RECEIVED AND FILED
DATE December 4, 2014

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

CITY OF FLEMINGSBURG

COMMONWEALTH OF KENTUCKY

RESOLUTION NO. 14-11-2

A RESOLUTION ADOPTING A MODERN AND ACCURATE

LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE

Whereas, the City of Flemingsburg has enacted numerous ordinances annexing property into the corporate limits of the City of Flemingsburg, and

Whereas, each individual annexation contains a prior survey often prepared by a now unknown individual, and further reference documentation that is no longer in existence, and

Whereas, the City wishes to provide modern, accurate, easily identifiable legal descriptions 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(s) annexing, but rather to interpret the defined boundaries of the territories previously annexed and adopt modern and accurate legal description of the territories previously annexed.

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

Section 1: That the City Council of the City of Flemingsburg hereby adopts the following legal description and a plat attached hereto (as Exhibit 1) as prepared by William T. (Tommy) Carpenter, Kentucky Licensed Professional Land Surveyor No. 2380, by a new survey as an accurate description of the territory previously annexed into the corporate limits of the City of Flemingsburg by Ordinance No. 11-02-2 dated November 11, 2002 and on file in the official records of the City of Flemingsburg office. A certified copy of said ordinance is attached hereto as Exhibit 2.

Section 2: The new description as prepared by William T. (Tommy) Carpenter, Kentucky Licensed Professional Land Surveyor No. 2380 is as follows:

It is the intent of the metes and bounds description of the area stated in the above Section 1 and cited hereinafter to retrace the traverse described in the Final Enabling Ordinance No. 11-02-2, dated

November 11, 2002 and on file in the Official Records of the City of Flemingsburg Office, of which a certified copy is attached hereto as Exhibit 2. The boundaries and map generated by this surveyor for this submission was derived from the map of Farm Service Agency (FSA) National Agricultural Imagery Program for Kentucky ("NAIP") 2004. The bearings stated thereon are referenced to Kentucky State Plane Coordinates NAD 83, Single Zone Datum as provided on said map. Additional information used in conjunction with aforesaid map was obtained from deeds and plats of the properties within and bordering the boundaries of the final annexation, said records on file in the offices of the Fleming County Clerk and Fleming County PVA. The area previously annexed to the corporate limits of the City of Flemingsburg is newly described as follows:

A certain area of land adjoining the existing East City Limits of the City of Flemingsburg, Fleming County, Kentucky, said area lying or situated on the East side of KY Hwy. No. 11 (Business), the Flemingsburg-Mt. Sterling Road and more specifically described as follows:

Beginning at a point in the existing East City Limits of Flemingsburg, said point being in or near the East right of way line of Kentucky Hwy. No. 11 (Business) at or near the common corner of William Ray Weaver, et ux, the subject annexation property (D.B. 180, P. 748) and Ronnie Gillum, et ux (D.B. 174, P. 159), State Plane Coordinates NAD 83, Single Zone Datum Northing 4044892.960 and Easting 5497685.882; thence with new city limits along or near the common lines of same for the following two (2) calls:

(1) South 78 Deg. 14 Min. 47 Sec. East, 281.84 ft. to a point;
(2) Thence South 3 Deg. 20 Min. 13 Sec. West, 154.27 ft. to a point in or near the line of Cahall Bros., LLC (D.B. 238, P. 626); thence continuing with new city limits along or near the line of Cahall Bros., LLC North 79 Deg. 58 Min. 47 Sec. West, 152.50 ft. to a point at or near the common corner to said Cahall Bros., LLC and Larry T. Watson (D.B. 252, P. 555); thence continuing with new city limits along or near the line of said Watson North 66 Deg. 40 Min. 47 Sec. West, 182.31 ft. to a point in the existing city limits; thence along the existing city limits North 24 Deg. 11 Min. 34 Sec. East, 123.57 ft. to Point of Beginning; enclosing 1.035 Acres.

William T. (Tommy) Carpenter, PLS
700 Shady Brook Lane
Flemingsburg, KY 41041
(606) 748-7789

STATE OF KENTUCKY
WILLIAM T. CARPENTER
2380
LICENSED
PROFESSIONAL
LAND SURVEYOR

11-10-14

The foregoing Resolution No. 14-11-2 was adopted on roll call with the following vote:

Yeas: Hurst, Moore, Manning, Sparks, Story, Alexander

Nays: None

Not Present: None

I do hereby certify that the above is the true and correct Original of a Resolution of the City Council of the City of Flemingsburg, Kentucky, as adopted.

Martin L. Voiers, Mayor

Introduced and adopted: 10 November, 2014

Signed by Mayor: 10 November, 2014

Recorded by Clerk: 10 November, 2014

Attest:

Joy Roark, City Clerk/Treasurer

CERTIFICATION

I, **Joy Roark,** Clerk of the City of Flemingsburg do hereby certify that the above Resolution No. 14-11-2 is a true and correct copy as was presented the City Council of the City of Flemingsburg at their regular scheduled meeting dated November 10, 2014.

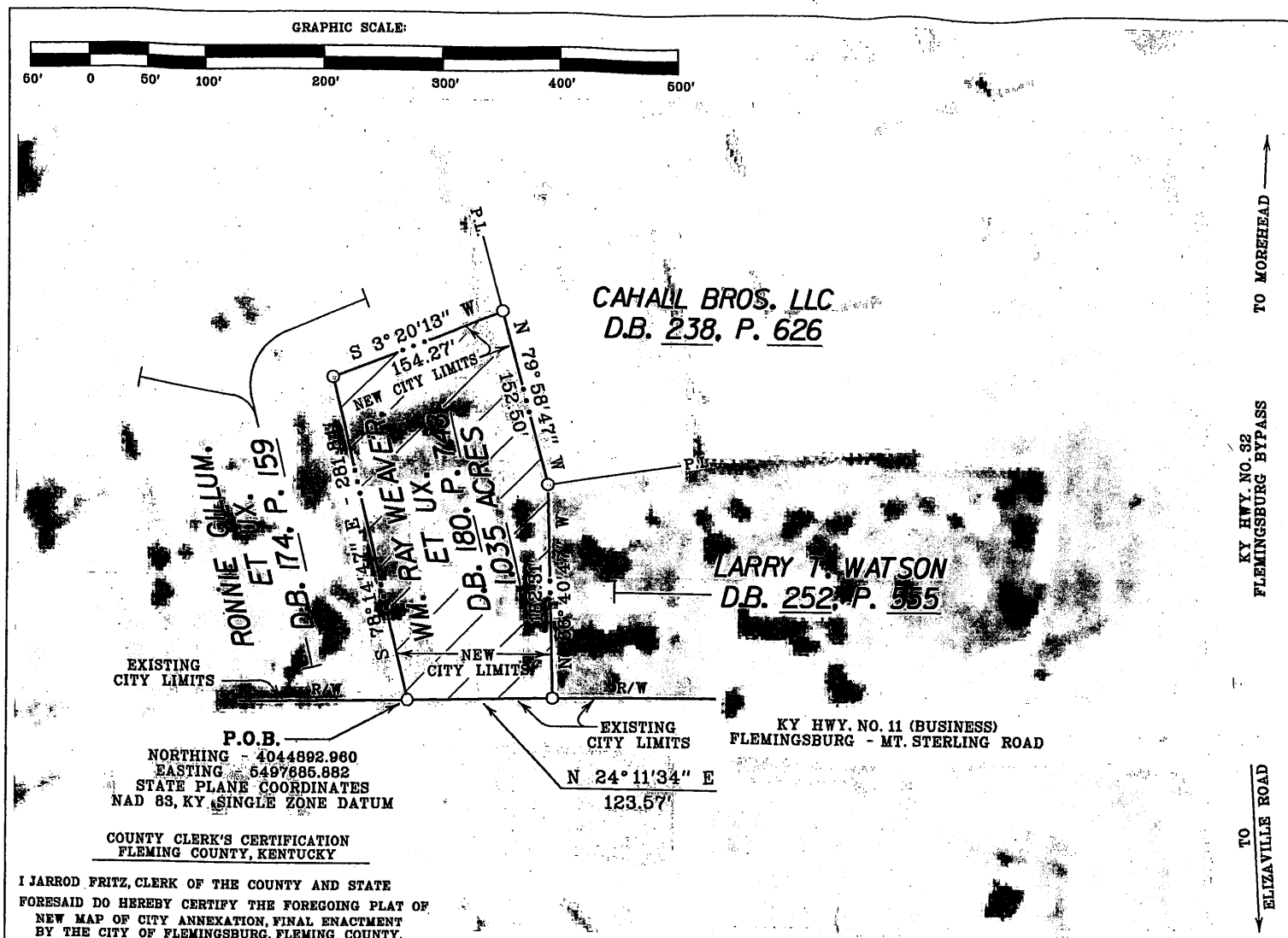
Given under my hand this 17th day of November, 2014

Joy Roark

Joy Roark, City Clerk

(SEAL)

EXHIBIT 1



COUNTY CLERK'S CERTIFICATION
FLEMING COUNTY, KENTUCKY

I JARROD FRITZ, CLERK OF THE COUNTY AND STATE FORESAID DO HEREBY CERTIFY THE FOREGOING PLAT OF NEW MAP OF CITY ANNEXATION, FINAL ENACTMENT BY THE CITY OF FLEMINGSBURG, FLEMING COUNTY, KENTUCKY ON NOVEMBER 11, 2002 WAS PRODUCED TO ME AND LODGED FOR RECORD AT _____ DAY OF _____ BEARING _____ LEVY TAX DULY RECORDED IN MY OFFICE IN CABINET #4 SLIDE #_____ FLEMING COUNTY CLERKS OFFICE.

WITNESS MY HAND THIS THE _____ DAY OF _____

JARROD FRITZ

_____ DC

SURVEYOR'S CERTIFICATION

I DO HEREBY CERTIFY THAT THE MAP SHOWN HEREON WAS COMPILED UNDER MY DIRECTION BY THE COMBINED USE OF MAPPING PROVIDED BY FARM SERVICES AGENCY (FSA) NATIONAL AGRICULTURAL IMAGERY PROGRAM (NAIP) DIGITAL ORTHO IMAGERY FOR KENTUCKY, 2004 & THE DEEDS & PLATS OF PUBLIC RECORD THAT FALL WITHIN & ADJOIN THE BOUNDARY OF THE NEW ANNEXATION. THIS MAP WAS NOT GENERATED BY AN ACTUAL FIELD SURVEY BY ME, BUT IS INTENDED TO RETRACE THE UNNAMED SURVEYOR'S DESCRIPTION OF ANNEXATION CITED IN CITY OF FLEMINGSBURG ORDINANCE NO. 11-02-2 DATED NOVEMBER 11, 2002 & ON FILE IN THE OFFICIAL RECORDS OF THE CITY OF FLEMINGSBURG OFFICE. THE COORDINATES SHOWN HEREON WERE OBTAINED BY USING SAID MAP & ARE ONLY ACCURATE TO THE PRECISIONAL LIMITATIONS OF FSA NAIP ACCURACY.

William T. (Tommy) Carpenter — Nov. 12, 2014

WILLIAM T. (TOMMY) CARPENTER, P.L.S. NO. 2380 — DATE



KY HWY. NO. 11

NEW MAP O
FINAL ENACTMENT BY
FLEMING COUNTY, KEN

ENCLOSING TERRIT
CITY LIMITS
KY HWY. NO. 11, FLEMIN

THE PERFORMANCE OF
DOES NOT REPRESENT A
INTENDED F

DRAWING NUMBER:

WM. T. (TOMMY) CARPEN
700 SHADY BROOK LA
FLEMINGSBURG, KY
PHONE: (606) 748-7789

DRAWN BY:	CHECKED BY:	DAT
D.L.E.	W.T.C.	11-9-