

**CITY CLERK'S CERTIFICATION**

I certify that I am the duly qualified City Clerk of the City of Ferguson, Kentucky, and the foregoing Resolution 2009-04 is a true, correct and complete copy duly as was presented to the Ferguson City Council at their regular scheduled meeting dated April 6, 2009.

WITNESS, my hand and the Seal of the City, this the 6 day of April, 2009.

Melody Jones  
MELODY JONES, CITY CLERK

Seal:

RECEIVED AND FILED  
DATE Sept 14, 2009  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Andie Adkinson

## **RESOLUTION 2009-04**

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

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

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

**WHEREAS**, the City of Ferguson 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 of Ferguson 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 FERGUSON, KENTUCKY:**

**SECTION 1.** That the City Council of the City of Ferguson hereby adopts the following legal description and a plat attached hereto as Exhibit 1, prepared by Tim Woodcock, Precision Tech Solutions, Licensed Professional Land Surveyor No. 3124 by new survey as an accurate depiction of the property previously annexed by Ordinance No. 37, dated June 6, 1977, 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 Tim Woodcock, a Licensed Professional Land Surveyor No. 3124, is as follows:

**Description of**

**The City of Ferguson Kentucky**

**Corporate Limits Boundary**

**Ordinance No. 37**

A certain tract or parcel of land described as the corporate limits boundary of the city of Ferguson, Kentucky, Ordinance No. 37, and located at and lying on the waters of Pitman Creek, and being approximately ¼ mile northwest of the intersection of Ky. 914 bypass and Frank Denham road in Pulaski County Kentucky.

Note: All iron rebar (set) are 5/8 rebar with a 3 inch aluminum disk stamped Precision Tech Solutions PLS 3124, Ferguson Ky. City Limits.

Beginning on top of a ridge between Gover Lane and Rush Branch Road at an iron rebar (set) near the base of a 42" white oak in an old fence and witnessed by an iron rebar (found) bearing S 29°18'06" W a distance of 0.30', and being the northwest corner of the Thomas Cheney et. al. property (db. 651 pg. 661).

Thence with the Cheney property S 87°32'31" E a distance of 452.69' to an iron rebar (found).

Thence S 57°44'11" E a distance of 534.45' to an iron rebar (set) at a metal T post, witnessed by an iron rebar (found) bearing N 48°45'01" W a distance of 0.23'.

Thence leaving the Cheney line S 32°12'05" E a distance of 522.62' to an iron rebar (set).

Thence S 87°57'14" E a distance of 1271.87' to an iron rebar (set).

Thence S 79°35'36" E a distance of 357.83' to an iron rebar (set).

Thence S 54°58'20" W a distance of 1798.07' to an iron rebar (set) on a hillside.

Thence N 72°57'30" W a distance of 626.71' to an iron rebar (set).

Thence S 26°53'10" W a distance of 291.92' to a point on the east side of an existing roadway.

Thence crossing the Frank Denham road S 10°14'31" E a distance of 137.58' to an iron rebar (set) at an existing fence corner.

Thence S 05°35'52" E a distance of 373.59' to an iron rebar (set) at a turn in an old fence line.

Thence S 04°06'19" W a distance of 287.34' to an iron rebar (found) at a fence corner, being a common corner to the Clifford Childers, et al. and the Roger Soard (db. 666 pg. 433) properties.

Thence N 80°06'13" W a distance of 483.23' to an iron rebar (set).

Thence N 03°10'17" E a distance of 452.72' to an iron rebar (found) in the middle of an old stump.

Thence N 80°43'20" W a distance of 284.35' to an iron rebar (set) at an old fence corner.

Thence N 13°17'15" E a distance of 269.51' to a point in the south right-of-way of Frank Denham road and witnessed by a mag nail set in the edge of the road bearing N 11°32'53" E a distance of 10.00'.

Thence N 67°02'26" W a distance of 166.39' to an iron rebar (set) 15' south of the centerline of Frank Denham road. This being the common corner between Ordinance 34, and Ordinance 37.

Thence leaving the road, S 17°11'57" W a distance of 1263.59' to an iron rebar (set) at an existing fence corner between the aforementioned Childers property, and Betty Jo and James Soard (db. 711 pg. 32).

*✓ OK x.w.*

Thence leaving the fence line and with Ordinance 34, N 85°17'02" W a distance of 326.50'.

*OK T.W.*

Thence N 11°23'39" W a distance of 1833.22' to a point at the beginning of the Thomas Cheney property on the north side of a driveway on the north side of Gover Lane.

Thence with the Cheney line N 57°50'39" E a distance of 1209.00'.

Thence continuing with the Cheney line N 20°10'39" E a distance of 630.00' to the beginning.

Containing a combined area of 5462561.6 square feet, or 125.4 acres.

Surveyed by Timothy D. Woodcock PLS 3124

February 14, 2009

This the 6<sup>th</sup> day of April, 2009.

A handwritten signature in cursive script that reads "Allen Dobbs".

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**ALLEN DOBBS, MAYOR  
CITY OF FERGUSON, KENTUCKY**

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February 14, 2009

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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