

CERTIFICATION OF RESOLUTION NO. 2020-5.3

I hereby certify that I am the duly qualified Clerk of the City of Harlan, Kentucky, that the following pages of Resolution No. 2020-5.3, a Resolution Adopting a Modern and Accurate Legal Description of Territory Previously Annexed by Ordinance 110.11, and dated the 26 day of May, 2020, is a true, correct and complete copy of the duly adopted Resolution No. 2020-5.3 enacted by the Harlan City Council at a duly convened meeting held on May 26, 2020, all as appears in the official records of the City of Harlan.

Witness, my hand and the seal of said City of Harlan, this 26 day of May 2020.

Carla Jones  
Carla Jones  
Clerk of the City of Harlan, Kentucky

SEAL:

RECEIVED AND FILED  
DATE June 25, 2021

MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Adkins

RESOLUTION 2020-573

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL  
DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED  
BY ORDINANCE 110.11

WHEREAS the City of Harlan, Kentucky (hereinafter: "City") has enacted numerous ordinances annexing property into the corporate limits of the City; 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, 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; and,

WHEREAS an area annexed by City of Harlan Ordinance 110.11 and dated November 23, 2019 was not properly set forth by map or description as required by law to be filed with the Kentucky Secretary of State's Office; or otherwise filed in a manner necessitating this Resolution; and,

WHEREAS, the City wishes to add a modern legal description of the territory previously annexed to its KRS 81.045 filing, thereby correcting the same,

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

SECTION 1. That the City Council of the City of Harlan, Kentucky hereby adopts the following legal description, and plat, attached hereto as prepared by Mr. Leo Miller, a Licensed Professional Land Surveyor No. 1904, as an accurate depiction of the property previously annexed into the corporate city limits of the City of Harlan, Kentucky by Ordinance 110.11, dated November 23, 2019, a copy of which is attached hereto.

SECTION 2. That the City Council of the City of Harlan, Kentucky 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 (Ordinance 110.11).

SECTION 3. That the new legal description or Meets and Bounds Description of the Baxter Annexation to the City of Harlan, Ordinance 110.11, is as follows:

Beginning at the intersection of the East right of way of the U.S. 421 by-pass, the North right of way of "Hillside Dr." CR # 1318B1, and the Southeast corner of D.B. 418 Pg. 522, said point is also located in the East line of the "Baxter Annexation" ordinance # 110.10 and has Kentucky Single Zone N.A.D. coordinates of N: 3480324.68, E: 5631279.27

Thence with the East line of D.B. 418 Pg. 522 N 00°45'55" W 76.78' to the South right of way of Kerns Drive CR # 1318A8; Thence with said right of way N 67°49'41" W 115.94' to the east right of way of the U.S. 421 by-pass and the East line of the "Baxter Annexation" ordinance # 110.10;

Thence with said right of way and ordinance line S 00°05'05" W 57.91'; Thence S 27°28'45" E 59.76'; Thence S 83°13'45" E 81.47' to the beginning.

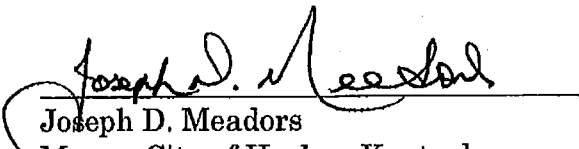
Containing 9254.6 sq. ft or 0.2124 acres and being all the property contained in D.B. 418 Pg. 522, excepting that part deeded to the Kentucky Department of Highways in D.B. 212 Pg. 657, dated 09-24-1974.

(The foregoing description is an unofficial description. For official description see documents prepared by Leo Miller and Associates and of record with the Harlan City Clerk.)

SECTION 4. This new legal description as prepared by Mr. Leo Miller, a Licensed Professional Land Surveyor No. 1904, is also attached as Exhibit A labeled "Nunez Annexation Ordinance 110.11 11-23-2019". The Plat is attached as Exhibit B and labeled "Nunez Annexation Ordinance 110.11 11-23-2019" as prepared by Leo Miller and Associates, Inc., Professional Engineers and Land Surveyors and dated April 15, 2020.

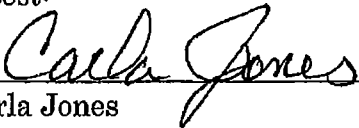
SECTION 5. That this resolution and the attached documents shall be filed with the Office of the Secretary of State to correct the City's KRS 81.045 filing.

Adopted unanimously upon proper motion, second and vote on this 27 day of May, 2020.

  
Joseph D. Meadors  
Mayor, City of Harlan, Kentucky

Resolution 2020-5.3  
City of Harlan, Kentucky

Attest:

  
\_\_\_\_\_  
Carla Jones  
Clerk, City of Harlan, Kentucky

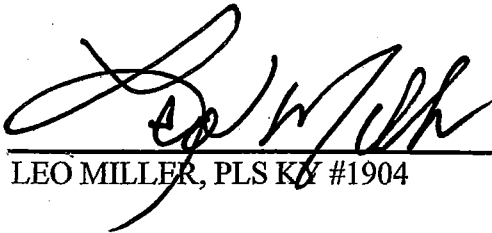
METES AND BOUNDS DESCRIPTION  
NUNEZ ANNEXATION  
ORDINANCE #110.11 - 11-23-2019

Beginning in the East line of the City of Harlan, "Baxter Annexation", Ordinance # 110.10, dated 11-25-2002, at the intersection of the East right of way of the U.S. 421 by-pass, the North right of way of "Hillside Dr." CR#1318B1, and the Southeast corner of D.B. 418 Pg. 522, said point is also located in the East line of the "Baxter Annexation" ordinance #110.10 and has Kentucky Single Zone N.A.D. coordinates of N: 3480324.68, E: 5631279.27

Thence with the East line of D.B. 418 Pg. 522 N 00°45'55" W 76.78' to the South right of way of Kerns Drive CR#1318A8; Thence with said right of way N 67°49'41" W 115.94' to the east right of way of the U.S. 421 by-pass and the East line of the "Baxter Annexation" ordinance #110.10;

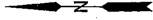
Thence with said right of way and ordinance line S 00°05'05" W 57.91'; Thence S 27°28'45" E 59.76'; Thence S 83°13'45" E 81.47' to the beginning.

Containing 9254.6 sq. ft. or 0.2124 acres and being all the property contained in D.B. 418 Pg. 522, excepting that part deeded to the Kentucky Department of Highways in D.B. 212 Pg. 657, dated 09-24-1974.

  
LEO MILLER, PLS KY #1904

4/7/21  
DATE





GRID NORTH BASED ON G.P.S. OBSERVATION  
COORDINATES ARE KENTUCKY SINGLE ZONE 1983



SCALE: 1" = 50'

THIS DRAWING WAS PREPARED FOR THE SOLE USE OF THE CITY OF HARLAN, HARLAN COUNTY KENTUCKY AND THE KENTUCKY SECRETARY OF STATE'S OFFICE AS AN AIDE IN THE MAPPING OF THE CURRENT CITY LIMITS OF THE CITY OF HARLAN AND SHALL NOT BE USED BY THIRD PARTIES OR FOR ANY OTHER PURPOSES.

THIS DRAWING IS AN ATTEMPT TO GENERATE A MAPABLE METES AND BOUNDS DESCRIPTION BASED ON THE GENERAL DESCRIPTION CONTAINED IN THE ORIGINAL ANNEXATION ORDINANCE.

THIS DRAWING IS NOT A PROPERTY SURVEY AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY SURVEY PERFORMED IN THE STATE OF KENTUCKY. DO NOT USE THIS DRAWING IN THE PREPARATION OF DEEDS OR THE TRANSFER OF PROPERTY.

THIS DRAWING WAS COMPILED FROM VARIOUS CITY ORDINANCE DESCRIPTIONS, MAPS, SUBDIVISION PLATS, RIGHT OF WAY PLANS, AND DEEDS FOUND IN THE FILES AND RECORDS OF THE CITY OF HARLAN, HARLAN COUNTY, AND LEO MILLER & ASSOC. INC. CONTROL FOR THE PROJECTIONS WAS BY STATIC GPS OBSERVATIONS AT VARIOUS PHYSICAL AND GEOGRAPHIC FEATURES, AND PROPERTY CORNERS THROUGHOUT THE BOUNDARY.

BEGINNING CORNER  
"NUNEZ ANNEXATION"  
ORDINANCE #110.11  
DATED 11-23-2019  
N:3480324.68  
E:5631279.27  
INTERSECTION OF THE EAST RIGHT OF  
WAY OF THE U.S. 421 BY-PASS, THE  
NORTH RIGHT OF WAY OF HILLSIDE DR.  
CR#1318B1, AND THE CITY OF HARLAN  
BAXTER ANNEXATION ORDINANCE #110.10  
DATED 11-25-2002

N 00°45'55" W

BEGINNING CORNER  
 "NUNEZ ANNEXATION"  
 ORDINANCE #110.11  
 DATED 11-23-2019  
 N:3480324.68  
 E:5631279.27  
 INTERSECTION OF THE EAST RIGHT OF  
 WAY OF THE U.S. 421 BY-PASS, THE  
 NORTH RIGHT OF WAY OF HILLSIDE DR.  
 CR#1318B1, AND THE CITY OF HARLAN  
 BAXTER ANNEXATION ORDINANCE #110.10  
 DATED 11-25-2002

CR#1318B1

METES AND BOUNDS DESCRIPTION  
 NUNEZ ANNEXATION  
 ORDINANCE #110.11 - 11-23-2019

Beginning in the East line of the City of Harlan "Baxter Annexation" ordinance #110.10, dated 11-25-2002, at the intersection of the East right of way of the U.S. By-Pass, the north right of way of "Hillside Dr. CR #1318B1 and the Southeast corner of D.B. 418 Pg. 522, said point has Kentucky Single Zone N.A.D. coordinates of N: 3480324.68, E: 5631279.27  
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THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY  
 AND IS NOT INTENDED FOR LAND TRANSFER.

REVISIONS		DATE	SHEET
1			1 OF 1
2			DATE
3			4-15-2020
4			SURVEYED BY
5			ML
6			DRAWN BY
7			MJ
8			CHECKED BY
9			LM

LEO MILLER AND ASSOCIATES, INC.  
 PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
 P.O. BOX 488 HARLAN, KENTUCKY 40831  
 TELEPHONE (606)-573-4300 FAX (606)-573-6722

CITY OF HARLAN  
 HARLAN CO. KENTUCKY

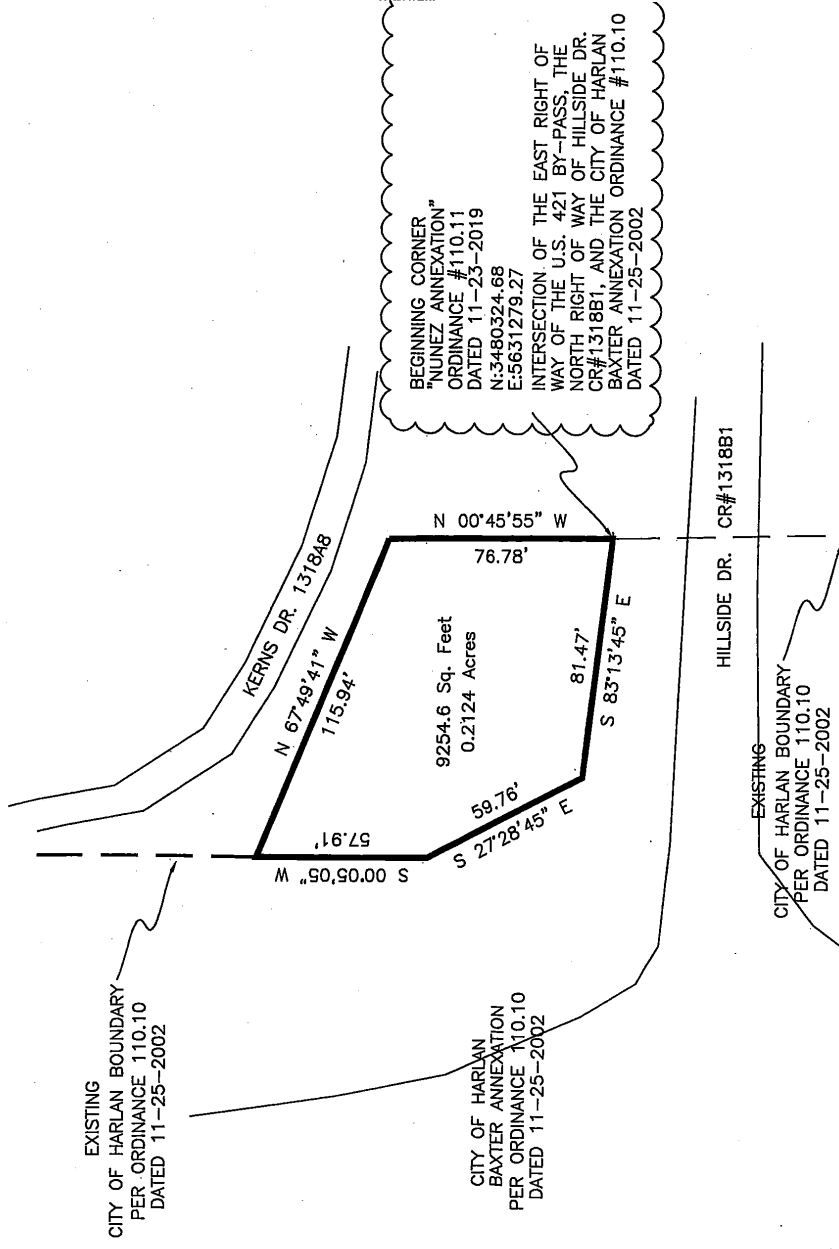
NUNEZ ANNEXATION

THIS DRAWING WAS PREPARED  
 SECRETARY OF STATE'S OFFICE  
 NOT BE USED BY THIRD PARTY

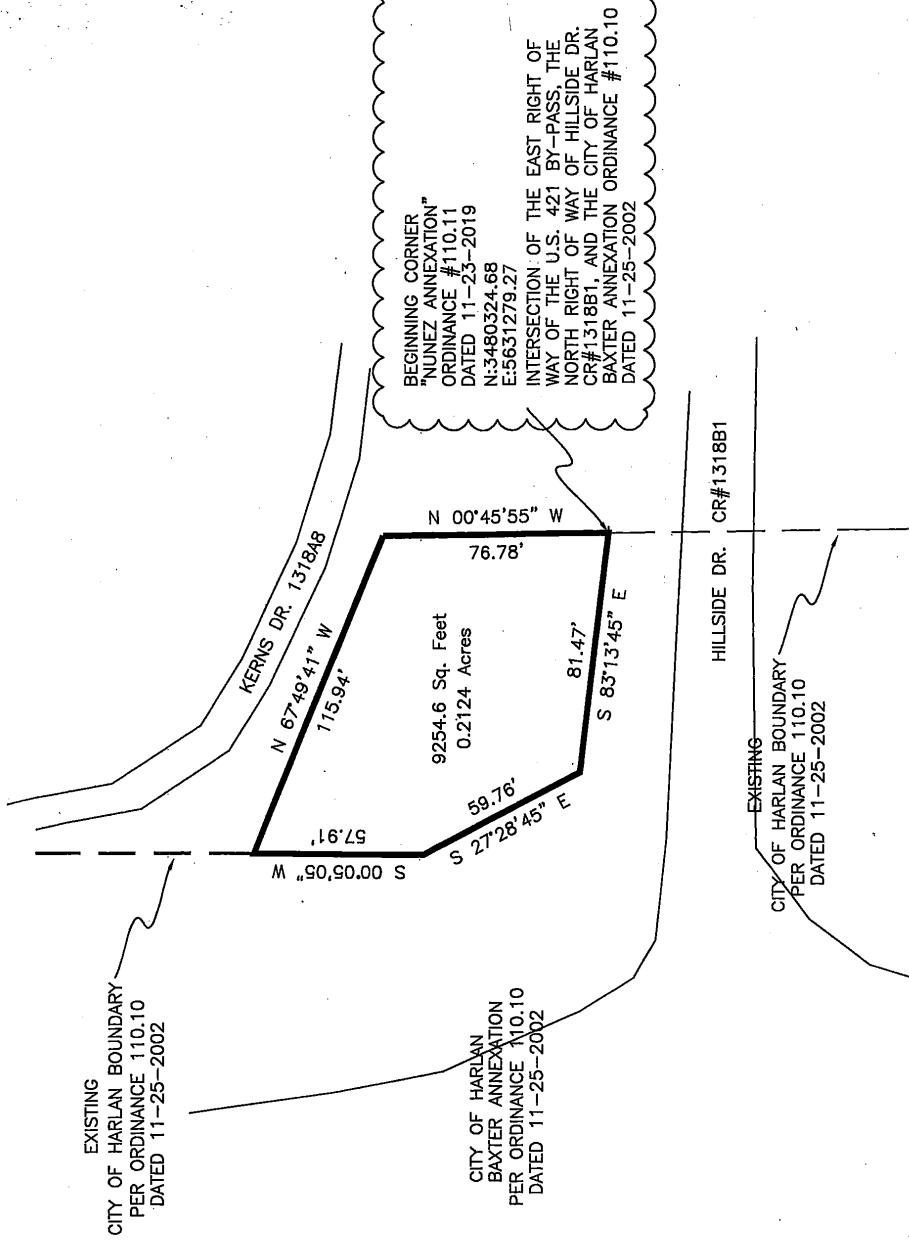
THIS DRAWING IS AN ATTEMPT  
 CONTAINED IN THE ORIGINAL A

THIS DRAWING IS NOT A PROPRIETARY  
 IN THE STATE OF KENTUCKY. I

THIS DRAWING WAS COMPILED  
 AND DEEDS FOUND IN THE FILE  
 CONTROL FOR THE PROJECTION OF  
 PROPERTY CORNERS THROUGH







Beginning  
dated 11-25-  
north right of  
said point has  
Thence with  
of way of Ker  
the east right  
ordinance #11  
Thence w  
45° E 59.76';  
Contains  
418 Pg. 522,  
Pg. 657, date

THIS DRAWING  
AND

REVISIONS		DATE
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2		
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6		
7		
8		
9		



I certify that this drawing was prepared for the City of Harlan, Harlan County, Kentucky.