


CERTIFICATION

I, Mary Jo Hess, Clerk of the City of Hardinsburg do hereby certify that, the above Resolution 2008-03 is a true and correct copy as was presented to the City Council of the City of Hardinsburg at a special called meeting dated October 29, 2008.

Given under my hand this 29<sup>th</sup> day of October, 2008

  
\_\_\_\_\_  
City Clerk/Treasurer

(SEAL)

RECEIVED AND FILED  
DATE Oct. 31, 2008

\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Hardie Adkinson

RESOLUTION 2008-03

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE No. 96-12.2

WHEREAS, the City of Hardinsburg has enacted ordinances annexing property into the corporate limits of the City of Hardinsburg; and

WHEREAS, the annexation contains a prior survey prepared by Smith Engineering and Land Surveys, Inc., and

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

WHEREAS, the City wishes to adopt this plat map and legal description, Job No. 87-232, by Smith Engineering and Land Surveys, Inc. that was inadvertently omitted from the original filing of the annexation according to Ordinance No. 96-12.2, received and filed at the Secretary of State Office on February 7, 1997.

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 HARDINBURG, KENTUCKY:


SECTION 1 That the City Council of the City of Hardinsburg hereby adopts the following legal description, and a plat attached hereto as prepared by Smith Engineering and Land Surveys, Inc., licensed Professional Land Surveyor.

SECTION 2 This legal description as prepared by Smith Engineering and Land Surveys, Inc. is attached.

**BE IT SO RESOLVED** on this 29th day of October 2008.

  
\_\_\_\_\_  
MAYOR WAYNE MACY

ATTEST:

  
\_\_\_\_\_  
MARY JO HESS, CITY CLERK/TREASURER

(1)

**—SMITH—**

**ENGINEERING AND LAND SURVEYS, INC.**

901 High Street  
Brandenburg, Kentucky 40108  
(502) 422-2588  
(502) 547-2588

PORTION OF  
W. KEENAN O'CONNELL PROPERTY

Being a 10.000 acre tract of land in the community of Hardinsburg, Breckinridge County, Kentucky, more particularly described as follows:

Unless stated otherwise, any monument referred to herein as a "5/8" rebar" is a set 5/8" diameter steel concrete reinforcing rod, eighteen inches (18") in length, with a yellow plastic cap stamped "T.W. Smith, LS 2373". All bearings stated herein are based on the bearing on the southerly line of the W. Keenan O'Connell property from a previous survey.

BEGINNING at a (found) iron pin on the northerly right-of-way of a 60' easement corner to Breckinridge County Industrial Development Authority, Inc. (DB 239 PG 330); THENCE with said Breckinridge County Industrial Development Authority, Inc., N 46 deg. 01 min. 59 sec. W., 756.09' to a (found) iron pin corner to J. Burke (DB 210 PG 470) and J. Burke (DB 209 PG 081); THENCE with said J. Burke (DB 209 PG 081) N 45 deg. 27 min. 52 sec. W., 782.21' to a (found) iron pin; THENCE N 51 deg. 32 min. 49 sec. E., 242.78' to a (found) iron pin; THENCE N 73 deg. 08 min. 19 sec. E., 39.81' to a (set) 5/8" rebar; THENCE leaving said J. Burke with a new line in W. Keenan O'Connell (DB 185 PG 065) S 45 deg. 49 min. 25 sec. E., 1557.08' to a (set) 5/8" rebar on the northerly right-of-way of said 60' easement; THENCE with the northerly right-of-way of said 60' easement with a curve to the right having a radius at 742.45' and a long chord bearing at S 58 deg. 10 min. 11 sec. W., 286.23' to the POINT OF BEGINNING and CONTAINING 10.000 Acres (more or less) according to a physical survey by Timothy W. Smith, PLS 2373, during April 1999 per Job No. 87-232.

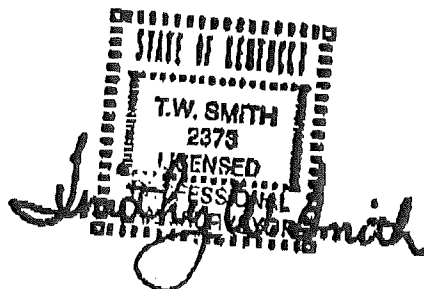
Transferred herewith is the right of ingress and egress over a 60' easement further described as follows:

BEGINNING at a (found) iron pin corner to J. Burke (DB 209 PG 081), J. Burke (DB 210 PG 470) and Breckinridge County Industrial Development Authority, Inc. (DB 239 PG 330); THENCE with said Breckinridge County Industrial Development Authority, Inc., S 46 deg. 01 min. 59 sec. E., 756.09' to a (found) iron pin on the northerly right-of-way of a 60' easement being the TRUE POINT OF BEGINNING; THENCE with the northerly

right-of-way of said 60' easement with a curve to the left having a radius at 742.45' and a long chord bearing at N 58 deg. 10 min. 11 sec. E., 286.23' to a (set) 5/8" rebar; THENCE with a curve to the left having a radius at 742.45' and a long chord bearing at N 40 deg. 44 min. 36 sec. E., 163.28' to the PT; THENCE N 34 deg. 25 min. 47 sec. E., 259.67' to a (found) iron pin; THENCE N 34 deg. 25 min. 47 sec. E., 29.59' to the PC; THENCE with a curve to the right having a radius at 1175.04' and a long chord bearing at N 44 deg. 20 min. 15 sec. E., 404.36' to the PT; THENCE N 54 deg. 14 min. 43 sec. E., 199.80' to a point on the westerly right-of-way of New Hardinsburg Bypass (Old Highway 60); THENCE with the westerly right-of-way of said New Hardinsburg Bypass with a curve to the right having a radius at 2221.83' and a long chord bearing at S 35 deg. 45 min. 17 sec. E., 60.00' to a point on the southerly right-of-way of said 60' easement; THENCE leaving said New Hardinsburg Bypass with the southerly right-of-way of said 60' easement S 54 deg. 14 min. 42 sec. W., 199.80' to the PC; THENCE with a curve to the left having a radius at 1115.04' and a long chord bearing at S 44 deg. 20 min. 15 sec. W., 383.71' to the PT; THENCE S 34 deg. 25 min. 47 sec. W., 39.38' to a (found) iron pin corner to Breckinridge County Industrial Development Authority, Inc. (DB 202 PG 520); THENCE with said Breckinridge County Industrial Development Authority, Inc. (DB 202 PG 520) S 34 deg. 25 min. 47 sec. W., 249.89' to the PC; THENCE with a curve to the right having a radius at 802.45' and a long chord bearing at S 37 deg. 04 min. 35 sec. W., 74.11' to a (found) iron pin; THENCE with a curve to the right having a radius at 802.45' and a long chord bearing at S 46 deg. 54 min. 32 sec. W., 200.76' to a (found) iron pin corner to said Breckinridge County Industrial Development Authority, Inc. (DB 239 PG 330); THENCE with said Breckinridge County Industrial Development Authority, Inc. (DB 239 PG 330) with a curve to the right having a radius at 802.45' and a long chord bearing at S 60 deg. 41 min. 03 sec. W., 184.17' to a (found) iron pin; THENCE N 46 deg. 01 min. 59 sec. W., 65.83' to the POINT OF BEGINNING.

The above described tract is subject to any easements, right-of-ways, or restrictions implied or of record.

Note: Deed Book references shown hereon were used for survey purposes only and may not be the complete legal title source.



#### 60' R/W DESCRIPTION

Also transferred herewith is the right of ingress and egress over a 60' R/W easement located on the westerly side of the New Hardinsburg Bypass (U.S. Hwy. 60) and further described as follows:

BEGINNING at a brace post in the westerly R/W of the New Hardinsburg Bypass (U.S. Hwy. 60) being 30' left of centerline Station 110 + 12.30 corner to K. O'Connell (D.B. 169, Pg. 246); thence with said U.S. Hwy. 60 N 17 deg. 56 min. 05 sec. W., 475.82' to a 5/8" rebar; thence N 22 deg. 58 min. 59 sec. W., 177.82' to a 5/8" rebar; thence with a curve to the left having a radius of 2221.83' and a long chord at N 30 deg. 07 min. 44 sec. W., 375.89' to a 5/8" rebar being the TRUE POINT OF BEGINNING; thence with the 60' R/W easement S 54 deg. 14 min. 43 sec. W., 199.80' to a 5/8" rebar; thence with a curve to the left having a radius of 1115.04' and a long chord at S 44 deg. 20 min. 15 sec. W., 383.71' to a 5/8" rebar; thence S 34 deg. 25 min. 47 sec. W., 39.38' to a 5/8" rebar; thence S 34 deg. 25 min. 47 sec. W., 249.89' to a 5/8" rebar; thence with a curve to the right having a radius of 802.45' and a long chord at S 71 deg. 38 min. 20 sec. W., 483.78' to a 5/8" rebar; thence S 39 deg. 10 min. 58 sec. W., 229.62' to a 5/8" rebar; thence N 5 deg. 41 min. 33 sec. W., 60.22' to a 5/8" rebar; thence N 89 deg. 10 min. 58 sec. E., 234.74' to a 5/8" rebar; thence with a curve to the left having a radius of 742.45' and a long chord at N 61 deg. 48 min. 23 sec. E., 682.81' to a 5/8" rebar; thence N 34 deg. 25 min. 47 sec. E., 259.67' to a 5/8" rebar; thence N 34 deg. 25 min. 47 sec. E., 29.59' to a 5/8" rebar; thence with a curve to the right having a radius of 1175.04' and a long chord at N 44 deg. 20 min. 15 sec. E., 404.36' to a 5/8" rebar; thence N 54 deg. 14 min. 43 sec. E., 199.80' to a 5/8" rebar in the R/W of U. S. Hwy. 60; thence with said R/W, a curve to the right having a radius of 2221.83' and a long chord at S 35 deg. 45 min. 17 sec. E., 60.00' to the beginning.

PORTION OF THE KEENAN O'CONNELL TRACT  
PARCEL 2

Being a 14.3084 acre tract located on the southerly side of a 60' R/W leading from the New Hardinsburg Bypass near Hardinsburg in Breckinridge County, Kentucky and further described as follows:

BEGINNING at a steel brace post in the westerly R/W of the New Hardinsburg Bypass (U.S. HWY. 60) being 80' left of centerline station 110 + 12.30 corner to K. O'Connell (D.B. 169, Pg. 246); thence with said O'Connell S. 63 deg. 30 min. 00 sec. W., 100.72' to a 3/8" steel pin; thence S. 73 deg. 04 min. 54 sec. W., 141.09' to a 3/8" steel pin; thence S. 60 deg. 45 min. 11 sec. W., 667.72' to a 5/8" rebar being the TRUE POINT OF BEGINNING; thence S. 60 deg. 45 min. 11 sec. W., 271.10' to a 1 1/4" pipe corner to Big Rivers Electric (D.B. 111, Pg. 471); thence with Big Rivers Electric S. 60 deg. 31 min. 58 sec. W., 731.52' to a 5/8" rebar in the line of L. Newby (D.B. 38, Pg. 468); thence with said Newby N. 15 deg. 59 min. 50 sec. W., 618.63' to a 5/8" rebar; thence with a new line in K. O'Connell N. 5 deg. 41 min. 33 sec. W., 270.98' to a 5/8" rebar on the southerly side of a 60' R/W; thence with the 60' R/W N. 89 deg. 10 min. 58 sec. E., 229.62' to a 5/8" rebar; thence with a curve to the left having a radius of 802.45' and a long chord at N. 71 deg. 38 min. 20 sec. E., 483.78' to a 5/8" rebar; thence with a new line in K. O'Connell S. 35 deg. 54 min. 19 sec. E., 651.47' to the beginning and containing 14.3084 acres (more or less) per physical survey by Timothy W. Smith, L.S. 2373.

The above described property is subject to any easements or restrictions either implied or of record.

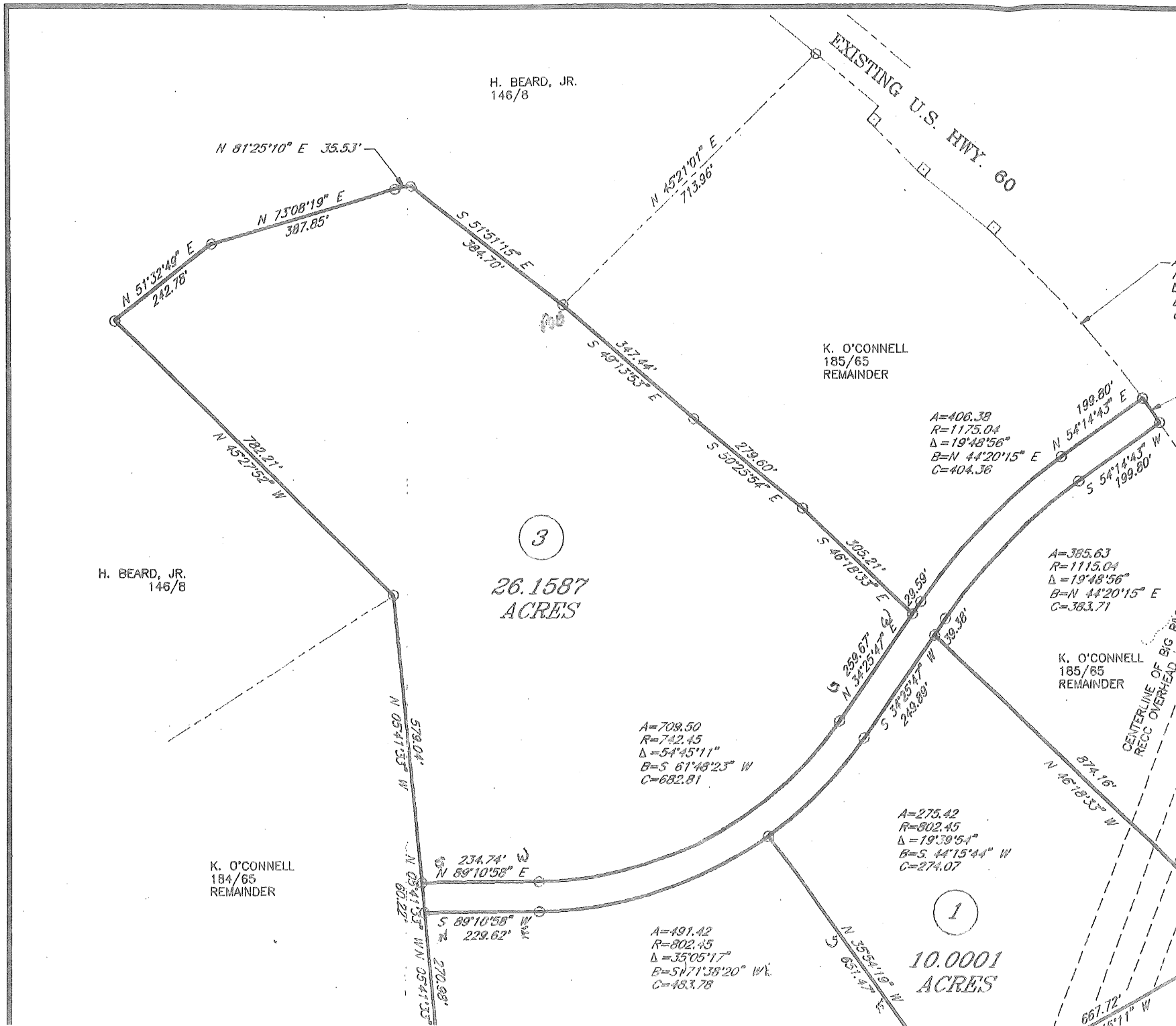
PORTION OF THE KEENAN O'CONNELL PROPERTY  
PARCEL 3

Being a 26.1587 acre tract located on the northerly side of a 60' R/W easement leading from the New Hardinsburg bypass (U.S. Hwy. 60) near Hardinsburg in Breckinridge County, Kentucky and further described as follows:

BEGINNING at a 5/8" rebar in the westerly R/W of U.S. Hwy. 60 corner to H. Beard, Jr. (D.B. 146, Pg. 8) and K. O'Connell (D.B. 185, pg. 65); thence with said Beard S. 45 deg. 21 min. 1 sec. W., 713.96' to a 5/8" rebar being the TRUE POINT OF BEGINNING; thence with new lines in K. O'Connell S. 49 deg. 13 min. 53 sec. E., 347.44' to a 5/8" rebar; thence S. 50 deg. 25 min. 54 sec. E., 279.60' to a 5/8" rebar; thence S. 46 deg. 18 min. 33 sec. E., 305.21' to a 5/8" rebar on the northerly side of a 60' R/W; thence with said R/W S. 34 deg. 25 min. 47 sec. W., 259.67' to a 5/8" rebar; thence with a curve to the right having a radius of 742.45' and a long chord at S. 61 deg. 48 min. 23 sec. W., 682.81' to a 5/8" rebar; thence S. 89 deg. 10 min. 58 sec. W., 234.74' to a 5/8" rebar; thence with a new line in K. O'Connell N. 5 deg. 41 min. 33 sec. W., 579.04' to a 5/8" rebar corner to said H. Beard, Jr.; thence with said Beard N. 45 deg. 27 min. 52 sec. W., 782.21' to a 5/8" rebar; thence N. 51 deg. 32 min. 49 sec. E., 242.78' to a 5/8" rebar; thence N. 73 deg. 8 min. 19 sec. E., 387.35' to a 5/8" rebar; thence N. 81 deg. 25 min. 10 sec. E., 35.53' to a 5/8" rebar; thence S. 51 deg. 51 min. 15 sec. E., 384.70' to the beginning and containing 26.1587 acres (more or less) per physical survey by Timothy W. Smith, L.S. 2373.

The above described property is subject to any easements or restrictions either implied or of record.





H. BEARD, JR.  
146/8

EXISTING U.S. HWY. 60

N 81°25'10" E 35.53'

N 73°08'19" E  
387.85'

N 51°32'49" E  
242.78'

S 57°57'15" E  
384.70'

N 45°21'01" E  
713.96'

K. O'CONNELL  
185/65  
REMAINDER

S 49°15'53" E  
347.44'

S 39°25'54" E  
272.60'

A=406.38  
R=1175.04  
Δ=19°48'56"  
B=N 44°20'15" E  
C=404.36

N 54°14'43" E  
199.80'

N 45°27'52" W  
782.21'

3

26.1587  
ACRES

H. BEARD, JR.  
146/8

A=385.63  
R=1115.04  
Δ=19°48'56"  
B=N 44°20'15" E  
C=363.71

K. O'CONNELL  
185/65  
REMAINDER

N 05°41'53" W  
579.04'

A=709.50  
R=742.45  
Δ=54°45'11"  
B=S 61°49'23" W  
C=682.81

S 46°18'33" E  
305.21'

N 46°18'33" W  
874.16'

CENTERLINE OF BIG RIVER  
RECC OVERHEAD SIG

K. O'CONNELL  
184/65  
REMAINDER

N 89°10'58" E  
234.74' W

A=275.42  
R=802.45  
Δ=19°39'54"  
B=S 44°15'44" W  
C=274.07

S 89°10'58" W  
229.62'

A=491.42  
R=802.45  
Δ=35°05'17"  
B=S 71°38'20" W  
C=483.78

1

10.0001  
ACRES

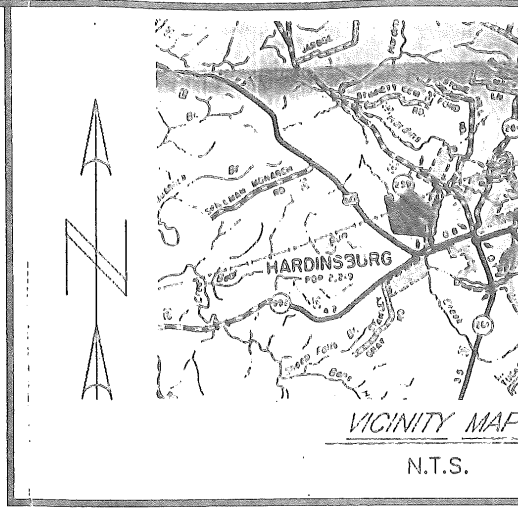
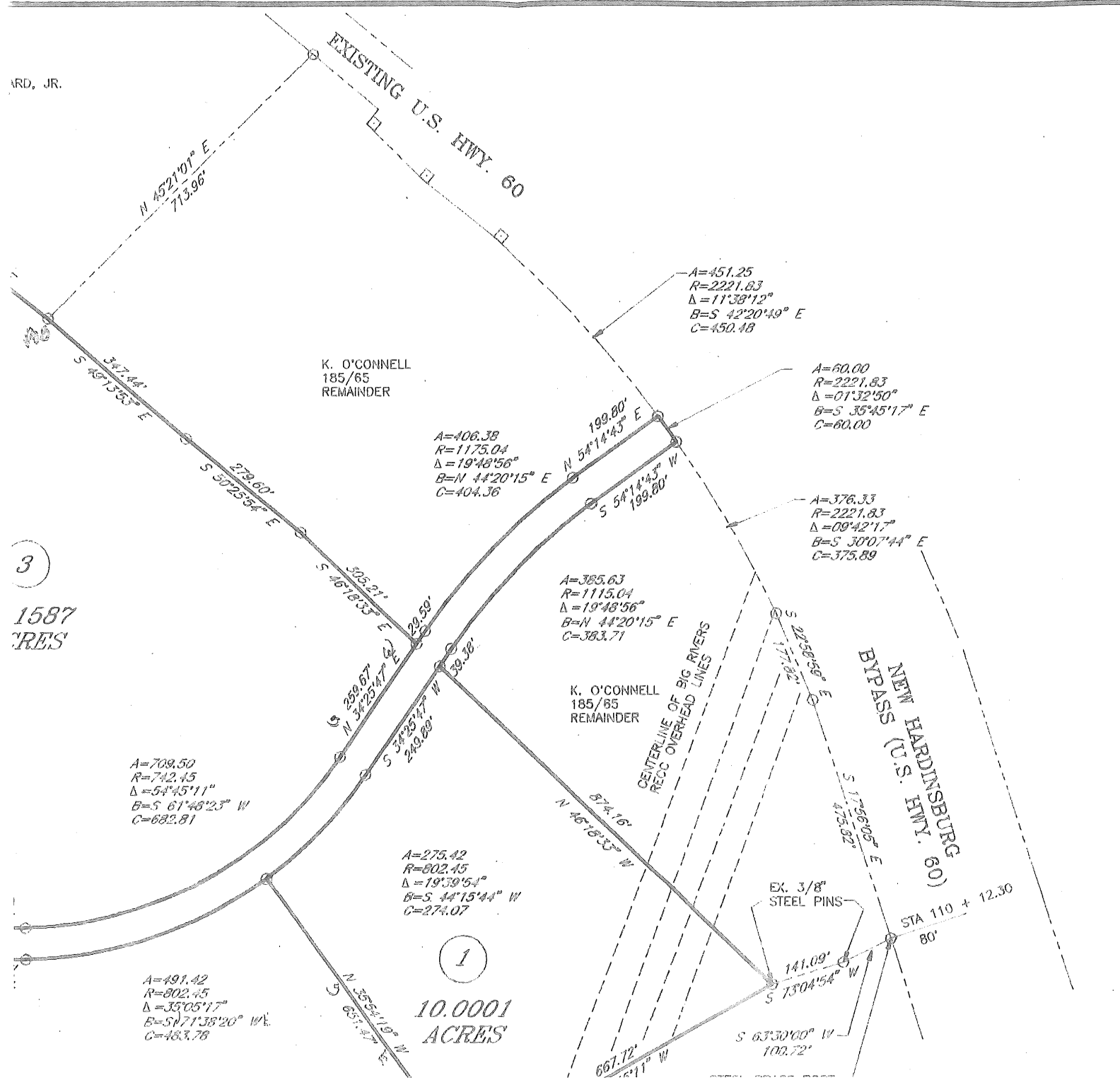
N 05°41'53" W  
60.22'

S 27°08'01" W  
270.98'

N 35°24'16" W  
657.47'

667.72'  
5°11" W

RD, JR.



NOTES

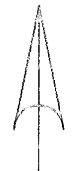
1. SET 5/8" REBAR WITH CAP UNLESS
2. PROPERTY IS SUBJECT TO ANY EASEMENTS EITHER IMPLIED OR OF RECORD.
3. RANDOM TRAVERSE CLOSURE - 1:500
4. ADJOINERS FROM THE TAX OFFICE.
5. BEGINNING BEARING FROM PREVIOUS
6. CONCRETE R/W MONUMENT -
7. SURVEY TITLE - KEENAN O'CONNELL,

3

1587 ACRES

1

10.0001 ACRES

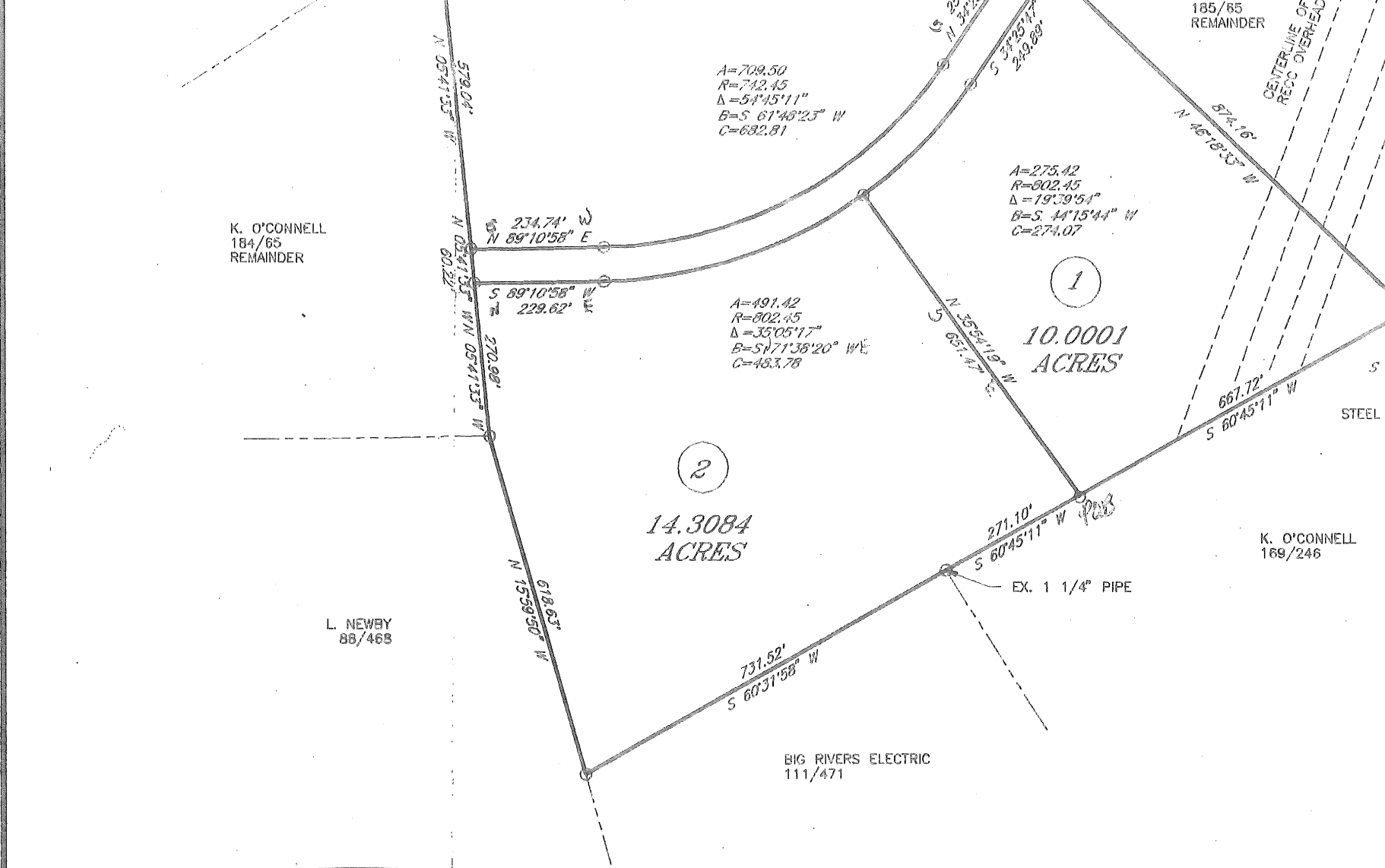


SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY MADE UNDER MY DIRECTION BY THE METHOD OF RANDOM TRAVERSE. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN ADJUSTED FOR CLOSURE, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Jimichell*

L.S. DATE 4-29-1990



A=709.50  
R=742.45  
Δ=51°15'11"  
B=S 61°40'23" W  
C=682.81

A=275.42  
R=802.45  
Δ=19°39'54"  
B=S 44°15'44" W  
C=274.07

A=491.42  
R=802.45  
Δ=35°05'17"  
B=S 71°38'20" WE  
C=483.78

14.3084  
ACRES

10.0001  
ACRES

K. O'CONNELL  
184/65  
REMAINDER

L. NEWBY  
88/468

BIG RIVERS ELECTRIC  
111/471

K. O'CONNELL  
169/246

185/85  
REMAINDER

CENTER LINE OF  
RECC OVERHEAD

STEEL

EX. 1 1/4" PIPE

A=799.50  
 R=712.15  
 Δ=54°45'11"  
 B=S 61°45'23" W  
 C=682.81

A=275.42  
 R=802.45  
 Δ=19°39'54"  
 B=S 44°15'44" W  
 C=274.07

A=491.42  
 R=802.45  
 Δ=33°05'17"  
 B=S 71°38'20" W  
 C=483.78

1  
 10.0001  
 ACRES

2  
 4.3084  
 ACRES

EX. 1 1/4" PIPE

K. O'CONNELL  
 169/246

BIG RIVERS ELECTRIC  
 111/471

185/65  
 REMAINDER

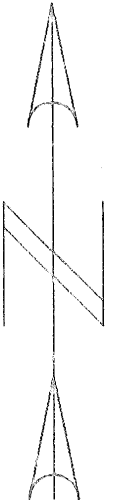
CENTER LINE OF  
 RECC OVERHEAD

SSAS (U.S. H.WY. 60)  
 W HARDINSBURG

EX. 3/8"  
 STEEL PINS

STA 110 + 12.30  
 80'

STEEL BRACE POST



200' 0 200'



GRAPHIC SCALE

SURVEY AND PLAT OF THE  
 KEENAN O'CONNELL PRO

HARDINSBURG, BRECKINRIDGE COUNTY, KY

—SMITH—

ENGINEERING AND LAND SURVEYS, INC.

901 HIGH STREET  
 BRANDENBURG, KY 40108  
 PHONE: (502)422-2588

DRA  
 SCA  
 DAT  
 JOB  
 SHE



UNDER MY  
 HANDS AND  
 SEAL, AND

190