CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the above Resolution 2012-12-4 is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on December 10, 2012.

Given under my hand this 10 day of December, 2012.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE December 13, 2012

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

CITY OF FLEMINGSBURG
COMMONWEALTH OF KENTUCKY
RESOLUTION NO. 2012-12-4

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 under old methods of closure, and further may reference 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 FLEMINGSBURG, KENTUCKY:

SECTION 1: Resolution No. 2012-10-5 adopted by the City Council of the City of Flemingsburg on October 8, 2012 is repealed hereby.

SECTION 2: That the City Council of the City of Flemingsburg hereby adopts the following legal description in Section 2 hereof, and a plat attached hereto (as Exhibit 1) as prepared by W. T. (Tommy) Carpenter, Licensed Professional Land Surveyor No. 2380 by new survey as an accurate depiction of the property previously annexed into the corporate limits of the City of Flemingsburg by Ordinance dated December 6, 1965, 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 3: This new legal description as prepared by W. T. (Tommy) Carpenter, Licensed Professional Land Surveyor No. 2380 is as follows:

It is the intent of the metes and bounds descriptions of the areas stated in the above Section 1 and cited hereinafter to retrace the mathematically unclosed traverses described in the final enabling ordinances in Exhibit No. 2. The boundaries and map generated by this surveyor was derived from the map of Farm Service Agency (FSA) National Agricultural Imagery Program for Kentucky ("NAIP") 2004. The bearings stated herein are referenced to Kentucky State Plane Coordinates NAD 83, KY Single Zone datum as provided on said map. Additional information used in conjunction with aforesaid map was obtained from deeds and plats of some of the properties boarding the boundary of the final annexation, said records on file in Fleming County Clerk's Office. The area previously annexed to the corporate limits of the City of Flemingsburg are newly described as follows:

Being the same territory previously annexed to the City of Flemingsburg by ordinance dated December 6, 1965 and of record in Minute Book 9, Page 6, and described in Exhibit 2, attached hereto; the new legal description prepared by this surveyor is as follows:

BEGINNING at a point in the existing city limits and upon the property of Fleming – Mason RECC (now Fleming-Mason Energy) (D.B. 115, P. 309), said point being 360 feet West of the center of Energy Road (formerly Craintown Road), the State Plane coordinates of said point being Northing 4046564.204 and Easting 5491735.210; thence with new city limits for the following four (4) calls:

(1) South 8 degrees 04 minutes 47 seconds West, 288.35 feet to a point in or near the line of Betty Dorsey (D.B. 108, P. 405);

(2) Thence along or near the line of same North 86 degrees 09 minutes 06 seconds West, 965.00 feet;

(3) Thence leaving the line of Dorsey North 7 degrees 39 minutes 23 seconds East, 352.43 feet to a point;

(4) Thence South 82 degrees 20 minutes 37 seconds East, 195.76 feet to the existing city limits; thence with the existing city limits South 82 degrees 20 minutes 37 seconds East, 769.24 feet to the point of beginning; **enclosing 7.09 acres.**

The above resolution was adopted on roll call, the voting resulting as follows:

Yeas: Ricky Hurst, Adam Hinton, Scott Manning, Georganna Sparks, Meredith Story

Nays: _____

Not Present: Van Alexander

I do hereby accept a Resolution Adopting a Modern Legal Description of Previously Annexed Territory adopted by the City Council of the City of Flemingsburg, Kentucky on December 10, 2012.

Martin L. Voiers

Martin L. Voiers, Mayor

Introduced and adopted: 10 December, 2012
Signed by Mayor: 10 December, 2012
Recorded by Clerk: 10 December, 2012

ATTEST:

Joy Roark

Joy Roark, City Clerk

CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the attached copy of an Ordinance dated December 6, 1965 and identified as Exhibit 2 to Resolution No. 2012-12-4, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on December 10, 2012.

Given under my hand this 10 day of December, 2012.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE December 13, 2012
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Dania Cadenas

MINUTE B. 9 P. 69 EXHIBIT 1 TO RESOLUTION NO. 2012-12-6

THAT, WHEREAS, the City Council of the City of Flemingsburg, Kentucky, pursuant to the provisions of Sections 81.100-110 and 81.230, et. seq. of the Kentucky Revised Statutes, having properly published in the Flemingsburg Times-Democrat and the Fleming Gazette an Ordinance for the required time, the proposed Ordinance for annexing certain territory hereinafter described, and,

WHEREAS, said proposed Ordinance has been duly enacted by the City Legislative body and no protest having been filed against said annexation of said territory in accordance with the provisions of KRS 81.100,

NOW, THEREFORE, the City Council of the City of Flemingsburg, Kentucky does ordain as follows, namely:

(1) That pursuant to the provisions of Sections 81.100-110 and 81.230 et. seq. of the Kentucky Revised Statutes, the City of Flemingsburg by and through its City Legislative body, does hereby annex to the City of Flemingsburg and its corporate limits, the following territory lying in the South and Southwest corporate limits of the said City, to-wit:-

BEGINNING at a point 360 feet West of the center of the Craintown road and 350 feet South of the center of Kentucky Highway No. 32 at the present Corporate limits boundary and thence in a general Southerly direction 285 feet to the property of Noel Dorsey, et. als; thence in a general Westerly direction along the boundary of Noel Dorsey and Fleming-Mason R.E.C.C. 965 feet. Thence in a general Northerly direction 320 feet to the existing Corporate limits of the R.E.C.C. property; thence in a general Easterly direction along the existing Corporate limits for a distance of 965 feet, more or less to the point of beginning.

The above described area is owned by the Fleming-Mason R.E.C.C.

This Ordinance shall be published in the Flemingsburg Times-Democrat and the Fleming Gazette, weekly newspapers of this City.

WITNESS my hand as Mayor of the City of Flemingsburg, Ky., this the 1 day of ~~November~~ DECEMBER, 1965.

CITY OF FLEMINGSBURG

By: James T. Crain

James T. Crain, Mayor

ATTEST:

Jackie L. Berry

Jackie L. Berry, Clerk

RECEIVED AND FILED
DATE December 12, 2012

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Leslie Robinson

Book 9 page 6

ORDINANCE 65-5

THAT, WHEREAS, THE CITY COUNCIL OF THE CITY OF FLEMINGSBURG is desirous of annexing and bringing within the Corporate limits of the City the specific Territory, hereinafter described, and

WHEREAS, such annexation will redound to the mutual interest of the City and the Resident Property Owners and Freeholders therein, whereby municipal services and facilities will be provided such areas.

NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF FLEMINGSBURG does ordain as follows, viz:

(1) That pursuant to the provisions of Sections 81.100, 81.110 and 81.230 et. seq. of the Kentucky Revised Statutes, the City of Flemingsburg, by and through the City legislative body, does hereby propose to annex to the City of Flemingsburg, the following described unincorporated Territory lying South and Southwest of its present Corporate limits, namely:

Beginning at a point 360 feet West of the center of the Craintown road and 350 feet South of the center of Kentucky Highway No. 32 at the present Corporate limits boundary and thence in a general Southerly direction 285 feet to the property of Noel Dorsey, et als; thence in a general Westerly direction along the boundary of Noel Dorsey and Fleming-Mason R.E.C.C. 965 feet. Thence in a general Northerly direction 320 feet to the existing Corporate limits of the R.E.C.C. property; thence in a general Easterly direction along the existing Corporate limits for a distance of 965 feet, more or less to the point of beginning.

The above described area is owned by the Fleming-Mason R.E.C.C.

(2) In accordance with the provisions of the Sections 81.110 and 81.230 of the Kentucky Revised Statutes, the City of Flemingsburg, by its legislative body, will proceed by ordinance to annex the said unincorporated

Territory within Thirty (30) Days, after proper publication, from the enactment of this Ordinance unless precluded from so doing by legal procedure.

(3) This Ordinance shall be published in four weekly issues in the Flemingsburg Times-Democrat and Fleming Gazette, weekly newspapers of this city.

WITNESS my hand as Mayor of the City of Flemingsburg this the 1st day of November, 1965.

CITY OF FLEMINGSBURG

By: _____
James T. Crain, Mayor

ATTEST:

_____
Jackie L. Berry, Clerk

CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the attached Plat identified as Exhibit 1 to Resolution No. 2012-12-4, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on December 10, 2012.

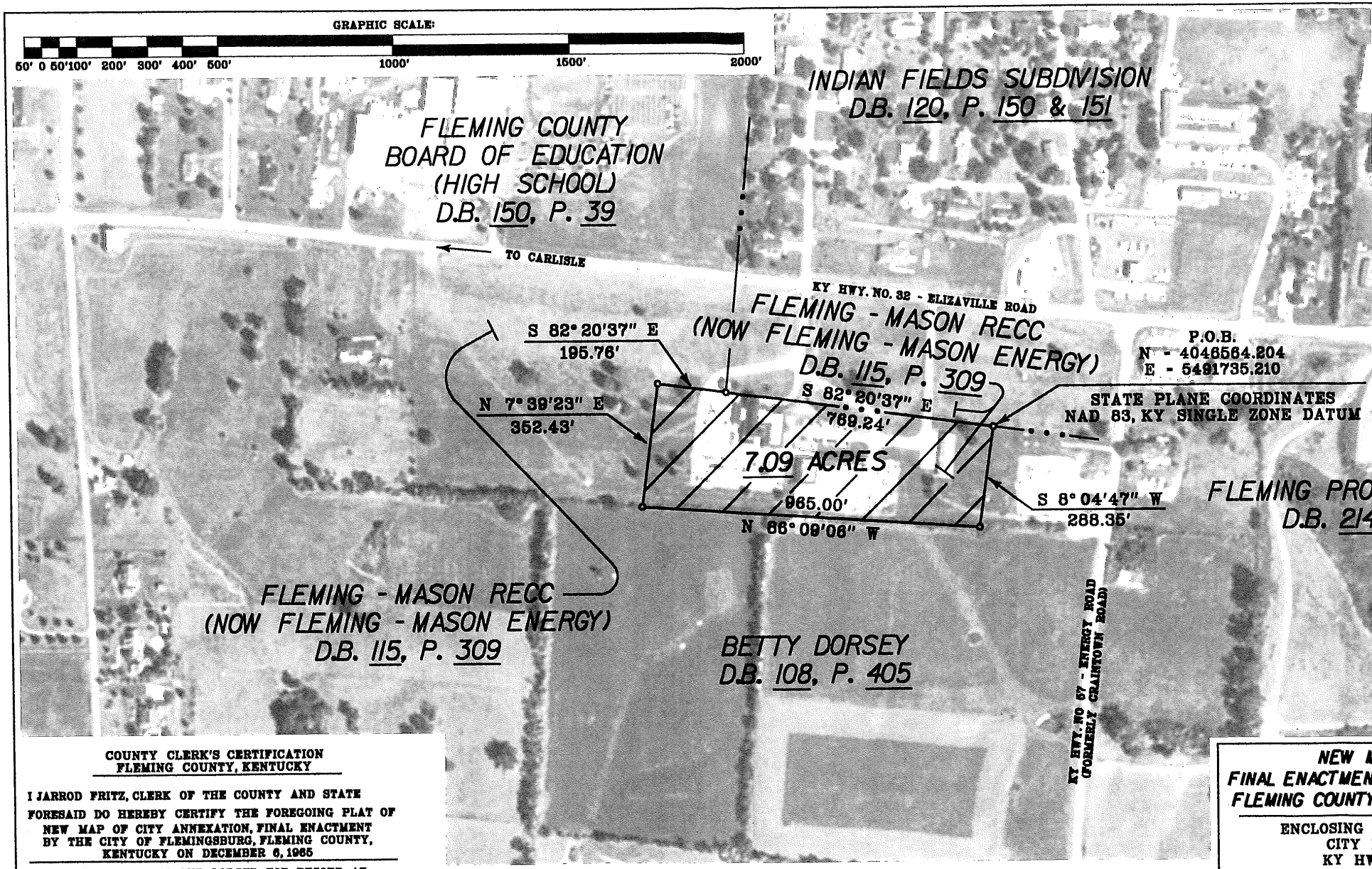
Given under my hand this 10 day of December, 2012.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE December 13, 2012

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karla Atkinson



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 DECEMBER 6, 1965 WAS PRODUCED TO ME AND LODGED FOR RECORD AT _____ DAY OF _____ BEARING _____ LEVY TAX DULY RECORDED IN MY OFFICE IN CABINET "3 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 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 DATED DECEMBER 6, 1965 & OF RECORD IN MINUTE BOOK NO. 9, PAGE 6, CITY OF FLEMINGSBURG, KY RECORDS. 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 — OCT 1, 2017

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

NEW MAP OF
FINAL ENACTMENT BY T
FLEMING COUNTY, KENT

ENCLOSING TERRITO
CITY LIMITS C
KY HWY. NO. 3

DRAWING NUMBER: 1

WM. T. (TOMMY) CARPEN
700 SHADY BROOK LA
FLEMINGSBURG, KY 4
PHONE: (606) 845-9691

DRAWN BY:	CHECKED BY:	DATE
D.L.E.	W.T.C.	9-29-