CERTIFICATION

I, Joy Roark, Clerk of the city of Flemingsburg did hereby certify that the above Resolution 13-7-1 is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on July 8th, 2013.

Given under my hand this 8th day of July, 2013.

Joy Roark

Joy Roark, City Clerk

RECEIVED AND FILED
DATE Sept 6, 2013

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

CITY OF FLEMINGSBURG

COMMONWEALTH OF KENTUCKY

RESOLUTION NO. 13-7-1

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, while each individual annexation contains a prior survey often prepared by a now unknown individual with reference documentation that no longer exists, the surveyor responsible for the performance of the survey of the area described in the ordinance stated hereinafter in Section 1 being one and the same surveyor responsible for the preparation on the NEW MAP and LEGAL DESCRIPTION of that same area as stated in Section 2 herein, 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 FLEMINGSBURG, KENTUCKY:

Section 1: That the City Council of the City of Flemingsburg hereby adopts the following new legal description with 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. 7-84-2 dated July 9, 1984 and on file in Order Book 15, Page 372 in the City of Flemingsburg Office. A certified copy of said old ordinance is attached hereto as **Exhibit 2**, accompanied by a surveyor's map depicting the territory described in the old ordinance attached hereto as **Exhibit 3**.

Section 2: The new legal description as prepared by William T. (Tommy) Carpenter, 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. 7-84-2, dated July 7, 1984 and on file in City of Flemingsburg Order Book No. 15, Page No. 372, of which a certified copy is attached hereto as Exhibit 2, along with a certified copy of the map of survey of that area being a part of said Exhibit 2. While the description cited in said ordinance was a result of an actual field survey prepared by me, 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 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 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:

Beginning in the existing city limits of Flemingsburg South of KY Highway No. 32, Elizaville Road, in or near the West Access Control line of KY Highway No. 11 (By-pass), State Plane Coordinates of said point of beginning being Northing 4046464.2586 and Easting 5492988.2213; thence with existing city limits on the South side of Elizaville Road for the following seven (7) calls:

(1) South 86 degrees 40 minutes 50 seconds East, 589.69 feet to a point;

(2) Thence North 3 degrees 01 minute 30 seconds East, 44.00 feet to a point;

(3) Thence North 89 degrees 26 minutes 55 seconds East, 1743.56 feet to a point;

(4) Thence North 3 degrees 45 minutes 24 seconds East, 31.00 feet to a point;

(5) Thence North 89 degrees 43 minutes 44 seconds East, 650.00 feet to a point;

(6) Thence North 0 degrees 16 minutes 16 seconds West, 125.00 feet to a point;

(7) Thence North 89 degrees 43 minutes 44 seconds East, 505.43 feet to a point in the original One Square Mile city limits; thence continuing with existing city limits along the same South 51 degrees 18 minutes 59 seconds East, 668.03 feet to a point in or near Southridge Subdivision (D.B. 137, P. 584); thence with or near the lines of same and continuing with existing city limits for the following four (4) calls:

(1) North 86 degrees 40 minutes 40 seconds West, 415.08 feet to a point;

(2) Thence South 1 degree 00 minutes 40 seconds East, 303.08 feet to a point;

(3) Thence South 10 degrees 42 minutes 05 seconds West, 419.07 feet to a point;

(4) Thence South 78 degrees 54 minutes 15 seconds East, 159.87 feet to a point in or near the West right of way line of Glascock Drive; thence continuing with existing city limits along or near said right of way line South 9 degrees 32 minutes, 16 seconds West, 148.49 feet to a

point in or near the line of Ridgeway Park LTD (D.B. 144, P. 429); thence continuing along existing city limits along or near the lines of same for the following four (4) calls:

(1) North 78 degrees 16 minutes 28 seconds West, 81.22 feet to a point;

(2) Thence South 3 degrees 55 minutes 38 seconds West, 282.60 feet to a point;

(3) Thence South 57 degrees 56 minutes 22 seconds East, 684.40 feet to a point;

(4) Thence North 10 degrees 13 minutes 05 seconds East, 518.00 feet to a point on the North side of High Street; thence continuing with existing city limits along the North side of High Street North 78 degrees 16 minutes 28 seconds West, 535.21 feet to a point in or near the East right of way line of Glascock Drive; thence continuing with existing city limits and along or near said right of way line North 9 degrees 32 minutes 16 seconds East, 149.04 feet to a point in or near aforesaid Southridge Subdivision; thence continuing with existing city limits along or near said subdivision for the following three (3) calls:

(1) South 78 degrees 54 minutes 14 seconds East, 710.01 feet to a point;

(2) Thence North 11 degrees 25 minutes 30 seconds East, 349.53 feet to a point;

(3) Thence South 78 degrees 08 minutes 29 seconds east, 236.62 feet to a point in aforesaid original One Square Mile city limits; thence with same South 51 degrees 18 minutes 59 seconds East 295.05 feet to a point thirty (30) feet from the center of KY Highway No. 11 (Business) in the East right of way of same;

Thence with new city limits along the East side of said KY Highway No. 11 (Business) South 24 degrees 11 minutes 34 seconds West, 1490.07 feet to a point on the South side of KY Highway No. 32 (By-pass); thence continuing with new city limits and crossing KY Highway No 11 North 69 degrees 28 minutes 21 seconds West, 132.68 feet to a point in or near the South Access Control line of KY Highway No. 11 (By-pass); thence continuing with new city limits and along or near said Access Control line of said By-pass for the following sixteen (16) calls:

(1) North 69 degrees 11 minutes 47 seconds West, 392.75 feet to a point;

(2) Thence North 59 degrees 41 minutes 36 seconds West, 101.40 feet to a point;

(3) Thence North 73 degrees 03 minutes 17 seconds West, 295.24 feet to a point;

(4) Thence North 70 degrees 25 minutes 15 seconds West, 197.87 feet to a point;

(5) Thence North 71 degrees 41 minutes 59 seconds West, 699.17 feet to a point;

(6) Thence South 87 degrees 54 minutes 43 seconds West, 261.01 feet to a point;

(7) Thence North 69 degrees 02 minutes 55 seconds West, 452.77 feet to a point;

(8) Thence North 76 degrees 32 minutes 05 seconds West, 250.05 feet to a point;

(9) Thence North 73 degrees 28 minutes 47 seconds West, 450.25 feet to a point;

(10) Thence North 79 degrees 19 minutes 18 seconds West, 255.32 feet to a point;

(11) Thence North 66 degrees 43 minutes 24 seconds West, 323.98 feet to a point;

(12) Thence North 57 degrees 20 minutes 20 seconds West, 385.40 feet to a point;

(13) Thence North 31 degrees 26 minutes 29 seconds West, 440.03 feet to a point;

(14) Thence North 16 degrees 45 minutes 15 seconds West, 489.00 feet to a point;

(15) Thence South 83 degrees 33 minutes 34 seconds West, 45.60 feet to a point;

(16) Thence North 3 degrees 08 minutes 09 seconds East, 177.66 feet to the Point of Beginning; Enclosing 153.13 Acres.

The foregoing Resolution No. 13-7-1 was adopted on roll call with the following vote:

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

Nays: _____

Not
Present: _____

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

Martin L. Voiers, Mayor

Introduced and adopted: 8th July, 2013

Signed by Mayor: 8th July, 2013

Recorded by Clerk: 8th July, 2013

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 a ORDINANCE 7-84-2 dated July 9, 1984 and identified as Exhibit 2 to Resolution No. 13-7-1, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on the 8TH day of July, 2013.

Given under my hand this 5th day of September, 2013.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE Sept. 6, 2013

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

CITY OF FLEMINGSBURG, KENTUCKY
ORDINANCE NO. 7-84-2

FINAL ANNEXATION ORDINANCE OF THE CITY OF FLEMINGSBURG, KENTUCKY, ANNEXING CONTIGUOUS UNINCORPORATED TERRITORY LOCATED BETWEEN THE MT. STERLING ROAD AND THE ELIZAVILLE ROAD FOR ALL PROPERTY BOUNDED BY THE OUTER RIGHT-OF-WAY OF THE FLEMINGSBURG BYPASS CONNECTING MT. STERLING ROAD AND ELIZAVILLE ROAD, AS SET FORTH IN INITIAL ANNEXING ORDINANCE NO. 3-84-1.

WHEREAS, the City of Flemingsburg, Kentucky has expressed its intention to annex and bring within the corporate limits of the City the specific territory hereinafter described, and described in Ordinance No. 3-84-1; and

WHEREAS, no petition in accordance with KRS 81A.240(2) was received by the Mayor in opposition to said annexation, and more than 60 days have passed sicne the enactment of said initial annex ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FLEMINGSBURG, KENTUCKY:

SECTION I

That pursuant to the provisions of KRS 81A.420(1), the City of Flemingsburg, by and through the City Council does hereby propose to annex into the City of Flemingsburg the following described unincorporated territory lying generally between the Mt. Sterling Road and the Elizaville Road and inside the outer right of way of the Flemingsburg bypass connecting said roads and more particular described as follows:

BEGINNING at a point in the existing City Limits line and the center of Ky. Hwy. No. 11 (the Flemingsburg-Mt. Sterling Road); thence with the existing City Limits line South 47 Deg. 30 Min. 00 Sec. East, 30.00 ft. to a point; thence leaving the existing City Limits line and with a new line of proposed annexation for the following calls: South 28 Deg. 42 Min. 51 Sec. West, 1521.29 ft. to an iron pin (½" Re-Bar), said point being 30 ft. from the center of aforesaid Ky. Hwy. No. 11 and on the South side of Ky. Hwy. No. 11 By-Pass; thence crossing said Ky. Hwy. No. 11 North 65 Deg. 42 Min. 19 Sec. West, 132.68 ft. to Access Control line of said Ky. 11 By-Pass, said point being 130 ft. left (Southwest) of By-Pass centerline station 189+00; thence with the southern and western Access Control line of the Ky. Hwy. No. 11 By-Pass for the following calls: N 65 Deg. 25 Min. 45 Sec. West 392.75 ft. to a point 145 ft. left (Southwest) of By-Pass centerline station 193+00; thence North 51 Deg. 34 Min. 19 Sec. West, 101.40 ft. to a point 120 ft. left (Southwest) of By-Pass centerline Station 194+00; thence North 69 Deg. 17 Min. 15 Sec. West, 295.24 ft. to a point 130 ft. left (Southwest) of By-Pass centerline station 197+00; thence North 63 Deg. 25 Min. 11 Sec. West, 197.87 ft. to a point 110 ft. left (Southwest) of By-Pass Centerline

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Station 199+00; thence North 67 Deg. 55 Min. 57 Sec. West 699.17 ft. to a point 75 ft. left (Southwest) of By-Pass centerline Station 206+00; thence North 87 Deg. 34 Min. 43 Sec. West, 261.01 ft. to a point 150 ft. left (Southwest) of By-Pass centerline Station 208+50; thence North 64 Deg. 32 Min. 21 Sec. West 452.77 ft. to a point 100 ft. left (Southwest) of By-Pass centerline station 213+00; thence North 72 Deg. 01 Min. 31 Sec. West, 250.05 ft. to a point 105 ft. left (Southwest) of By-Pass Centerline Station 215+50; thence North 68 Deg. 58 Min. 13 Sec. West, 450.25 ft. to a point 90 ft. left (Southwest) of By-Pass centerline station 220+00; thence North 74 Deg. 48 Min. 44 Sec. West, 255.32 ft. to a point 110 ft. Left (Southwest) of By-Pass Centerline Station 222+50; thence North 62 Deg. 12 Min. 50 Sec. West, 323.98 ft. to a point 110 ft. Left (Southwest) of By-Pass Centerline Station 225+50; thence North 52 Deg. 49 Min. 46 Sec. West, 385.40 ft. to a point 145 ft. Left (Southwest) of By-Pass Centerline Station 229+00; thence North 26 Deg. 55 Min. 55 Sec. West, 440.03 ft. to a point 115 ft. Left (Southwest) of By-Pass Centerline Station 233+00; thence North 12 Deg. 14 Min. 41 Sec. West, 489.00 ft. to a point 120 ft. Left (Southwest) of By-Pass centerline Station 237+50; thence South 88 Deg. 27 Min. 25 Sec. West, 45.00 ft. to a point 165 ft. Left (Southwest) of By-Pass Centerline Station 237+50; thence North 7 Deg. 28 Min. 12 Sec. East, 166.00 ft. to a point in the existing City Limits Line, said line approximately 350 ft. South and nearly parallel to centerline of Ky. Hwy. No. 32 (Flemingsburg-Carlisle Road); thence turning across said Ky. 11 By-Pass along said existing City Limits Line for the following calls: South 83 Deg. 30 Min. 05 Sec. East, 558.07 ft. to a point; thence North 11 Deg. 30 Min.00 Sec. East, 44.00 ft. to a point; thence South 86 Deg. 12 Min. 16 Sec. East, 1762.00 ft. to a post in the Simons property line; thence North 1 Deg. 48 Min. 25 Sec. East, 31.00 ft. to a point; thence South 85 Deg. 39 Min. 52 Sec. East, 650.00 ft. to a point; thence North 3 Deg. 50 Min. 08 Sec. East, 150.00 ft. to a point; thence South 85 Deg. 39 Min. 52 Sec. East, 481.52 ft. to a point in the Original One Square Mile Boundary line, said line also the existing City Limits Line; thence with said Original One Square Mile Boundary line South 47 Deg. 30 Min. 00 Sec. East 731.00 ft. to a post, said point being the Northeast corner of Lot No. 19 in South Ridge Park Subdivision;thence with the Boundaries of South Ridge Park Subdivision for the following calls: North 82 Deg. 02 Min. 15 Sec. West, 455.12 ft. to a post; thence South 2 Deg. 54 Min. 11 Sec. West, 302.92 ft. to a post; thence South 14 Deg. 16 Min 21 Sec. West, 418.92 ft. to a post; thence South 74 Deg. 47 Min. 48 Sec. East, 153.05 ft. to the West Right-of-Way line of Greenway Drive (Extension to High Street); thence with said right-of-way line of Greenway Drive South 16 Deg. 30 Min. 00 Sec. West, 150.38 ft. to an iron pin at the intersection of the North right-of-way line of High Street; thence with the said right-of-way line of High Street North 74 Deg. 51 Min. 00 Sec. West, 124.20 ft. to an iron pin in the property line of Simons; thence with Simons' line South 39 Deg. 18 Min. 00 Sec. East, 68.78 ft. to a post at the South right-of-way line of High Street, said point also a corner of Ridgeway Park Limited; thence continuing with said Simon's line and the line of Rigeway Park Limited South 7 Deg. 42 Min. 50 Sec. West, 263.50 ft. to an iron pin; thence leaving Simon's line and continuing with Ridgeway Park Limited line South 54 Deg. 09 Min. 10 Sec. East, 684.80 ft. to a point; thence North 15 Deg. 30 Min. 50 Sec. East, 503.02 ft. to a point in the South right-of-way line of aforesaid High Street; thence along said right-of-way line North 74 Deg. 51 Min. 00 Sec. West, 560.22 ft. to an iron pin at the intersection of the East right-of-way line of aforesaid Greenway Drive;thence with the East right-of-way line of Greenway Drive North 16 Deg. 30 Min. 00 Sec. East, 190.33 ft. to a point in the South Boundary

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line of Lot No. 35 in South Ridge Park Subdivision; thence with the Boundaries of South Ridge Park Subdivision for the following calls: South 74 Deg. 47 Min. 48 Sec. East, 742.81 ft. to a post; thence North 15 Deg. 29 Min. 27 Sec. East, 350.93 ft. to a post; thence South 74 Deg. 04 Min.33 Sec. East, 254.36 ft. to a post; thence North 35 Deg. 29 Min. 12 Sec. East, 11.23 ft. to a point in the Original One Square Mile Boundary; thence with the Original One Square Mile Boundary line South 47 Deg. 30 Min. 00 Sec. East, 235.68 ft. to the point of beginning, and containing 153.679 acres

SECTION II

The City of Flemingsburg, Kentucky declares that it is desir to annex the above described unincorporated territory into the City of Flemingsburg.

SECTION III

A certified copy of the ordinance, together with an accurate map of the annexed area, together with a mets and bounds descripti shall be filed in the office of the Fleming County Clerk and in the office of the Secretary of the State of Kentucky.

SECTION IV

This Ordinance shall be published pursuant to law and shall become effective immediately upon said publication.

First reading of this Ordinance was had on the 2 day of July 1984.

James Berry, City Clerk

Second reading of this Ordinance was had on the 9 day of July 1984, and upon roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

James Berry, City Clerk

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CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the attached copy of a PLAT dated 11-29-83 and identified as Exhibit 3 to Resolution No. 13-7-1, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on the 8TH day of July, 20 13.

Given under my hand this 5th day of September, 2013.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE Sept. 6, 2013

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

CERTIFICATION
for
Kentucky Secretary of State

I, **Joy Roark**, Clerk of the City of Flemingsburg do hereby certify that the attached copy of a PLAT dated July 8, 2013 and identified as Exhibit 1 to Resolution No. 13-7-1, is a true and correct copy as was presented to the City Council of the City of Flemingsburg at a meeting held on the 8th day of July, 20 13.

Given under my hand this 5th day of September, 2013.

Joy Roark
Joy Roark, City Clerk

(SEAL)

RECEIVED AND FILED
DATE Sept 6, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karen Watson

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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