

RESOLUTION 89-2009

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

WHEREAS, the City of Crittenden has enacted an ordinance annexing property into the corporate limits of the City of Crittenden; and

WHEREAS, the annexation may contain a prior survey prepared by a now unknown individual and may reference documentation that is no longer in existence; and

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

WHEREAS, the City wishes to comply with the requirements of 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; and

WHEREAS, the City previously passed Resolution 89-2009 to adopt new legal descriptions and plats for seven prior annexation ordinances but was requested by Commonwealth of Kentucky to adopt separate resolutions for each annexation ordinance; and

WHEREAS, the City intends to comply with the Commonwealth's request.

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

That the City Council of the City of Crittenden hereby adopts the following legal descriptions and plat attached hereto as prepared by Logan Murphy, of Hicks and Mann Surveyors, Licensed Professional Land Surveyor No. 3316 by new survey as an accurate description of the property previously annexed into the corporate city limits of the City of Crittenden by the following ordinance:

Ordinance 168-2002 dated February 11, 2003, 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. This new legal as prepared by Logan Murphy, a Licensed Professional Land Surveyor No. 3316, reads as follows:

Lying and being in Grant County, Kentucky on the West side of Ruark, 0.6 miles South of Crittenden-Mt. Zion Road (Ky. #2942), and being more particularly described as follows to-wit:

Unless otherwise stated, any monument referred to herein as an "iron pin set" is a 1/2" steel rebar 18" in length with a yellow plastic cap stamped "3407 3316". All bearing stated herein are referred to magnetic north from field survey made by Hicks & Mann, Inc. on November 24, 1993.

Beginning at a point in the right-of-way of Ruark Road, a corner to William C. Wilson (Deed Book 253, Page 604); thence with the right-of-way of said road, S 06°01'57" E -- 69.41 feet to a right-of-way marker; thence N 83°58'03" E – 20.00 feet to a right-of-way marker; thence S 06°14'19" E – 184.60 feet to an iron pin, a corner to Lot #1 of Claiborne Estates, Section One (Plat Cabinet 1, Slide 339); thence with the lines of Section One, S 83°45'41" W – 245.00 feet to an iron pin; thence N 06°14'19" W – 61.00 feet to an iron pin; thence S 83°45'41" W – 120.00 feet to an iron pin; thence N 06°14'19" W – 76.57 feet to an iron pin; thence S 84°49'17" W – 862.28 feet to an iron pin, a corner to Lot #11 of Claiborne Estates, Section Two (Plat Cabinet 1, Slide 374); thence with the lines of Section Two, S 69°55'45" W – 210.40 feet to an iron pin; thence S 59°42'32" W – 373.49 feet to an iron pin, a corner to Lot # 14; thence with the line of Lot #14, S 30°17'28" E --- 360.00 feet to a point in the right-of-way of Claiborne Drive; thence with the right-of-way of said road, S 59°42'32" W – 17.56 feet to a point; thence with a curve to the right having a length of 115.93 feet, a radius of 280.00 feet, and a chord bearing and distance of S 71°34'13" E --- 115.11 feet to a point; thence S 83°25'55" W – 304.11 feet to point, a corner to Lot #18; thence leaving said right-of-way and with the lines of Lot #18, N 06°34'05" W – 360.00 feet to an iron pin; thence S 83°25'55" W – 121.00 feet to an iron pin; thence S 06°34'05" E – 360.00 feet to a point in the right-of-way of Claiborne Drive; thence with the right-of-way of said road, S 83°25'55" W – 242.00 feet to a point; thence S 06°34'05" E – 40.00 feet to a point; thence N 83°25'55" E – 541.71 feet to a point, a corner to Lot #93; thence leaving said right-of-way and with the lines of Lot #93, S 06°34'05" E – 360.00 feet to an iron pin; thence N 83°25'55" E – 121.00 feet to an iron pin; thence N 78°03'39" E – 188.12 feet to an iron pin; thence N 59°42'32" E – 389.88 feet to an iron pin; thence N 51°00'33" E – 44.51 feet to an iron pin, a corner to Lot #99 of Claiborne Estates, Section One (Plat Cabinet 1, Slide 339); thence with the lines of Section One, N 84°49'17" E – 415.09 feet to an iron pin; thence N 47°32'33" E – 250.54 feet to an iron pin; thence S 42°27'27" E – 150.00 feet to an iron pin; thence N 32°50'37" E – 283.75 feet to a point in the right-of-way of Claiborne Drive; thence with the right-of-way of said road, a curve to the left having a length of 110.66 feet, a radius of 170.00 feet, and a chord bearing and distance of S 75°48'17" E --- 108.72 feet to a point; thence N 87°01'19" E – 89.37 feet to a point; thence N 83°45'41" E – 100.00 feet to a point in the right-of-way of Ruark Road; thence with the right-of-way of said road, S 04°54'33" E – 732.10 feet to an iron pin, a corner to Ronald Stecht (Deed Book 236, Page 247); thence with the lines of Stecht, N 85°27'10" W – 158.29 feet to a steel post; thence S 61°15'29" W – 1657.52 feet to an iron pin, a corner to Lot #19 of Eagle Ridge Subdivision (Plat Book 6, Page 37); thence with the lines of Eagle Ridge Subdivision, S 61°15'29" W – 248.43 feet to an 8" Ash; thence N 81°54'24" W – 992.90 feet to a stone by a post; thence S 50°47'44" W – 965.44 feet to a 14" Walnut; thence S 35°02'54" E – 167.67 feet to a 30" Oak, a corner to Michael Drysdale (Deed Book 264, Page 347); thence with the line of Drysdale, S 79°11'15" W – 1171.06 feet to a point, a corner to William G. Points (Deed Book 140, Page 705); thence N 17°42'32" W – 1067.57 feet to a corner post, a corner to William C. Wilson (Deed Book 203, Page 30); thence continuing with the lines of Points, N 17°42'32" W – 299.87 feet to a point in creek; thence N 72°04'24" W – 29.62 feet to a point in creek; thence N 36°49'38" W – 232.72 feet to a point in creek; thence N 01°48'12" E – 74.34 feet to a

point in creek; thence N 33°43'55" E – 69.69 feet to a point in creek; thence N 10°48'00" W – 476.02 feet to a point in the creek, a corner to the City of Crittenden (Deed Book 252, Page 250); thence with the lines of the City of Crittenden, N 82°22'06" E – 320.21 to an iron pin; thence N 69°22'31" E – 257.92 feet to an iron pin; thence N 42°55'17" E – 310.96 feet to an iron pin; thence N 79°35'52" E – 594.91 feet to a corner post, a corner to William C. & Harry Wilson (Deed Book 114, Page 367); thence with the lines of Wilson, S 89°31'35" E – 222.46 feet to a 15" Maple; thence N 81°54'57" E – 164.69 feet to a 20" Oak; thence N 88°02'54" E – 137.52 feet to a post; thence N 75°38'30" E – 221.27 feet to a 10" Elm; thence N 79°24'18" E – 193.19 feet to an 18" Oak; thence N 50°45'31" E – 202.39 feet to a post; thence N 68°56'47" E -- --206.21 feet to a post; thence N 67°38'52" E – 310.92 feet to a 10" Hickory; thence N 54°37'29" E – 88.57 feet to a post; thence S 85°13'29" E – 1071.67 feet to an iron pin, a corner to William C. Wilson (Deed Book 253, Page 604); thence with the line of Wilson, N 81°28'37" E – 1042.99 feet to the place of beginning containing 196.67 acres more or less exclusive of all right of ways and easements of record.

CITY OF CRITTENDEN

DATED: 10/6/2009

BY: Gayle Clayton
Gayle Clayton, Mayor

ATTEST: Megan Simpson
Megan Simpson, City Clerk

CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Crittenden, Kentucky,
and the foregoing 3 pages of Resolution No.89-2009 is a true, correct and
complete copy duly adopted by the City Council at a duly convened meeting held on
October 6, 2009, all as appears in the official records of said City.

WITNESS, my hand and Seal, this 7th day of October, 2009.



Megan Simpson, City Clerk

RECEIVED AND FILED
DATE December 29, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Albinson

CLAIBORNE ESTATES DESCRIPTION FOR ANNEXATION

Lying and being in Grant County, Kentucky on the West side of Ruark, 0.6 miles South of Crittenden-Mt. Zion Road (Ky. #2942), and being more particularly described as follows to-wit:

Unless otherwise stated, any monument referred to herein as an "iron pin set" is a 1/2" steel rebar 18" in length with a yellow plastic cap stamped "3407 3316". All bearing stated herein are referred to magnetic north from field survey made by Hicks & Mann, Inc. on November 24, 1993.

Beginning at a point in the right-of-way of Ruark Road, a corner to William C. Wilson (Deed Book 253, Page 604); thence with the right-of-way of said road, S 06°01'57" E -- 69.41 feet to a right-of-way marker; thence N 83°58'03" E – 20.00 feet to a right-of-way marker; thence S 06°14'19" E – 184.60 feet to an iron pin, a corner to Lot #1 of Claiborne Estates, Section One (Plat Cabinet 1, Slide 339); thence with the lines of Section One, S 83°45'41" W – 245.00 feet to an iron pin; thence N 06°14'19" W – 61.00 feet to an iron pin; thence S 83°45'41" W – 120.00 feet to an iron pin; thence N 06°14'19" W – 76.57 feet to an iron pin; thence S 84°49'17" W – 862.28 feet to an iron pin, a corner to Lot #11 of Claiborne Estates, Section Two (Plat Cabinet 1, Slide 374); thence with the lines of Section Two, S 69°55'45" W – 210.40 feet to an iron pin; thence S 59°42'32" W – 373.49 feet to an iron pin, a corner to Lot # 14; thence with the line of Lot #14, S 30°17'28" E --- 360.00 feet to a point in the right-of-way of Claiborne Drive; thence with the right-of-way of said road, S 59°42'32" W – 17.56 feet to a point; thence with a curve to the right having a length of 115.93 feet, a radius of 280.00 feet, and a chord bearing and distance of S 71°34'13" E --- 115.11 feet to a point; thence S 83°25'55" W – 304.11 feet to point, a corner to Lot #18; thence leaving said right-of-way and with the lines of Lot #18, N 06°34'05" W – 360.00 feet to an iron pin; thence S 83°25'55" W – 121.00 feet to an iron pin; thence S 06°34'05" E – 360.00 feet to a point in the right-of-way of Claiborne Drive; thence with the right-of-way of said road, S 83°25'55" W – 242.00 feet to a point; thence S 06°34'05" E – 40.00 feet to a point; thence N 83°25'55" E – 541.71 feet to a point, a corner to Lot #93; thence leaving said right-of-way and with the lines of Lot #93, S 06°34'05" E – 360.00 feet to an iron pin; thence N 83°25'55" E – 121.00 feet to an iron pin; thence N 78°03'39" E – 188.12 feet to an iron pin; thence N 59°42'32" E – 389.88 feet to an iron pin; thence N 51°00'33" E – 44.51 feet to an iron pin, a corner to Lot #99 of Claiborne Estates, Section One (Plat Cabinet 1, Slide 339); thence with the lines of Section One, N 84°49'17" E – 415.09 feet to a iron pin; thence N 47°32'33" E – 250.54 feet to a iron pin; thence S 42°27'27" E – 150.00 feet to a iron pin; thence N 32°50'37" E – 283.75 feet to a point in the right-of-way of Claiborne Drive; thence with the right-of-way of said road, a curve to the left having a length of 110.66 feet, a radius of 170.00 feet, and a chord bearing and distance of S 75°48'17" E --- 108.72 feet to a point; thence N 87°01'19" E – 89.37 feet to a point; thence N 83°45'41" E – 1 00.00 feet to a point in the right-of-way of Ruark Road; thence with the right-of-way of said road, S 04°54'33" E – 732.10 feet to a iron pin, a corner to Ronald Stecht (Deed Book 236, Page 247); thence with the lines of Stecht, N 85°27'10" W – 158.29 feet to a steel post; thence S 61°15'29" W – 1657.52 feet to a iron pin, a corner to Lot #19 of Eagle Ridge Subdivision (Plat Book 6, Page 37); thence with the lines of Eagle Ridge Subdivision, S 61°15'29" W – 248.43 feet to an 8" Ash; thence N 81°54'24" W – 992.90 feet to a stone by a post; thence S 50°47'44" W – 965.44 feet to a 14" Walnut; thence S 35°02'54" E – 167.67 feet to a 30" Oak, a corner to Michael Drysdale (Deed Book 264, Page 347); thence with the line of Drysdale, S 79°11'15" W – 1171.06

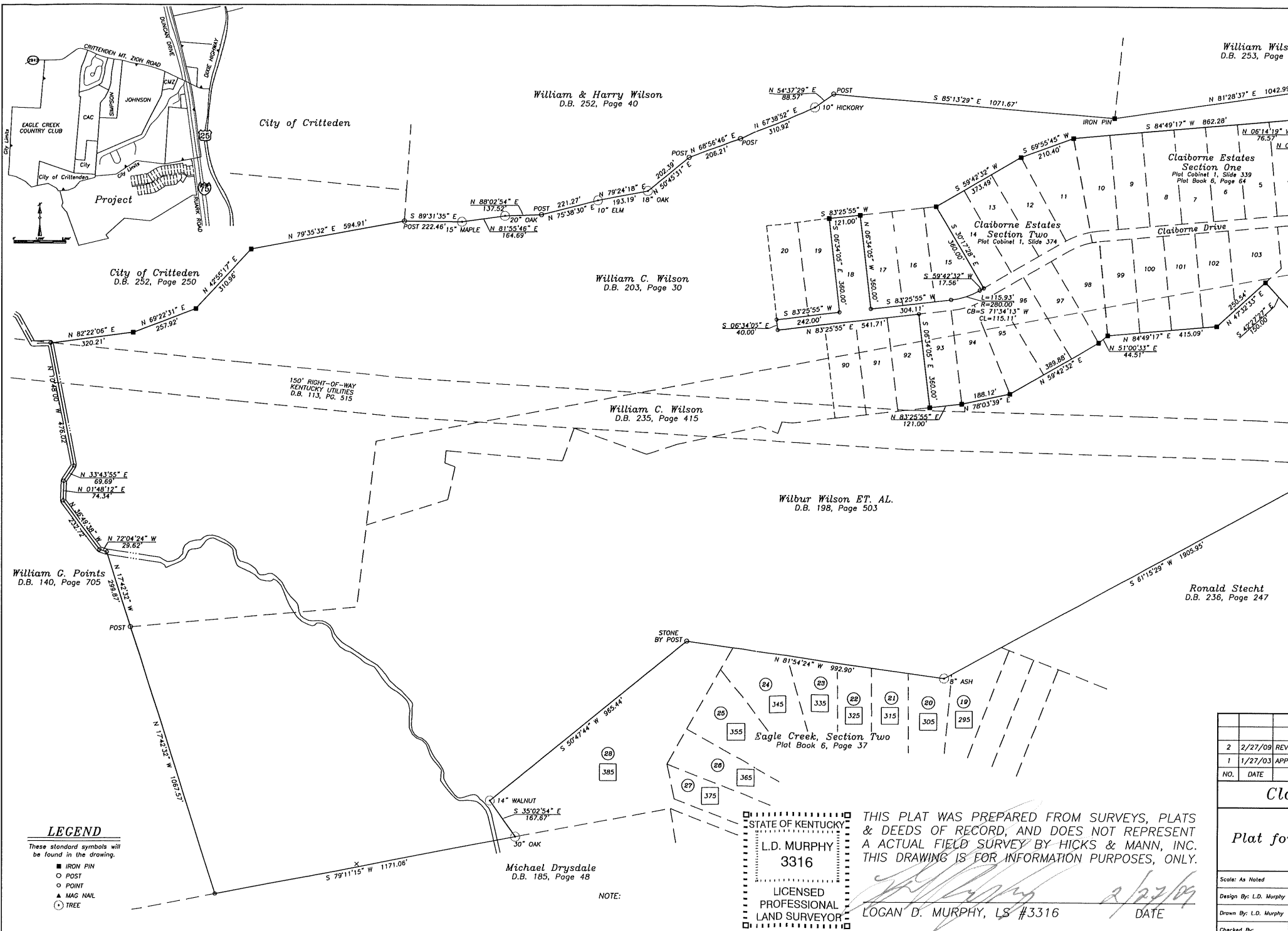
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The above description is in accordance recorded deeds and plats of record, and is for information purposes, only..

This being all the remaining property of Deed Book 203, Page 30, Deed Book 235, Page 415, and Deed Book 198, Page 503 on the West side of Ruark Road as recorded in the Grant County Court Clerk's Records in Williamstown, Kentucky.



Logan D. Murphy
2/27/09
Logan D. Murphy, L.S. #3316



LEGEND

These standard symbols will be found in the drawing.

- IRON PIN
- POST
- POINT
- ▲ MAG NAIL
- TREE

NOTE:

STATE OF KENTUCKY
L.D. MURPHY
3316
LICENSED PROFESSIONAL LAND SURVEYOR

THIS PLAT WAS PREPARED FROM SURVEYS, PLATS & DEEDS OF RECORD, AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY BY HICKS & MANN, INC. THIS DRAWING IS FOR INFORMATION PURPOSES, ONLY.

Logan D. Murphy
LOGAN D. MURPHY, LS #3316
DATE 2/27/09

2	2/27/09	REVISED
1	1/27/03	APPROVED
NO.	DATE	

Clo
Plat for

Scale: As Noted
Design By: L.D. Murphy
Drawn By: L.D. Murphy
Checked By: