

CERTIFICATION

I, Crissa Morris, Clerk of the City of Burnside, Kentucky do hereby certify that, the attached Resolution 2011- 001 is a true and correct copy as was presented to the City Council of the City of Burnside, Kentucky at their special meeting on June 3, 2011.

Given under my hand this 3 day of June, 2011.

Crissa Morris  
CITY CLERK

(Seal)

RECEIVED AND FILED  
DATE June 24, 2011  
\_\_\_\_\_  
ELAINE N. WALKER  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkins

Ms-20

ORDINANCE

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IN ANNEXING CERTAIN LANDS TO THE CITY OF BURNSIDE, KENTUCKY  
THE CITY COUNCIL OF THE CITY OF BURNSIDE, KENTUCKY, DOES ORDAIN AS  
FOLLOWS:

SECTION 1: THAT THE FOLLOWING DESCRIBED LAND ADJOINING THE LIMITS OF THE  
CITY OF BURNSIDE, ALL OF WHICH IS LOCATED IN THE COUNTY OF PULASKI, STATE OF KEN-  
TUCKY, IS HEREBY ADDED TO, TAKEN INTO, AND MADE A PART OF THE CITY OF BURNSIDE:

BEGINNING AT A POINT IN THE ORIGINAL CITY LIMITS OF THE CITY  
OF BURNSIDE AS SET FORTH IN "AN ACT TO INCORPORATE THE TOWN  
OF BURNSIDE, PULASKI COUNTY, KENTUCKY", AS FOUND IN THE ACTS  
OF 1889-90 - VOL. 44, CHAPTER 303, PAGE 572, MARCH 6, 1890;  
SAID POINT FORMERLY BEING A ROCK CORNER AS CALLED FOR IN THE  
NEXT TO THE LAST CALL OF THE ORIGINAL DESCRIPTION OF PARAGRAPH  
"2. LIMITS", IN ABOVE MENTIONED ACT; SAID POINT NOW BEING COV-  
ERED BY THE WATERS OF LAKE CUMBERLAND; THENCE LEAVING SAID  
ORIGINAL CITY LIMITS AND INCLUDING THE LANDS AND PROPERTY THAT  
LIES ACROSS LAKE CUMBERLAND TO THE NORTHWEST OF BURNSIDE BETWEEN  
THE NOW EXISTING NORTH CITY LIMITS AND EXTENDING NORTH TO THE  
SOUTH SIDE OF PITMAN CREEK AND BETWEEN THE SOUTHERN RAILROAD ON  
THE EAST AND EXTENDING WEST TO THE EAST SIDE OF THE MAIN BODY  
OF WATER OF LAKE CUMBERLAND, ALL AS SHOWN ON A MAP OF THIS AREA  
AS PREPARED BY CRAWFORD AND CRAWFORD AND GLYDE P. MASON, CON-  
SULTING ENGINEERS, AND MORE FULLY DESCRIBED AS FOLLOWS; THENCE  
LEAVING ORIGINAL CITY LIMITS AND OLD ROCK CORNER AS DESCRIBED  
ABOVE, THE FOLLOWING CALLS IN THE FOLLOWING ORDER: (1) N-87°00'W,  
500.00 FEET, (2) N-62°00'W, 1,600.00 FEET, (3) N-37°00'W, 800.00  
FEET, (4) N-22°W, 1,150.00 FEET TO A POINT NEAR THE NORTH OF PIT-  
MAN CREEK ON LAKE CUMBERLAND, THE PAST FOUR CALLS HAVING BEEN  
ALONG THE EAST SIDE OF THE MAIN BODY OF WATER OF LAKE CUMBERLAND;  
THENCE ALONG THE SOUTH SIDE OF PITMAN CREEK AND UP THE STREAM,  
(5) N-61°00'E, 1,200.00 FEET, (6) S-69°00'E, 700.00 FEET; (7)  
N-81°00'E, 450.00 FEET, (8) N-41°00'E, 300.00 FEET, (9) N-09°00'W,  
800.00 FEET, (10) N-06°00'E, 700.00 FEET, (11) N-19°00'W, 850.00  
FEET, (12) N-66°00'E, 670.00 FEET, (13) S-24°00'E, 600.00 FEET,  
(14) S-84°00'E, 450.00 FEET, (15) DUE EAST, 300.00 FEET TO A  
POINT NEAR THE EAST SIDE OF THE SOUTHERN RAILROAD; THENCE FOLLOW-  
ING ALONG THE EAST SIDE OF SAID RAILROAD, THE FOLLOWING CALLS,  
(16) S-22°00'W, 250.00 FEET, (17) S-09°00'W, 350.00 FEET, (18)  
S-01°00'E, 251.00 FEET, (19) S-11°00'E, 250.00 FEET, (20) S-21°  
00'E, 250.00 FEET, (21) S-31°00'E, 250.00 FEET, (22) S-39°00'E,  
740.00 FEET TO A POINT IN THE EXISTING CITY LIMITS LINE; THENCE  
THE FOLLOWING CALLS ALONG THE ORIGINAL CITY LIMITS LINE, (23)  
S-45°00'W, 1,240.00 FEET, (24) S-30°00'W, 759.00 FEET, (25)  
S-05°00'W, 1,425.00 FEET TO THE POINT OF BEGINNING AND CONTAINING  
246 1/2 ACRES, MORE OR LESS.

SECTION 2: THAT ON THE TAKING EFFECT OF THIS ORDINANCE, THE CORPORATE  
LIMITS AND BOUNDARY LINES OF THE CITY OF BURNSIDE, SHALL BE AS THEY ARE HEREBEFORE

DESCRIBED AND AS PRIOR TO THE PASSAGE OF THIS ORDINANCE TO THE ADDITION OF THE ABOVE DESCRIBED LAND.

SECTION 3: ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

SECTION 4: THIS ORDINANCE SHALL BE AND BECOME IN FULL FORCE AND EFFECT, AFTER ITS PASSAGE, APPROVAL AND POSTING OR PUBLICATION AS REQUIRED BY LAW.

PUBLICLY READ, PASSED AND APPROVED, THIS 1st DAY OF June, 1964.

Arthur Lewis  
MAYOR, CITY OF BURNSIDE

ATTEST: Clarice Brooks  
CITY CLERK

*Minute Book*  
First reading May 4-1964 (Page 45)  
Second reading May 25-1964 (Page 46)  
Third reading June 1-1964 (Page 48)  
Copies placed in the following  
Burnside Pharmacy  
U.S. Post Office  
Burnside City Hall  
1st + Farmers National Bank

# 2011-001

RESOLUTION =

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

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

WHEREAS, each individual annexation contains a prior survey off 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 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.470 effective July 13, 2004; and

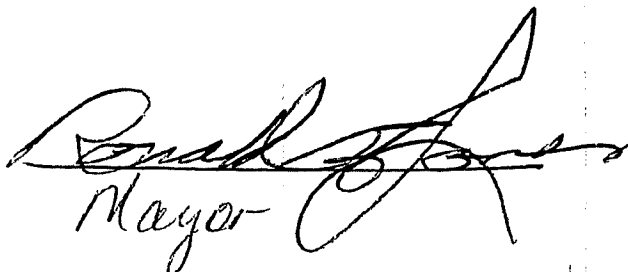
WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

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

SECTION 1. That the City Council of the City of Burnside hereby adopts the following legal description, and a plat attached hereto as prepared by Anthony G. Thompson, Licensed Professional Surveyor No. 3630 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Burnside by Ordinance No. 1103, dated June 1, 1964, a copy of which is 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 Anthony G. Thompson a Licensed Professional Land surveyor No. 3630 is as follows.

Approved: 6/3/2011

  
Mayor

Attested: Crisa Morris  
Acting City Clerk

**Annexation  
Ordinance # 110.3  
Description**

A certain tract or parcel of land located north of, and adjacent to the City limits of Burnside, Kentucky and more particularly described as follows:

Anthony G. Thompson PLS #3630 of AGT Land Surveying, Firm Permit #496, prepared the following description. Said description was prepared using record information from the Pulaski County Court Clerk's office, in Somerset, Kentucky and maps provided by the **United States Army Corp of Engineers**. Some field measurements were taken using GPS, and noted on attached Plat. This is not a Boundary survey and is for annexation purposes only.

**Beginning** at a point, now under the waters of Lake Cumberland, said point being a corner to the City of Burnside per Ordinance # 110.1, and Ordinance # 110.5, said point having a KY State Plane single zone coordinate of (N: 3,521,682.317 E: 5,254,113.485);

**Thence** with said Burnside Ordinance # 110.5, N 88°05'56" W a distance of 436.07' to a point on the U.S.A.C.E. line;

**Thence** continuing with said Burnside Ordinance # 110.5 and the U.S.A.C.E. line the following five (5) calls:

- 1) N 69°19'53" W a distance of 614.54';
- 2) N 65°46'35" W a distance of 568.47';
- 3) N 60°25'13" W a distance of 486.73';
- 4) N 34°02'25" W a distance of 876.84' to U.S.A.C.E. monument Z 2608-9;
- 5) N 28°59'02" W a distance of 944.77' to U.S.A.C.E. monument Z 2608-8;

**Thence** with the U.S.A.C.E. line on the south side of Pitman Creek the following seven (7) calls:

- 1) N 58°08'33" E a distance of 1110.18' to U.S.A.C.E. monument Z 2608-7;
- 2) S 77°14'46" E a distance of 746.23';
- 3) N 82°32'58" E a distance of 434.84';
- 4) N 42°38'57" E a distance of 309.64' to U.S.A.C.E. monument Z 2608-4;
- 5) N 15°31'20" W a distance of 800.00';
- 6) N 00°31'20" W a distance of 700.00';
- 7) N 15°58'12" W a distance of 815.37' to a point in the line of Burnside Ordinance 110.4;

**Thence** with said Burnside Ordinance 110.4, N 50°35'29" E a distance of 698.61';

**Thence** with the U.S.A.C.E. the following three (3) calls:

- 1) S 27°13'51" E a distance of 600.00';
- 2) S 87°13'51" E a distance of 450.00';
- 3) N 86°46'09" E a distance of 300.00' to a point on the west right-of-way line of Northfork Southern Railroad;

**Thence** with said Railroad right-of-way S 18°46'09" W a distance of 250.00' to a point in the line of Burnside Ordinance # 110.7;

**Thence** continuing with said Railroad and Burnside Ordinance 110.7 the following five (5) calls:

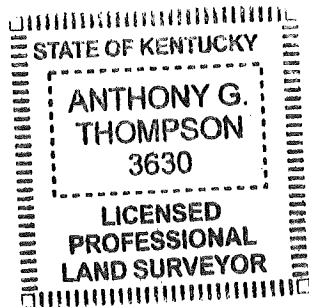
- 1) S 05°46'09" W a distance of 350.00';
- 2) S 02°13'51" E a distance of 251.00';
- 3) S 14°13'51" E a distance of 250.00';
- 4) S 24°13'51" E a distance of 250.00';
- 5) S 34°13'51" E a distance of 250.00';

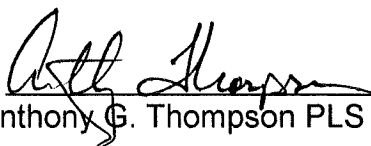
**Thence** continuing with said Railroad S 42°13'51" E a distance of 926.90' to a point in the line of Burnside per Ordinance 110.1;

**Thence** with said Burnside Ordinance 110.1 the following three (3) calls:

- 1) S 45°00'00" W a distance of 1198.13';
- 2) S 30°00'00" W a distance of 759.00';
- 3) S 05°00'00" W a distance of 1425.00' to the **point of Beginning**;

Said Boundary having an area of 10,555,263 sq.ft. or **242.32 Acres**.



  
Anthony G. Thompson PLS 3630      06-16-11  
Date

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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