

CITY CLERK'S CERTIFICATION: KRS 81A.470 FILINGS

I certify I am the duly qualified City Clerk of the City of Kevil, Kentucky, and the following 3 pages of Resolution No. 2013- 8 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on November 7, 2013, all as appears in the official records of said City.

WITNESS, my hand and Seal, this 4th day of November, 2013.

Donna Stevens
(Signature of City Clerk)

(Seal)

RECEIVED AND FILED
DATE November 25, 2013

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karla Gibson

RESOLUTION NO. 2013- 8

A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE IN THE CITY OF KEVIL, KENTUCKY.

WHEREAS, the City of Kevil has enacted numerous ordinances annexing property into the corporate limits of the city; and

WHEREAS, each individual annexation contains a prior survey or written description prepared by a now unknown individual and further references documentation that is no longer in existence; and

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting variants and coordinates based upon the state plain 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 KRS81A.470 effective July 1, 2009; 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.

Therefore be it resolved by the City Council of the City of Kevil, Kentucky as follows:

SECTION 1:

That the City Council of the City of Kevil, Kentucky hereby adopts the following legal description, and a plat attached hereto as prepared by Hunter Martin and Associates a licensed professional land surveyor No. 2105 by a new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Kevil by an ordinance of intent to annex dated September 12, 1994, and an ordinance of annexation dated December 27, 2012, 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.

SECTION 2:

This new legal description as prepared Hunter Martin and Associates by Rod H. Martin, a licensed professional land surveyor No. 2105 is as follows:



"Established 1952"
HUNTER H. MARTIN, FOUNDER (1924-1997)

HUNTER MARTIN & ASSOCIATES, INC.

ENGINEERS & SURVEYORS

3220 Lone Oak Road, Paducah, KY 42003 * (270) 554-2737 * FAX (270) 554-2738

<http://www.huntermartin.com>

LEGAL DESCRIPTION

OF

38.033 ACRES

FOR

CITY OF KEVIL, BALLARD COUNTY, KENTUCKY

AS DESCRIBED IN

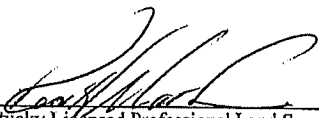
ORDINANCE 1994-20 (Plat Reference 14):

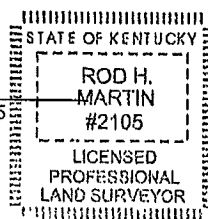
Lying East of Kentucky Highway 473 (New Liberty Church Road), North of U. S. Highway 60 and being a part of Whispering Oaks Estates all in the City Of Kevil, Ballard County, Kentucky and more particularly bounded and described as follows to wit:

Beginning at a point in the Northerly line of Whispering Oaks Estates, said point being S 66°33' 34" E, 1072.66 feet from a point in the centerline of Kentucky Highway 473 being denoted as Reference Point B and having coordinates of 1931434.127, 727647.946 in the Kentucky State Plane South - NAD83 Datum; **THENCE FROM SAID POINT OF BEGINNING**, N 22°09'08" E, 758.62 feet to a point in the Ballard-McCracken County Line; Thence with said County Line S 17°09'20" E, 1695.87 feet to a point in the Easterly line of Whispering Oaks Estates; Thence with said Easterly line S 21°04'51" W, 1006.88 feet to a point in the Southerly line of said Whispering Oaks Estates; Thence with said Southerly line N 68°57'38" W, 967.64 feet to a point; Thence N 21°14'29" E, 258.71 feet to a point; Thence S 68°45'31" E, 55.72 feet to a point; Thence N 21°14'29" E, 212.81 feet to a point; Thence S 68°45'31" E, 22.66 feet to a point; Thence N 21°14'29" E, 240.00 feet to a point; Thence N 68°45'31" W, 51.05 feet to a point; Thence N 03°44'15" E, 328.54 feet to a point; Thence S 86°15'45" E, 28.52 feet to a point; Thence N 03°44'15" E, 217.59 feet to a point; Thence S 87°14'44" E, 46.35 feet to a point; Thence N 02°45'16" E, 258.71 feet to a point; Thence S 87°14'44" E, 66.05 feet to a point; Thence N 06°35'10" E, 60.90 feet to the POINT OF BEGINNING and containing 38.033 acres as shown on a plat titled "38.033 ACRE PARCEL, ORIGINAL ORDINANCE 1994-20 (PLAT REFERENCE 14)" for the City Of Kevil, Ballard County, Kentucky prepared by Hunter Martin & Associates, Inc. dated AUGUST 9, 2013 (Revised 10/11/13).

The above legal description was written by Rod H. Martin, Kentucky Licensed Professional Land Surveyor, on the 11th day of October, 2013, and is correct to the best of my knowledge and belief.

RHM:rm


Kentucky Licensed Professional Land Surveyor No. 2105



SECTION 3:

A copy of the new survey and plat should be filed with the Ballard County Court Clerk's office within 60 days and a list of the property owners and all registered voters that reside in those areas identified and the new survey shall be provided to the Clerk in compliance with the provisions of Paragraphs 81A.475.

SECTION 4

If the City of Kevil annexes property in the future, it shall be the duty of the City Clerk to have the area to be annexed surveyed by a registered line surveyor and that surveyor is to prepare a written legal description of the area to be annexed. The City Attorney shall utilize that written description in preparation of an annexation ordinance. Upon annexation a map the annexed area shall be filed in the office of the Ballard County Court Clerk together with lists of all property owners in the annexed area together with a list of all registered voters residing in the annexed area.

Passed this the 4th day of November, 2013.


Charles Burnley, Mayor

ATTEST:


Donna Stevens, City Clerk

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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