, 2016

Resolution 2016-08

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Bardie Adkinson

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 10142009

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 Engineering Inc.

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 12th, 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 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 Nesbitt Engineering by new plat as an accurate depiction of the property previously annexed into the corporate city limits of the City of Booneville by Ordinance 10142009 dated April 10, 2010, 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 Nesbitt Inc. is attached as Exhibit A labeled "Resolution for Original Ordinance 10142009". The Plat is attached as Exhibit B on plat labeled "RESOLUTION PLAT DEPICTING Original Ordinance 10142009".

Adopted by a vote of 4 in favor, 4 against, 0 abstentions this 10th day of August 10, 2016.

Charles Long

Charles E. Long
Mayor

ATTESTED BY:

Tamara Shouse

Tamara Shouse
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Wade Rasner

Wade Rasner Attorney at Law
P.O. Box 278
Booneville KY 41314
606-593-6300

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. 2016-08 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 10th day of August, 2016 all as appears in the official records of said City.

Witness, my hand and (Notary Seal), this 10th day of August, 2016.

Tamara Shouse
Tamara Shouse, City Clerk

Seal (Notarial or City Seal)

Legal Description SAG HOLLOW BOUNDARY

Being a parcel of land situated in the State of Kentucky, County of Owsley, and being all of the lands of A.H. & Cora Baker as recorded in Deed Book 10, Page 561, Deed Book 13 Page 177, Deed Book 14 Page 384, Deed Book 20 Page 106, Deed Book 22 Page 217 all references being to the Owsley County Clerk's Office, Owsley County, Kentucky and being more particularly described as follows:

Beginning at the Grantor's southwesterly property corner, said point being in the center line of Buck Creek and being a corner to Lorin and Otis Frye Deed Book 19 Page 299;

Thence leaving Center Line of Buck Creek and following said Frye Property line the following six courses:

- 1) South 46°07'45" West a distance of 22.31 feet to a point;
- 2) South 46°07'45" West a distance of 104.69 feet to triple Sycamore and 24" Hemlock Tree;
- 3) South 79°49'19" West a distance of 71.83 feet to a 32" Beech Tree;
- 4) South 23°03'19" West a distance of 49.23 feet to the edge of a large Rock;
- 5) North 81°06'47" West a distance of 91.59 feet to a Triple Sycamore;
- 6) South 75°42'00" West a distance of 34.26 feet to a Fence Post in the center line of Buck Creek;

Thence with center line of Buck Creek and said Frye line the following five calls:

- 1) South 04°55'36" West a distance of 76.66 feet to a point;
- 2) South 22°38'53" West a distance of 36.44 feet to an Ironwood Tree;
- 3) South 11°28'31" West a distance of 58.33 feet to a point;
- 4) South 00°50'00" West a distance of 113.74 feet to a point;
- 5) South 13°28'03" East a distance of 79.91 feet to a fence post;

Thence leaving centerline of Buck Creek and continuing with said Frye line the following three calls:

- 1) South 57°32'46" West a distance of 25.60 feet to a 12" Walnut Tree;

- 2) South 69°38'24" West a distance of 33.44 feet to a 14" Hickory Tree;
- 3) South 82°01'18" West a distance of 74.71 feet to the Right-of-way of Buck Creek Road;

Thence following the Right-of-Way of Buck Creek Road the following five calls:

- 1) With a curve turning to the right with an arc length of 338.82 feet, a radius of 1076.76 feet and a chord bearing of N 1°54'38" W;
- 2) With a curve turning to the left with an arc length of 235.80 feet, a radius of 289.97' and a chord bearing of N 8°42'47" W to a point;
- 3) North 38°16'23" West a distance of 169.13 feet to a point;
- 4) With a curve turning to the left with an arc length of 359.74 feet, a radius of 766.01 feet and a chord bearing of N 51°17'19" W to a point;
- 5) With a curve turning to the right with an arc length of 101.54 feet, a radius of 155.96 feet and a chord bearing of N 42°03'30" W to an Iron Pin set;

Thence leaving the Right-of-Way of Buck Creek Road and following the line of Wendell and Thelma Wilson Deed Book 62 Page 593 the following Twenty Seven calls:

- 1) North 78°35'45" East a distance of 65.81 feet to a 24" Hickory Tree;
- 2) North 60°16'29" East a distance of 88.59 feet to a 36" Stump;
- 3) North 59°32'31" East a distance of 56.47 feet to a 12" Water Birch Tree;
- 4) North 62°01'16" East a distance of 54.14 feet to a 12" Hemlock Tree;
- 5) North 55°58'45" East a distance of 47.59 feet to a 14" Buckeye Tree;
- 6) South 86°41'25" East a distance of 43.47 feet to a 36" Hemlock Tree;
- 7) South 64°48'23" East a distance of 50.11 feet to an 8" Maple Tree;
- 8) North 43°44'09" East a distance of 59.76 feet to an 8" Water Birch Tree;
- 9) North 37°09'50" East a distance of 72.26 feet to a Triple Sycamore Tree;
- 10) North 11°22'46" East a distance of 74.19 feet to a 36" Sycamore Tree;
- 11) North 12°49'39" East a distance of 77.58 feet to a 10" Buckeye Tree;
- 12) North 17°34'27" East a distance of 44.12 feet to a 20" White Oak Tree;

- 13) North $02^{\circ}09'44''$ East a distance of 49.01 feet to a 12" Snag;
- 14) North $44^{\circ}28'51''$ East a distance of 48.51 feet to an 18" Oak Tree;
- 15) North $21^{\circ}40'10''$ West a distance of 56.63 feet to a 10" White Oak Tree;
- 16) North $08^{\circ}49'21''$ East a distance of 21.63 feet to an 8" Black Oak Tree;
- 17) North $14^{\circ}08'38''$ West a distance of 29.18 feet to a 10" White Oak Tree;
- 18) North $35^{\circ}09'55''$ West a distance of 86.20 feet to a 6" Maple Tree;
- 19) North $06^{\circ}04'59''$ West a distance of 58.86 feet to an Iron Pin at the base of a 14" Oak Tree;
- 20) North $21^{\circ}28'18''$ West a distance of 68.03 feet to a 22" White Oak Tree;
- 21) North $27^{\circ}22'43''$ West a distance of 81.89 feet to an Iron Pin at the base of a 3" Hickory Tree;
- 22) North $35^{\circ}42'27''$ West a distance of 109.38 feet to a 10" Hickory Tree;
- 23) North $36^{\circ}27'22''$ West a distance of 33.35 feet to an Iron Pin at the base of a 6" Hickory Tree;
- 24) North $40^{\circ}00'21''$ West a distance of 84.68 feet to an 8" White Oak Tree;
- 25) North $34^{\circ}43'33''$ West a distance of 47.14 feet to an Iron Pin at the base of an 8" Yellow Pine;
- 26) North $38^{\circ}55'56''$ West a distance of 132.51 feet to a 12" Yellow Pine Tree;
- 27) North $31^{\circ}33'01''$ West a distance of 27.12 feet to an iron pin;

Thence leaving said Wilson line and following Timon & Virgie Hacker Deed Book 33 Page 43,
The following Six calls;

- 1) North $45^{\circ}46'50''$ East a distance of 81.55 feet to a 10" Maple Tree;
- 2) North $49^{\circ}12'56''$ East a distance of 182.51 feet to an 18" White Oak Tree;
- 3) North $07^{\circ}06'21''$ East a distance of 260.00 feet to a point;
- 4) North $12^{\circ}18'02''$ East a distance of 331.35 feet to a point;

- 5) North $01^{\circ}45'00''$ East a distance of 321.40 feet to a Dead Double Black Oak Tree;
- 6) North $19^{\circ}08'09''$ West a distance of 115.08 feet to an Iron Pin at the base of a Dead Stump. And also being corner to John Gibson Heirs Deed Book 40 Page 90:

Thence leaving said Hacker line and with said Gibson Heirs line the following Twenty Eight calls:

- 1) North $40^{\circ}33'14''$ East a distance of 37.03 feet to a Forked White Oak Tree;
- 2) North $36^{\circ}27'02''$ East a distance of 52.08 feet to a 14" Chestnut Oak;
- 3) North $41^{\circ}10'23''$ East a distance of 117.25 feet to a 15" Hickory Tree;
- 4) North $36^{\circ}27'52''$ East a distance of 121.12 feet to an Iron Pin at the base of a 30" Chestnut Oak Tree;
- 5) North $02^{\circ}43'29''$ East a distance of 33.63 feet to a 24" Double Black Oak Tree;
- 6) North $17^{\circ}06'46''$ East a distance of 56.33 feet to a 30" Black Oak Tree;
- 7) North $15^{\circ}39'49''$ East a distance of 42.18 feet to a Fence Post;
- 8) North $25^{\circ}47'43''$ East a distance of 44.20 feet to an Iron Pin at the base of a 20" Pine Tree;
- 9) North $15^{\circ}23'12''$ East a distance of 68.14 feet to a 12" Pine Tree;
- 10) North $20^{\circ}22'56''$ East a distance of 47.45 feet to a point;
- 11) North $23^{\circ}41'43''$ East a distance of 143.96 feet to an Iron Pin;
- 12) North $69^{\circ}39'06''$ East a distance of 66.74 feet to a 10" Chestnut Oak Tree;
- 13) North $71^{\circ}02'54''$ East a distance of 149.73 feet to a 5" Chestnut Oak Tree;
- 14) North $67^{\circ}19'07''$ East a distance of 353.22 feet to a point;
- 15) North $60^{\circ}43'17''$ East a distance of 87.46 feet to a 36" Forked Black Oak Tree;
- 16) North $72^{\circ}30'33''$ East a distance of 66.12 feet to an Iron Pin at the base of a fence post;
- 17) North $59^{\circ}06'12''$ East a distance of 130.74 feet to a Fence Post;
- 18) North $47^{\circ}59'50''$ East a distance of 122.77 feet to an Iron Pin at the base of a 28" White Oak Tree;

- 19) North $09^{\circ}14'06''$ East a distance of 60.05 feet to a 26" Black Oak Tree;
- 20) North $00^{\circ}15'23''$ West a distance of 37.01 feet to an Iron Pin at the base of a Double Black Oak Tree;
- 21) North $01^{\circ}11'57''$ West a distance of 75.29 feet to a 26" Black Oak Tree;
- 22) North $15^{\circ}52'05''$ West a distance of 31.37 feet to a 24" Chestnut Oak Tree;
- 23) North $18^{\circ}14'40''$ West a distance of 36.37 feet to an Iron Pin at the base of a Triple Maple Tree;
- 24) North $17^{\circ}21'48''$ West a distance of 27.85 feet to a 12" Hickory Tree;
- 25) North $32^{\circ}44'41''$ West a distance of 38.58 feet to a 26" White Oak Tree;
- 26) North $10^{\circ}15'35''$ West a distance of 98.43 feet to an Iron Pin at the base of a 36" Black Oak Tree;
- 27) North $07^{\circ}20'16''$ West a distance of 173.65 feet to a 14" Chestnut Oak Tree;
- 28) North $01^{\circ}14'08''$ East a distance of 86.98 feet to an Iron Pin at the base of a 26" Black Oak Tree, also being a common corner to Owsley County Fiscal Court (No Deed Reference Found)

Thence leaving said Gibson line and with the line of the Owsley County Fiscal Court Line the following Twelve calls:

- 1) North $51^{\circ}29'46''$ East a distance of 41.92 feet to a 12" Hickory Tree;
- 2) North $59^{\circ}13'40''$ East a distance of 58.35 feet to a 14" Black Oak Tree;
- 3) North $64^{\circ}50'26''$ East a distance of 237.47 feet to an Iron Pin at the base of a 14" Hickory Tree;
- 4) North $78^{\circ}15'24''$ East a distance of 189.85 feet to a 16" Poplar Tree;
- 5) North $73^{\circ}45'59''$ East a distance of 101.63 feet to an Iron Pin at the base of a 10" Maple Tree;
- 6) North $71^{\circ}56'08''$ East a distance of 105.08 feet to a 26" Black Oak Tree;
- 7) North $68^{\circ}46'23''$ East a distance of 46.53 feet to a Double Poplar Tree;

- 8) North 53°35'25" East a distance of 111.81 feet to an Iron Pin at the base of a 24" Beech Tree;
- 9) North 46°25'00" East a distance of 58.51 feet to a 4" Black Oak Tree;
- 10) North 34°47'32" East a distance of 87.90 feet to an Iron Pin at the base of an 18" White Oak Tree;
- 11) North 69°55'54" East a distance of 185.08 feet to a 14" Black Oak Tree;
- 12) North 62°47'01" East a distance of 169.04 feet to an iron pin and common corner to George McIntosh Deed Book 24 Page 407;

Thence leaving Owsley County Fiscal Court Line and with said McIntosh line the following Four calls:

- 1) South 72°27'28" East a distance of 110.91 feet to a 10" Pine Tree;
- 2) South 50°50'04" East a distance of 111.32 feet to a 16" Double Birch Tree;
- 3) South 46°45'34" East a distance of 221.66 feet to an 18" Forked Box Elder Tree;
- 4) South 34°49'19" East a distance of 137.59 feet to an Iron Pin at the base of a 4" Locust Tree, and common corner to Ova and Peggy Cornett Deed Book 40 Page 627.

Thence leaving said McIntosh line and with the Cornett line the following Three calls:

- 1) South 42°04'17" East a distance of 229.39 feet to an Iron Pin at the base of a 4" Maple Tree;
- 2) South 52°00'43" East a distance of 135.91 feet to an Iron Pin at the base of a 12" Pine Tree;
- 3) South 13°15'42" East a distance of 180.68 feet to an Iron Pin in a fence line, and being a common corner to Elbert and Clora McDaniels Deed book 23 Page 623.

Thence leaving the McIntosh line and with the McDaniels's line the following Seven calls:

- 1) South 55°52'45" West a distance of 38.50 feet to a 12" White Oak Tree;
- 2) South 54°36'47" West a distance of 110.39 feet to a 14" Black Oak Tree;
- 3) South 49°46'33" West a distance of 150.06 feet to a 14" Pine Tree;
- 4) South 46°19'19" West a distance of 99.26 feet to a 14" White Oak Tree;

- 5) South 45°16'49" West a distance of 127.21 feet to a 16" Walnut Tree;
- 6) South 63°05'31" West a distance of 57.88 feet to a 26" White Oak Tree;
- 7) South 39°49'13" West a distance of 76.09 feet to a 30" Beech Tree, and being a common corner to the Ida Dean Heirs Deed book Page 480.

Thence leaving McDaniel's line and with the Dean Heirs the following Eight calls:

- 1) South 59°04'48" West a distance of 82.87 feet to a 14" White Oak Tree;
- 2) South 49°36'25" West a distance of 61.41 feet to a 10" Black Oak Tree;
- 3) South 50°24'04" West a distance of 85.06 feet to an Iron Pin at the base of a 16" Maple Tree;
- 4) South 31°47'20" West a distance of 82.99 feet to a 10" Hickory Tree;
- 5) South 33°37'09" West a distance of 77.18 feet to an Iron Pin at the base of an 18" White Oak Tree;
- 6) South 23°41'49" West a distance of 264.59 feet to a 16" White Oak Tree;
- 7) South 20°32'21" West a distance of 57.47 feet to a 12" Birch Tree;
- 8) South 21°30'50" West a distance of 96.29 feet to an Iron Pin at the base of a 30" White Oak Tree, being a common corner to Mary Dean Deed Book 31 Page 669;

Thence leaving said Dean Heirs and with Mary Dean the following Sixteen calls:

- 1) South 66°52'48" West a distance of 124.86 feet to an Iron Pin at the base of a 26" White Oak Tree;
- 2) South 71°04'43" West a distance of 414.29 feet to a T-Post;
- 3) South 05°03'30" East a distance of 206.19 feet to a T-Post;
- 4) South 34°28'36" West a distance of 280.93 feet to a T-Post;
- 5) South 22°18'50" West a distance of 159.93 feet to a T-Post;
- 6) South 63°03'42" East a distance of 321.71 feet to a Point;
- 7) South 86°01'16" East a distance of 221.37 feet to an Iron Pin at the base of a 10" Locust Tree;

- 8) North 53°23'55" East a distance of 225.40 feet to a 34" Black Oak Tree;
- 9) North 49°13'13" East a distance of 88.91 feet to a Point;
- 10) South 58°57'28" East a distance of 538.25 feet to an Iron Pin at the base of a Dead Stump;
- 11) North 20°28'27" West a distance of 70.15 feet to a Forked White Oak Tree;
- 12) North 04°40'11" West a distance of 74.79 feet to a 36" White Oak Tree;
- 13) North 03°43'37" West a distance of 197.68 feet to a 34" White Oak Tree;
- 14) North 08°54'37" West a distance of 173.09 feet to a 28" White Oak Tree;
- 15) North 12°23'24" East a distance of 19.36 feet to a Fence Post;
- 16) North 87°02'55" East a distance of 82.49 feet Crossing Dean Road to a point, being common corner to Larry Mason C/O Geneva Mason Deed Book 59 Page 186.

Thence Leaving said Dean Line with the Right-of-Way of Buck Creek Road and Mason North 54°58'29" East a distance of 220.28 feet to a point in the center of Buck Creek:

Thence with the center of Buck Creek the following Thirty Five calls:

- 1) South 20°29'55" East a distance of 185.82 feet to a point;
- 2) South 35°17'28" East a distance of 262.44 feet to a point;
- 3) South 34°09'31" East a distance of 145.71 feet to a point;
- 4) South 28°36'51" East a distance of 128.87 feet to a point;
- 5) South 02°52'19" East a distance of 54.87 feet to a point;
- 6) South 03°09'30" West a distance of 43.20 feet to a point;
- 7) South 13°52'36" West a distance of 119.80 feet to a point;
- 8) South 20°09'33" West a distance of 138.90 feet to a point;
- 9) South 22°52'04" West a distance of 181.59 feet to a point;
- 10) South 40°59'40" West a distance of 193.57 feet to a point;

- 11) South $18^{\circ}16'32''$ West a distance of 132.39 feet to a point;
- 12) South $41^{\circ}29'50''$ West a distance of 133.53 feet to a point;
- 13) South $55^{\circ}37'22''$ West a distance of 213.74 feet to a point;
- 14) South $84^{\circ}05'01''$ West a distance of 197.56 feet to a point;
- 15) South $64^{\circ}07'22''$ West a distance of 233.51 feet to a point;
- 16) South $60^{\circ}10'23''$ West a distance of 153.82 feet to a point;
- 17) South $56^{\circ}23'31''$ West a distance of 147.96 feet to a point;
- 18) South $49^{\circ}55'25''$ West a distance of 105.08 feet to a point;
- 19) South $46^{\circ}45'59''$ West a distance of 118.62 feet to a point;
- 20) South $56^{\circ}05'35''$ West a distance of 262.96 feet to a point;
- 21) South $68^{\circ}37'59''$ West a distance of 251.38 feet to a point;
- 22) South $34^{\circ}33'07''$ West a distance of 109.63 feet to a point;
- 23) South $33^{\circ}12'54''$ West a distance of 52.20 feet to a point;
- 24) South $25^{\circ}56'21''$ West a distance of 199.64 feet to a point;
- 25) South $25^{\circ}36'20''$ West a distance of 93.08 feet to a point;
- 26) South $42^{\circ}40'04''$ West a distance of 72.06 feet to a point;
- 27) South $57^{\circ}36'38''$ West a distance of 180.91 feet to a point;
- 28) South $64^{\circ}11'16''$ West a distance of 136.63 feet to a point;
- 29) South $71^{\circ}42'46''$ West a distance of 61.42 feet to a point;
- 30) South $63^{\circ}58'38''$ West a distance of 86.40 feet to a point;
- 31) South $51^{\circ}27'38''$ West a distance of 53.57 feet to a point;
- 32) South $47^{\circ}39'04''$ West a distance of 28.15 feet to a point;
- 33) North $76^{\circ}23'01''$ West a distance of 64.16 feet to a point;
- 34) North $37^{\circ}01'09''$ West a distance of 29.69 feet to a point;

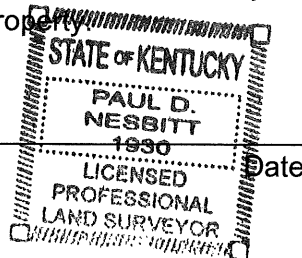
35) North 18°35'34" West a distance of 32.36 feet to the point of beginning.

The above described parcel contains 229.47 Acres. This Legal description prepared by Nesbitt Engineering, Inc. and based on a plat prepared by CMW, Inc. and Alchemy Engineering Associates, Inc. It was prepared for the City of Booneville. Subject to all legal easements, rights of way, and use restrictions of record.

For mapping purposes, the Metes and Bounds calls of the Annexation Ordinance has been rotated to Kentucky State Plane, NAD 83, One Zone Coordinates.

This description and accompanying exhibit are to be used to define an Annexation Boundary for the Corporate Limit of the City of Booneville, KY. Neither this description or nor the attached exhibit meet the minimum Standards for Land Surveys in the Commonwealth of Kentucky and is not intended for the transfer of property.


Paul D. Nesbitt, PE, PLS



9/20/16

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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