

RECEIVED AND FILED
DATE December 18, 2017

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Wilkinson



City of Horse Cave

Randall Curry, Mayor
121 Woodlawn Avenue
PO Box 326
Horse Cave, Kentucky 42749

Phone: 270-786 2680 Fax: 270-786 2688
www.horsecaveky.com E-mail: horsecave@hotmail.com

Resolution 2017-12.1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HORSE CAVE, KENTUCKY ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 99-4.

WHEREAS, the City of Horse Cave has enacted numerous ordinances annexing property into the corporate limits of the City of Horse Cave; 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 12th, 2004; and

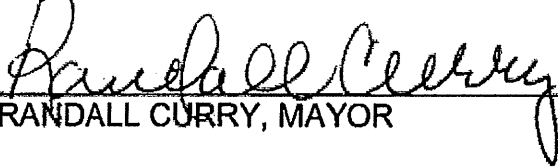
WHEREAS, the City does not intend to amend or replace its prior ordinance annexing but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

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

SECTION 1. That the City Council of the City of Horse Cave hereby adopts the following legal description and a plat attached hereto as prepared by Robert Neuhaus Licensed Professional Land Surveyor No. 3857 by new plat as an accurate depiction of the property previously annexed into the corporate city limits of the City of Horse Cave by Ordinance 99-4 dated May 10, 1999, a copy of which is attached hereto 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. This Plat is attached labeled as "Annexation Exhibit 1" as prepared by American Engineers, INC. dated July 26, 2017.

SECTION 2. This new legal description as prepared by Robert Neuhaus a Licensed Professional Land Surveyor No. 3857 is attached labeled "HART COUNTY INDUSTRIAL ANNEXATION TRACT/102.46 ACRE TRACT". This legal description is attached labeled as "Annexation Exhibit 2" as prepared by American Engineers, INC. dated July 26, 2017.

Adopted by a vote of 5 in favor, 0 against, 0 abstentions this 11th day of December, 2017.



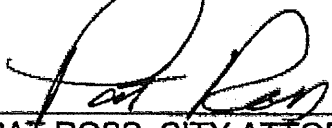
RANDALL CURRY, MAYOR

ATTESTED BY:

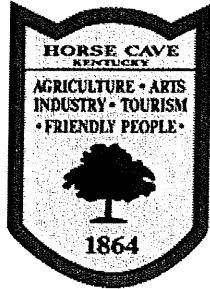


KEN RUSSELL, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:



PAT ROSS, CITY ATTORNEY
Hensley and Ross
PO Box 350
Horse Cave, KY 42749
270-786-2155



City of Horse Cave

Randall Curry, Mayor
121 Woodlawn Avenue
PO Box 326
Horse Cave, Kentucky 42749

Phone: 270-786 2680
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Fax: 270-786 2688
E-mail: horsecave@hotmail.com

CITY CLERK CERTIFICATION

I, the undersigned, being duly appointed, qualified and acting as the City Clerk of the City of Horse Cave, Kentucky, hereby certify that the foregoing Resolution 2017-12.1 is a true, correct and complete copy as duly and lawfully passed and adopted by the Horse Cave City Council at a duly convened business meeting of the Horse Cave City Council held on the 11th day of December, 2017 all as appears in the official records of said City.

WITNESS, my hand and Seal, this 12th day of December, 2017.

A handwritten signature in cursive script, appearing to read "Ken Russell".

Ken Russell, City Clerk



AMERICAN
ENGINEERS, INC.

Annexation Exhibit

HART COUNTY INDUSTRIAL ANNEXATION TRACT

102.46 ACRE TRACT

The purpose of this description is to correct a minor error in the original ordinance that annexed this property. The original ordinance had an incorrect call in distance on the line marked L1 on the accompanying plat and the first line of this legal description. The original distance given was 259.08' which did not allow the original ordinance to close. The corrected distance of 259.90' is listed in this legal description and shown on the accompanying plat.

A certain parcel lying in Horse Cave – Hart County, Kentucky. Said Parcel being a portion of land owned by Hart County Industrial Authority as recorded in “Deed Book 215 Page 438”, in the office of Hart County Court Clerk. Said parcel is more particularly described as follows:

The basis of bearings referred to hereon were based on Grid North as it relates to the Kentucky State Plane Coordinate System. As observed via RTK based off of NGS COR Station #KYTC. June, 2017.

BEGINNING at a point on the eastern right of way of South Butler Road (30' R.O.W.), said point being approximately 3,395' from the intersection of Butler Road and South Butler Road.

Thence with the eastern right of way of South Butler Road for the following calls:

- Thence N 06°22'21" E a distance of 259.90' to a point;
- Thence N 05°44'44" E a distance of 303.33' to a point;
- Thence N 07°06'32" E a distance of 230.54' to a point;
- Thence N 06°16'05" E a distance of 193.09' to a point;
- Thence N 05°36'05" E a distance of 140.22' to a point;
- Thence N 04°17'17" E a distance of 125.47' to a point;
- Thence N 06°49'01" E a distance of 116.20' to a point;
- Thence N 05°36'23" E a distance of 59.26' to a point, being a corner to Jennifer Demarco as recorded in “Deed Book 229 Page 712”, said tract currently owned by Wanda Ramsey as recorded in “Deed Book 260 Page 736”;

Thence leaving the eastern right of way of South Butler Road with the line of Demarco/Ramsey for the following calls:

- Thence S 85°04'11" E a distance of 207.66' to a point;
- Thence N 07°01'17" E a distance of 68.35' to a point;
- Thence N 77°13'17" W a distance of 210.40' to a point, being in the eastern right of way of South Butler Road;

Thence leaving the line of Demarco/Ramsey with the eastern right of way of South Butler Road for the following calls:

- Thence N 06°10'10" E a distance of 65.68' to a point;
- Thence N 10°18'24" E a distance of 108.00' to a point;
- Thence N 20°09'35" E a distance of 48.26' to a point;
- Thence N 26°34'00" E a distance of 87.42' to a point;



AMERICAN ENGINEERS, INC.

Thence N 26°04'13" E a distance of 171.67' to a point;
Thence N 26°03'26" E a distance of 204.09' to a point;
Thence N 25°56'47" E a distance of 274.42' to a point;
Thence N 25°58'39" E a distance of 291.42' to a point, being a corner to Lester C. England and wife, Cova England as recorded in "Deed Book 225 Page 240", Currently owned by Travis W. King as recorded in "Deed Book 340 Page 507";

Thence leaving the eastern right of way of South Butler Road with the line of England/King for the following calls:

Thence S 63°14'29" E a distance of 159.07' to a point;
Thence N 30°29'28" E a distance of 148.19' to a point, being a corner to Lester C. England and wife, Cova England as recorded in "Deed Book 225 Page 240", currently owned by Roxie Halter and Donald L. Smith as recorded in "Deed Book 292 Page 236";

Thence leaving the line of England/King with the line of England/ Halter-Smith N 30°29'30" E a distance of 426.37' to a point, being in the south right of way of Butler Road (30' R.O.W);

Thence leaving the line of England/Halter-Smith with the right of way of Butler Road for the following calls:

Thence S 53°37'21" E a distance of 71.63' to a point;
Thence S 53°55'45" E a distance of 19.62' to a point;
Thence S 74°26'22" E a distance of 13.11' to a point;
Thence S 54°48'50" E a distance of 448.65' to a point;
Thence S 54°48'50" E a distance of 677.23' to a point;
Thence S 26°29'02" E a distance of 42.52' to a point;
Thence S 01°51'28" W a distance of 7.41' to a point;
Thence S 10°03'19" W a distance of 487.98' to a point;
Thence S 09°35'35" W a distance of 334.97' to a point;

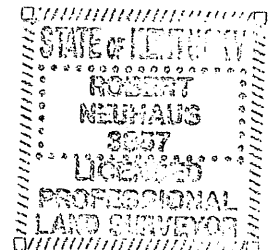
Thence leaving the right of way of Butler Road for the following calls:

Thence N 84°56'52" W a distance of 268.10' to a point;
Thence S 06°30'10" W a distance of 1715.99' to a point;
Thence N 83°51'36" W a distance of 1521.38' to the point of beginning containing 102.46 Acres (4463157.60 square feet) per survey by American Engineers Inc. dated July 26, 2017

This description does not constitute a boundary survey. Said description is for annexing purposes and not for the transfer of real property.

Description Prepared by: Robert Neuhaus
Robert Neuhaus KY P.L.S. 3857

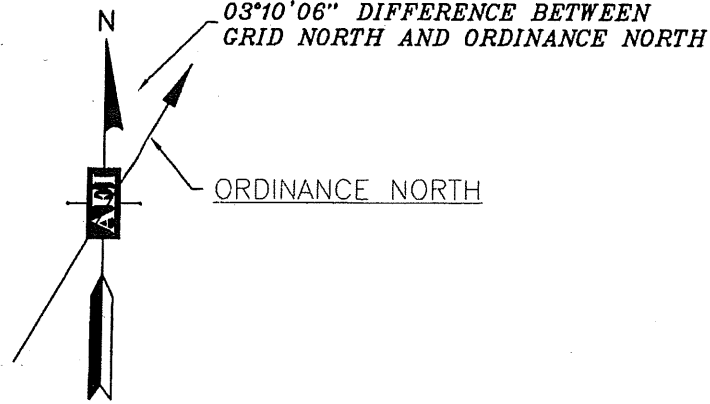
7/26/17
Date



www.aei.cc

Glasgow, KY • Marietta, GA • Louisville, KY

GRID NORTH

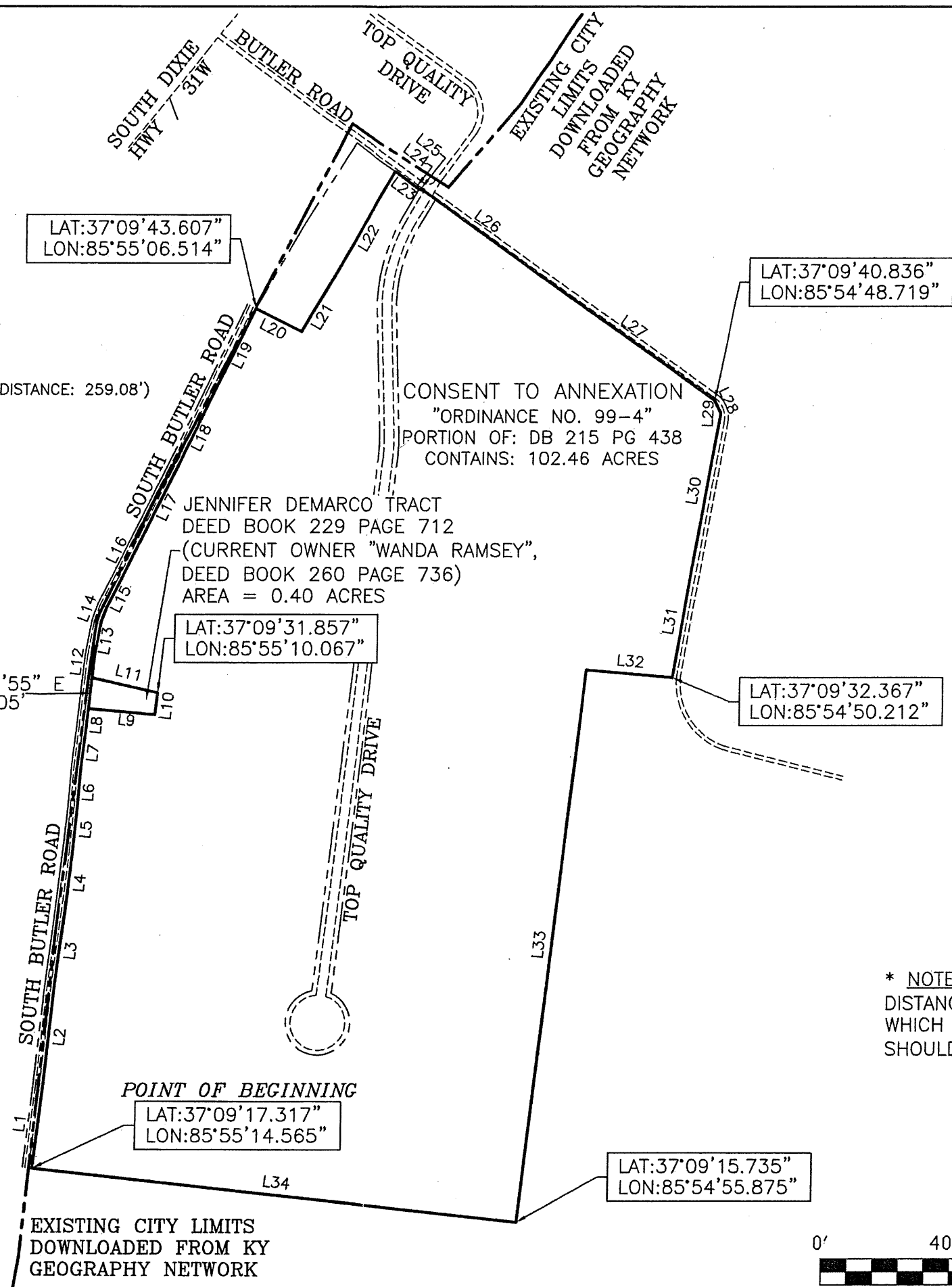


LINE TABLE

LINE	GRID BEARING	ORDINANCE BEARING	DISTANCE
L1	N 06°22'21" E	N 03°12'18" E	259.90'
L2	N 05°44'44" E	N 02°34'38" E	303.33'
L3	N 07°06'32" E	N 03°56'26" E	230.54'
L4	N 06°16'05" E	N 03°05'59" E	193.09'
L5	N 05°36'05" E	N 02°25'59" E	140.22'
L6	N 04°17'17" E	N 01°07'11" E	125.47'
L7	N 06°49'01" E	N 03°38'55" E	116.20'
L8	N 05°36'23" E	N 02°26'17" E	59.26'
L9	S 85°04'11" E	S 88°14'17" E	207.66'
L10	N 07°01'17" E	N 03°51'11" E	68.35'
L11	N 77°13'17" W	N 80°23'23" W	120.40'
L12	N 06°10'10" E	N 03°00'04" E	65.68'
L13	N 10°18'24" E	N 07°08'18" E	108.00'
L14	N 20°09'35" E	N 16°59'29" E	48.26'
L15	N 26°34'00" E	N 23°23'54" E	87.42'
L16	N 26°04'13" E	N 22°54'07" E	171.67'
L17	N 26°03'26" E	N 22°53'20" E	204.09'
L18	N 25°56'47" E	N 22°46'41" E	274.42'
L19	N 25°58'39" E	N 22°48'33" E	291.42'
L20	S 63°14'29" E	S 66°24'35" E	159.07'
L21	N 30°29'28" E	N 27°19'22" E	148.19'
L22	N 30°29'30" E	N 27°19'24" E	426.37'
L23	S 53°37'21" E	S 56°47'27" E	71.63'
L24	S 53°55'45" E	S 57°05'51" E	19.62'
L25	S 74°26'22" E	S 77°36'28" E	13.11'
L26	S 54°48'50" E	S 57°58'56" E	448.65'
L27	S 54°48'50" E	S 57°58'56" E	677.23'
L28	S 26°29'02" E	S 29°39'08" E	42.52'
L29	S 01°51'28" W	S 01°18'38" E	7.41'
L30	S 10°03'19" W	S 06°53'13" W	487.98'
L31	S 09°35'35" W	S 06°25'29" W	334.97'
L32	N 84°56'52" W	N 88°06'58" W	268.10'
L33	S 06°30'10" W	S 03°20'04" W	1715.99'
L34	N 83°51'36" W	N 87°01'42" W	1521.38'

(ORDINANCE DISTANCE: 259.08')

N 05°56'55" E
97.05'



CONSENT TO ANNEXATION
"ORDINANCE NO. 99-4"
PORTION OF: DB 215 PG 438
CONTAINS: 102.46 ACRES

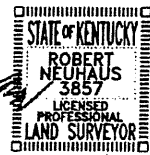
JENNIFER DEMARCO TRACT
DEED BOOK 229 PAGE 712
(CURRENT OWNER "WANDA RAMSEY",
DEED BOOK 260 PAGE 736)
AREA = 0.40 ACRES

* NOTE: ORIGINAL ORDINANCE
DISTANCE FOR L1 IS 259.08'
WHICH IS AN ERROR AND
SHOULD BE 259.90'

CERTIFICATION

THIS IS TO CERTIFY, TO THE BEST OF MY KNOWLEDGE,
INFORMATION AND BELIEF, ALL INFORMATION SHOWN
HEREON IS TRUE AND ACCURATELY SHOWN.
THIS IS NOT A BOUNDARY SURVEY.

Robert Neuhaus 7/25/17
ROBERT NEUHAUS, PLS 3857
SIGNED: DATE:



POINT OF BEGINNING

LAT:37°09'17.317"
LON:85°55'14.565"

LAT:37°09'15.735"
LON:85°54'55.875"

EXISTING CITY LIMITS
DOWNLOADED FROM KY
GEOGRAPHY NETWORK

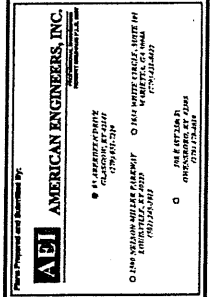


LEGEND

- -EXISTING POINT
- -EXISTING PAVEMENT
- -INTERIOR TRACT LINE
- -ANNEXATION LINE
- -EXISTING CITY LIMITS

OWNER:
HART COUNTY
INDUSTRIAL AUTHORITY
A PORTION OF:
DEED BOOK 215 PAGE 438

PROJECT:
CONSENT TO ANNEXATION
DATE: MAY 10TH, 1999



SCALE:
1"=400'
DATE:
06/27/17

DRAWN BY:
R. NEUHAUS

CHECKED BY:
C. SMITH

T:\12 PROJECTS\12-327 HORSE
CAVE-ANNEXATION\SURVEY\DWG
FILES-HART CO. INDUSTRIAL.DWG

ANNEXATION
EXHIBIT
#1