RESOLUTION NO. 10-009

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 14-81

WHEREAS, the City of Hawesville has previously enacted an ordinance annexing certain property into the corporate limits of the City of Hawesville; and

WHEREAS, the annexation contained a prior survey of the property prepared by now unknown individual, and further references documentation that is no longer in existence; and

WHEREAS, the City wished 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 date, same having been certified by a professional land surveyor for the prior annexation; and

WHEREAS, the City wishes to comply with the requirements of Amended KRS 81A.470, effective July 15, 2010; 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 by a professional land surveyor.

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

SECTION 1. That the City Council of the City of Hawesville hereby adopts the following legal description, and a plat attached hereto as prepared by Linda Wimmer, Kentucky Land Surveyor No. 3189 by a new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Hawesville by Ordinance, 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 2. This legal description as prepared by Wimmer Surveying, Licensed Professional Land Surveyor No. 3189 is as follows:

Certain parcels of property located south of Ky. 1847 and north of Ky. 1389, being southwest of Hawesville in Hancock County, Kentucky more particularly described as follows:

All iron pins noted "set" are 5/8" rebar 18" in length with plastic surveyor's cap stamped Wimmer PLS #3189. All bearings herein are referred to a magnetic reading taken in the field on October 20, 2010.

Beginning at a 1/2" rebar (found), said point being 28.5 feet south of the center of Ky. 1847, being 1051' +/- west of the center of Ky. 1389, being a corner to Veachel A. Proctor & Lila J. Proctor (DB 127, PG 621), and being at the approximate City Limits as defined in Ordinance No. 8-67; thence leaving the road and with the City Limits, S 29x11'28" E, crossing Proctor (DB 127, PG 621 & DB 83, PG 107), and Green River Rural Electric Cooperative (DB 66, PG 17), 707.36 feet to an iron pin (set), said point being 30.00 feet north of the center of Ky. 1389, and being 977' +/- southwest of the center of Ky. 1847, thence with Ky. 1389 and 30.00 feet from the center the following courses:

S 58x42'07" W, 68.89 feet to a point (not set);

S 61x42'16" W, 58.25 feet to a point (not set);

S 64x54'57" W, 75.33 feet to a point (not set);

S 68x55'20" W, 53.45 feet to a point (not set);

S 72x22'35" W, 57.38 feet to a fence post at a corner to Ethel Rice (DB 142, PG 111); thence leaving the road and with Rice, N 22x31'10" W, 199.64 feet to a fence post; thence with Rice, S 75x28'21" W, 208.89 feet to an iron pin (set) at a corner to Albert E. McCaslin (DB 59, PG 295); thence with McCaslin, N 20x35'00" W, 95.40 feet to a 1/2" rebar (found) at a corner to Green River Rural Electric Cooperative (DB 66, PG 17); thence with McCaslin, N 27x12'33" W, passing a 1/2" rebar (found) at 16.41 feet, a total of 24.41 feet to a point (not set) in the center of a ditch; thence with McCaslin and the ditch, N 86x53'12" W, 110.16 feet to a point (not set) which is N 29x41'28" E, 19.08 feet from an iron pin (set) as reference; thence with McCaslin and the ditch, N 77x04'14" W, 180.56 feet to a point (not set) which is N 08x16'42" E, 15.40 feet from an iron pin (set) as reference; thence with McCaslin and the ditch, N 87x24'05" W, 374.66 feet to a point (not set) which is N 38x43'45" E, 16.71 feet from an iron pin (set) as reference and being the corner to James Rodney Wheatley & Marian Loretta

Wheatley (DB 87, PG 391); thence with Wheatley and generally with the ditch, N 88x21'44" W passing the line of Robert L. McCormick & Lisa A. McCormick (DB 114, PG 784) at 508.08 feet, passing an iron pin (set) at 766.30 feet, a total of 776.26 feet to a point (not set) in the center of a ditch, said point being in the line of Robert D. Speer & Peggy A. Speer (DB 85, PG 680); thence with Speer and the ditch, S 21x09'52" W, 451.13 feet to an iron pin (set) in the center of the ditch, said point being in the line of Winfield H. Hendry & Rita L. Hendry (DB 100, PG 181), and being a corner to Wheatley; thence with Hendry, N 47x22'40" W, 299.88 feet to a fence post with a 60d nail set in the top, said point being a corner to Frederick Eugene Hubbard & Wilma Jo Oliver (DB 139, PG 69) & Frederick Eugene Hubbard (DB 98, PG 235); thence with Hubbard and Speer, N 27x57'41" E, 763.53 feet to an iron pin (set), said point being 30.00 feet south of the center of Ky. 1847; thence with Ky. 1847 and 30.00 feet from the center the following courses;

S 75x51'12" E, 68.90 feet to a point (not set);

S 79x19'12" E, 66.92 feet to a point (not set);

S 85x49'59" E, 262.60 feet to a point (not set), said point being a corner to The City of Hawesville (Buck Lane DB 94, PG 364); thence with the City, S 00x17'11" W, 30.00 feet to a point (not set), said point being in the south margin of Buck Lane and the north margin of the J.E. Buck Addition to the City of Hawesville (DB 73, PG 66-69); thence S 87x27'40" E, with Lots 3-4 of the J.E. Buck Addition, 176.91 to a 1/2" sq. iron (found) at a corner to Lot 5; thence with Lots 5-6 of the Addition, S 87x23'30" E, 200.29 feet to a T-bar (found) at a corner to Lot 7; thence with Lots 7-11 of the Addition N 89x21'33" E, 500.00 feet to a point (not set) at a corner to Lot 11 and the City (DB 94, PG 364); thence with the City, N 00x44'33" E, 30.00 feet to a point (not set), said point being 30.00 feet south of the center of Ky. 1847; thence with Ky. 1847 and 30.00 feet from the center, S 89x31'43" E, 496.78 feet to the point of beginning and containing 24.552 acres, more or less, and being subject to all legal and existing easements and rights of way.

This description emcompasses the properties annexed into the City of Hawesville by Ordinance #4-81-C. For record sources see survey plats.

This description was prepared from an actual field survey performed by Wimmer Surveying in November of 2010.

INTRODUCED, APPROVED AND ADOPTED on this 14th day of December, 2010.

Charles King, Mayor

CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Hawesville, Kentucky, and the foregoing four pages of Resolution No. 10-009 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on December 14, 2010 all as appears in the official records of said City.

WITNESS, my hand and seal, this 15th day of December, 2010.

Denise Greathouse

Denise Greathouse
City Clerk

RECEIVED AND FILED
DATE December 17, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Sandie Adkinson

W I M M E R S U R V E Y I N G
3060 HWY. 657
LEWISPORT, KENTUCKY 42351
270-295-4850

PROPERTY DESCRIPTION : 1061 ANNEXATION
24.352 ACRES

Certain parcels of property located south of Ky. 1847 and north of Ky. 1389, being southwest of Hawesville in Hancock County, Kentucky more particularly described as follows:

All iron pins noted "set" are 5/8" rebar 18" in length with plastic surveyor's cap stamped Wimmer PLS # 3109. All bearings herein are referred to a magnetic reading taken in the field on October 20, 2010.

Beginning at a 1/2" rebar (found), said point being 28.5 feet south of the center of Ky. 1847, being 1031'+/- west of the center of Ky. 1389, being a corner to Vaughel A. Proctor & Lila J. Proctor (DB 127, PG 621), and being at the approximate City Limits as defined in Ordinance No. 8-67; thence leaving the road and with the City Limits, S 29x11'28" E, crossing Proctor (DB 127, PG 621 & DB 83, PG 107), and Green River Rural Electric Cooperative (DB 66, PG 17), 707.36 feet to an iron pin (set), said point being 30.00 feet north of the center of Ky. 1389, and being 977'+/- southwest of the center of Ky. 1847, thence with Ky. 1389 and 30.00 feet from the center the following courses:

S 58x42'07" W, 68.69 feet to a point (not set);

S 61x42'16" W, 153.23 feet to a point (not set);

S 62x54'57" W, 75.33 feet to a point (not set);

S 68x55'20" W, 53.45 feet to a point (not set);

S 72x22'35" W, 57.30 feet to a fence post at a corner to Ethel Rice

(DB 142, PG 111); thence leaving the road and with Rice, N 22x31'10" W, 192.66 feet to a fence post; thence with Rice, S 75x28'21" W, 208.32 feet to an iron pin (set) at a corner to Albert E. McCaslin (DB 59, PG 255); thence with McCaslin, N 20x35'00" W, 97.40 feet to a 1/2" rebar (found) at a corner to Green River Rural Electric Cooperative (DB 66, PG 17); thence with McCaslin, N 27x12'33" W, passing a 1/2" rebar (found) at 16.41 feet, a total of 24.41 feet to a point (not set) in the center of a ditch; thence with McCaslin and the ditch, N86x33'12"W, 110.36feet to a point (not set) which is N 39x41'28" E, 19.08 feet from an iron pin (set) as reference; thence with McCaslin and the ditch, N 77x04'14" W, 180.56 feet to a point (not set) which is N 08x10'42" E, 15.40 feet from an iron pin (set) as reference; thence with McCaslin and the ditch, N 87x24'05" W, 274.66 feet to a point (not set) which is N 38x49'43" E, 16.71 feet from an iron pin (set) as reference and being the corner to James Rodney Wheatley & Marian Loretta Wheatley (DB 87, PG 291); thence with Wheatley and generally with the ditch, N88x21'44"W passing the line of Robert L. McCormick & Lisa A. McCormick (DB 114, PG 764) at 303.08 feet, passing an iron pin (set) at 766.30 feet, a total of 776.26 feet to a point (not set) in the center of a ditch, said point being in the line of Robert D. Speer & Peggy A. Speer (DB 85, PG 680); thence with Speer and the ditch, S 21x09'52" W, 451.13 feet to an iron pin (set) in the center of the ditch, said point being in the line of Winfield H. Hendry & Rita L. Hendry (DB 100, PG 181), and being a corner to Wheatley; thence with Hendry, N 47x32'40" W, 299.83 feet

to a fence post with a 60d nail set in the top, said point being a corner to Frederick Eugene Hubbard & Wilma Jo Oliver (DB 139, PG 69) & Frederick Eugene Hubbard (DB 98, PG 235); thence with Hubbard and Speer, N 27x37'41" E, 763.53 feet to an iron pin (set), said point being 30.00 feet south of the center of Ky. 1047; thence with Ky. 1047 and 30.00 feet from the center the following courses;

S 75x51'12" E, 68.90 feet to a point (not set);

S 77x19'12" E, 66.93 feet to a point (not set);

S 83x49'39" E, 262.60 feet to a point (not set), said point being a corner to The City of Hawesville (Buck Lane DB 94, PG 364); thence with the City, S 00x17'11" W, 30.00 feet to a point (not set), said point being in the south margin of Buck Lane and the north margin of the J. E. Buck Addition to the City of Hawesville (DB 73, PG 65 69); thence S 87x27'40" E, with Lots 2-4 of the J. E. Buck Addition, 176.21 to a 1/2" sq. iron (found) at a corner to Lot 5; thence with Lots 5-6 of the Addition, S 87x23'30" E, 200.29 feet to a T-bar (found) at a corner to Lot 7; thence with Lots 7-11 of the Addition N 00x21'30" E, 500.00 feet to a point (not set) at a corner to Lot 11 and the City (DB 94, PG 364); thence with the City, N 00x44'33" E, 30.00 feet to a point (not set), said point being 30.00 feet south of the center of Ky. 1047, thence with Ky. 1047 and 30.00 feet from the center, S 89x31'49" E, 496.78 feet to the point of beginning and containing 24.532 acres, more or less, and being subject to all legal and existing easements and rights of way.

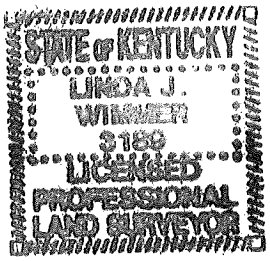
This description encompasses the properties annexed into the City

of Hawesville by Ordinance # 4-81-C. For record sources see survey plats.

This description was prepared from an actual field survey performed by Winmer Surveying in November of 2010.

Linda Winmer 11-23-10

Linda J. Winmer Date
Licensed Professional Land Surveyor No. 3189



OVERSIZE MAP INCLUDED WITH SUBMISSION.

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