

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
RESOLUTION NO. 2012-09

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

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

WHEREAS, each individual annexation contains a prior survey oft prepared by 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 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 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 LONDON, KENTUCKY:

SECTION 1. That the City Council of the City of London hereby adopts the following legal description and a plat attached hereto as prepared by Charles J. Felts, Licensed Professional Land Surveyor No. 2581 by new survey as an accurate description of the property previously annexed into the corporate city limits of the City of London by Ordinance 948 published December 2, 1998, 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 new legal description as prepared by Charles J. Felts a Licensed Professional Land Surveyor No. 2581 is as follows:

City of London
Ordinance #948

Tract #1:

Lying and being in Laurel County, Kentucky, on the waters of Town Branch of the Laurel River, located approximately ½ mile south of the intersection of U.S. Highway 25 and the Kentucky Highway 192 Bypass, and being more fully described as follows: Being all of lots No. 1 through No. 44 of the Commercial Park South Subdivision as recorded on the plat of said subdivision recorded in the Laurel County Court Clerk's Office, Plat Cabinet 2A, Page 93.

All hereinafter coordinates are referenced from Kentucky State Plane Coordinate System, South Zone, and referenced from the 1983 North American Datum. All hereinafter bearings and distances are referenced to the Kentucky State Plane Grid System.

BEGINNING at a iron pin located approximately eight hundred (800) feet northeast from the approximate intersection of the center lines of U.S. Route #25 and Commercial Drive, having the State Plane Coordinate of 1,925,248.14 NORTH and 2,130,988.81 EAST; Thence, meandering with the property boundary lines of Commercial Park South Subdivision, the following bearings and distances;
NORTH 28 DEGREES 17 MINUTES 20 SECONDS EAST 395.47 FEET to an iron pin;
NORTH 28 DEGREES 16 MINUTES 43 SECONDS EAST 459.99 FEET to an iron pin located in the west right-of-way line of Dual Mac Drive;

NORTH 13 DEGREES 56 MINUTES 43 SECONDS EAST 61.44 FEET, crossing Dual Mac Drive, to an iron pin located in the east right-of-way line of Dual Mac Drive;
SOUTH 55 DEGREES 41 MINUTES 38 SECONDS EAST 710.72 FEET to an iron pin, located in the west right-of-way line of Commercial Drive;

Thence, crossing Commercial Drive, SOUTH 85 DEGREES 36 MINUTES 04 SECONDS EAST 51.18 FEET to a one (1) inch metal pin, located in the east right-of-way line of Commercial Drive;

Thence, continuing with the property boundary line of Commercial Park South Subdivision, the following bearings and distances;
SOUTH 79 DEGREES 49 MINUTES 28 SECONDS EAST 349.04 FEET to an iron pin;
SOUTH 10 DEGREES 02 MINUTES 29 SECONDS WEST 351.28 FEET to an iron pin;
NORTH 79 DEGREES 43 MINUTES 08 SECONDS WEST 321.34 FEET to an iron pin;
NORTH 45 DEGREES 46 MINUTES 29 SECONDS WEST 32.83 FEET to an iron pin located in the southeast right-of-way of Commercial Drive;

Thence, meandering with the southeast right-of-way lines of Commercial Drive, the following bearings and distances;
A CURVE to the RIGHT, having a RADIUS of 110.69, an ARC LENGTH of 93.92 FEET, A CHORD BEARING and DISTANCE of SOUTH 34 DEGREES 28 MINUTES 45 SECONDS WEST 91.13 FEET;
SOUTH 58 DEGREES 47 MINUTES 13 SECONDS WEST 238.99 FEET to an iron pin located in the southeast right-of-way of Commercial Drive;

Thence, leaving the southeast right-of-way of Commercial Drive and meandering with the property boundary lines of Commercial Park South Subdivision, the following bearings and distances;
SOUTH 17 DEGREES 25 MINUTES 47 SECONDS EAST 189.30 FEET to an iron pin;
NORTH 71 DEGREES 17 MINUTES 15 SECONDS EAST 129.83 FEET to an iron pin;
SOUTH 75 DEGREES 42 MINUTES 13 SECONDS EAST 270.00 FEET to an iron pin;
SOUTH 74 DEGREES 30 MINUTES 37 SECONDS EAST 111.57 FEET to an iron pin;
SOUTH 11 DEGREES 27 MINUTES 11 SECONDS WEST 195.58 FEET to an iron pin;
SOUTH 77 DEGREES 26 MINUTES 37 SECONDS EAST 51.99 FEET to an iron pin;
SOUTH 11 DEGREES 49 MINUTES 50 SECONDS WEST 327.76 FEET to an iron pin;
SOUTH 09 DEGREES 39 MINUTES 09 SECONDS WEST 100.67 FEET to a point located in the centerline of Whitley Branch;

Thence, continuing with the property boundary lines of Commercial Park South Subdivision and the approximate centerline of Whitley Branch, the following bearings and distances;
NORTH 76 DEGREES 30 MINUTES 35 SECONDS WEST 223.50 FEET;
NORTH 57 DEGREES 26 MINUTES 43 SECONDS WEST 107.72 FEET;
NORTH 66 DEGREES 03 MINUTES 55 SECONDS WEST 193.72 FEET;
NORTH 88 DEGREES 21 MINUTES 06 SECONDS WEST 40.58 FEET;
NORTH 88 DEGREES 25 MINUTES 33 SECONDS WEST 138.35 FEET;
SOUTH 86 DEGREES 40 MINUTES 42 SECONDS WEST 221.63 FEET;
NORTH 67 DEGREES 00 MINUTES 04 SECONDS WEST 274.37 FEET;
NORTH 30 DEGREES 56 MINUTES 27 SECONDS WEST 27.42 FEET;
NORTH 22 DEGREES 03 MINUTES 05 SECONDS WEST 134.15 FEET;
NORTH 26 DEGREES 38 MINUTES 39 SECONDS WEST 90.27 FEET;
NORTH 29 DEGREES 14 MINUTES 37 SECONDS WEST 72.20 FEET to a point located in the approximate centerline of Whitley Branch and the south right-of-way line of Commercial Drive;

Thence, crossing Commercial Drive, NORTH 29 DEGREES 30 MINUTES 21 SECONDS WEST 51.22 FEET to a point located in approximate centerline of Whitley Branch and the north right-of-way line of Commercial Drive;

Thence, leaving the north right-of-way line of Commercial Drive and continuing to meander with the approximate centerline of Whitley Branch and the property boundary lines of Commercial Park South Subdivision, the following bearings and distances;
NORTH 29 DEGREES 38 MINUTES 01 SECONDS WEST 124.53 FEET;

NORTH 21 DEGREES 46 MINUTES 20 SECONDS WEST 107.56 FEET;
NORTH 20 DEGREES 45 MINUTES 41 SECONDS WEST 60.87 FEET to a point located in
the approximate centerline of Whitley Branch;

Thence, leaving the approximate centerline of Whitley Branch and with the property boundary
line of Commercial Park South Subdivision, NORTH 66 DEGREES 57 MINUTES 54
SECONDS EAST 222.57 FEET to the point of beginning containing 36.70 ACRES by
calculation.

Also Tract #2:

Lying and being in Laurel County, Kentucky, on the waters of Town Branch of the Laurel River,
located approximately ½ mile south of the intersection of U.S. Highway 25 and the Kentucky
Highway 192 Bypass, and being more fully described as follows;

BEGINNING at a point located approximately one thousand four hundred ten (1,410) feet
northeast from the approximate intersection of the center lines of U.S. Route #25 and
Commercial Drive, having the State Plane Coordinate of 1,925,130.32 NORTH and
2,131,733.68 EAST;

Thence, meandering with the southeast right-of-way line of Commercial Drive, the following
bearings and distances;

NORTH 58 DEGREES 47 MINUTES 13 SECONDS EAST 238.99 FEET to an iron pin;
A CURVE to the LEFT, having a RADIUS of 110.69, an ARC LENGTH of 93.92 FEET, A
CHORD BEARING and DISTANCE of NORTH 34 DEGREES 28 MINUTES 45 SECONDS
EAST 91.13 FEET to an iron pin located in the southeast right-of-way line of Commercial Drive;

Thence, leaving the southeast right-of-way line of Commercial Drive and with the property
boundary lines of Commercial Park South Subdivision, the following bearings and distances;
SOUTH 45 DEGREES 46 MINUTES 29 SECONDS EAST 32.83 FEET to an iron pin;
SOUTH 79 DEGREES 43 MINUTES 08 SECONDS EAST 321.34 FEET to an iron pin;


Thence, leaving the property boundary corner of Commercial Park South Subdivision, the
following bearings and distances;
SOUTH 10 DEGREES 02 MINUTES 29 SECONDS WEST 330.55 FEET to a metal pin;
SOUTH 74 DEGREES 25 MINUTES 56 SECONDS EAST 16.29 FEET to an iron pin;
SOUTH 11 DEGREES 27 MINUTES 11 SECONDS WEST 24.78 FEET to an iron pin, being
the corner of Commercial Park South Subdivision;

Thence, meandering with the property boundary lines of Commercial Park South Subdivision,
the following bearings and distances;

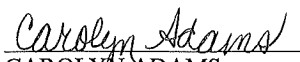
NORTH 74 DEGREES 30 MINUTES 37 SECONDS WEST 111.57 FEET to an iron pin;
NORTH 75 DEGREES 42 MINUTES 13 SECONDS WEST 270.00 FEET to an iron pin;
SOUTH 71 DEGREES 17 MINUTES 15 SECONDS WEST 129.83 FEET to an iron pin;

NORTH 17 DEGREES 25 MINUTES 47 SECONDS WEST 189.30 FEET to the point of
beginning containing 3.80 ACRES by calculation.

This city annexation description was prepared from survey plat maps, highway rights-of-way
plans, railroad right-of-way plans, record deeds, GPS field data and information provided by the
City of London, Kentucky, dated October 1, 2012, by Kentucky Surveys, Inc., Charles J. Felts,
Licensed Professional Surveyor #2581.


TROY RUDDER, MAYOR

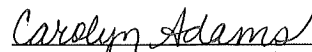
ATTEST:


CAROLYN ADAMS
LONDON CITY CLERK

CERTIFICATION

I, Carolyn Adams, Clerk of the City of London, do hereby certify that the above Resolution No. 2012-09 is a true and correct copy as was presented to the City Council of the City of London and approved at a special scheduled meeting dated October 26, 2012

Given under my hand this 26th day of October, 2012.



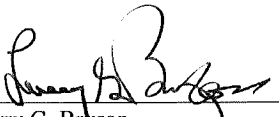
Carolyn Adams, City Clerk

A SUMMARY OF ORDINANCE NO. 948, ENTITLED
AN ORDINANCE OF VOLUNTARY ANNEXATION INTO THE CORPORATE CITY
LIMITS OF THE CITY OF LONDON, KENTUCKY, AN AREA OF PROPERTY
OWNED BY DUAL MAC, LTD., AND CHARLES H. WOODS AND CHARLENE P.
WOODS, HUSBAND AND WIFE, LOCATED NEAR THE INTERSECTION OF U.S.
25 HIGHWAY AND KENTUCKY HIGHWAY 192 BYPASS

This summary is prepared as a summary of the above numbered London City Ordinance by Larry G. Bryson, City Attorney, and is intended to certify compliance with applicable law as a true summary of this ordinance.

A written request was made to the City Council of the City of London by Dual Mac, Ltd., and Charles and Charlene Woods for the voluntary annexation of their real estate which is located near the intersection of U.S. 25 and Kentucky Highway 192 Bypass. This is a voluntary annexation. The specific location of the property and a specific description of the real estate is described in the Ordinance. The City Council has made the necessary legal findings in the ordinance for compliance with Kentucky law for the annexation to occur, namely KRS 81A.412.

A map of the location of the proposed area to be annexed has been provided to the City Council. The ordinance requires that this property be annexed with an initial requested zoning of Commercial 2 (C-2), and that this be reflected on the City of London Zoning map. The ordinance is effective on publication.


Larry G. Bryson
London City Attorney

FIRST READING:	November 9, 1998
SECOND READING:	November 23, 1998
PUBLICATION DATE:	December 2, 1998

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 948

AN ORDINANCE OF VOLUNTARY ANNEXATION INTO THE CORPORATE CITY LIMITS OF THE CITY OF LONDON, KENTUCKY, AN AREA OF PROPERTY OWNED BY DUAL MAC, LTD., AND CHARLES H. WOODS AND CHARLENE P. WOODS HUSBAND AND WIFE, LOCATED NEAR THE INTERSECTION OF U.S. HIGHWAY 25 AND KENTUCKY HIGHWAY 192 BYPASS.

This matter is before the City Council of London pursuant to a written request by Dual Mac, Ltd., and Charles H. Woods and Charlene P. Woods, that their property located near the intersection of U.S. Highway 25 and Kentucky Highway 192 Bypass consisting of Lots Numbers 1 - 44 of Commercial Park South Subdivision as recorded on a Plat of said Subdivision recorded in the Laurel County Court Clerk's Office, in Plat Cabinet A, at Page 93, be annexed into the corporate city limits of the City of London, Kentucky.

The City Council finds that this annexation is a voluntary annexation, being considered on the request of the property owners, Dual Mac, Ltd., a Kentucky Limited Partnership and Charles H. Woods and Charlene P. Woods, being the owners of Lot No. 42 of said Commercial Park South Subdivision.

The City Council further finds that this property is adjacent and contiguous to the City Boundaries and by reason of population density, commercial, residential and other use of the property, said property is urban in character and is otherwise suitable for development for urban purposes without unreasonable delay. This property is not in any other boundary of an incorporated city, and all of these above findings are in keeping with KRS 81A.410 and KRS 81A.412 and other applicable Kentucky law. For such reasons:

BE IT ORDAINED BY THE CITY OF LONDON, KENTUCKY AS FOLLOWS:

1. The property owned by Dual Mac, Ltd., Charles H. Woods and Charlene P. Woods, husband and wife, hereinafter more particularly described, shall be and is hereby incorporated into the City Limits of the City of London as a voluntary annexation pursuant to KRS 81A.412 and that all of the requirements of Kentucky law have been met in this voluntary annexation request.

2. The property to be annexed is more particularly described as follows:

Lying and being in Laurel County, Kentucky, on the waters of Town Branch of the Laurel River, located approximately ½ mile south of the intersection of U.S. Highway 25 and the Kentucky Highway 192 Bypass, and being more particularly described as follows:

Note: All rebars (set) have a plastic cap marked M.A. TURNER RLS 2942.

Being all of lots No. 1 through No. Lot 44 of Commercial Park South Subdivision as recorded on the plat of said subdivision recorded in the Laurel County Court Clerk's Office, Plat Cabinet 2A at page 93.

Also:

A tract of land which fronts on Commercial Drive and joins the Commercial Park South Subdivision and is more particularly described as follows:

Beginning at an iron rebar (set) at the northeast corner of lot no. 19 of the Commercial Park South Subdivision, being on the east right-of-way of Commercial Drive.

Thence with said right-of-way North 58 degrees 46 minutes 18 seconds East (N58 deg 46'18"E), a distance of 238.99 feet to a rebar (set).

Thence along a curve to the left having a radius of 110.69 feet, arc length of 93.93 feet, delta angle of 48 degrees 37 minutes 04 seconds (48 deg 37'04""), a chord bearing of North 34 degrees 27 minutes 46 seconds East (N34 deg 27'46"E), a chord length of 91.13 feet to a rebar set at the southwest corner of Lot No. 20.

Thence leaving the right-of-way and with the lines of lot no. 20, South 45 degrees 47 minutes 29 seconds East (S45 deg 47'29"E), a distance 32.83 feet to a rebar (set).

Thence South 79 Degrees 44 minutes 08 seconds East (S79 deg 44'08"E), a distance of 320.89 feet to a rebar (set) in the property line of the Stearns & Foster Technical Textiles Co. (Deed Book 325 Page 684).

Thence leaving the lines of Commercial Park South Subdivision and with the Stearns & Foster Co. property line, South 10 degrees 09 minutes 14 seconds West (S10 deg 09'14"W), a distance of 331.86 feet to a metal pin found.

Thence South 74 degrees 31 minutes 37 seconds East (S74 deg 31'37"E), a distance of 17.04 feet to a rebar (set).

Thence South 11 degrees 31 minutes 42 seconds West (S11 deg 31'42"W), a distance of 23.38 feet to a rebar (set), being the northeast corner of lot no. 11 of the Commercial Park South Subdivision.

Thence leaving the Stearns & Foster property line and with the north lines of lot no. 11 thru lot no. 14, North 74 degrees 31 minutes 37 seconds West (N74 deg 31'37"W), a distance of 111.12 feet to a rebar (set), being a common corner between lot no. 11 and lot no. 12.

Thence with lot no. 12, North 75 degrees 43 minutes 13 seconds West (N75 Deg 43'13"W), a distance of 135.00 feet to a rebar (set), being a common corner between lot no. 12 and lot no. 13.

Thence with lot no. 13, North 75 degrees 43 minutes 13 seconds West (N75 deg 43'13"W), a distance of 135 .00 feet to a rebar (set), being a common corner between lot no. 13 and lot no. 14.

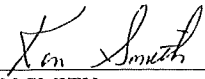
Thence with lot no. 14, South 71 degrees 16 minutes 15 seconds West (S71 deg 16'15"W), a distance of 129.83 feet to a rebar (set), being a common corner between lot no. 14 and lot no. 19.

Thence with lot no. 19, North 17 degrees 26 minutes 47 seconds West (N17 deg 26'47"W), a distance of 189.30 feet to beginning.

Containing 3.8 acres, or 165356 square feet, per survey of Monty Turner PLS #2942.

3. A map of this proposed area has been provided by Dual Mac, Ltd., and the City Council finds this map to appropriately reflect the above-description.
4. This property shall be reflected, after publication of this ordinance, as being within the Corporate City Limits of the City of London, Kentucky, zoning map. This property shall be zoned C-2 (commercial) and the zoning map of the City of London shall be amended to reflect this zone.

5. This ordinance shall be effective upon publication.



MAYOR KEN SMITH
CITY OF LONDON

ATTESTED:



CONNIE MCKNIGHT, CITY CLERK

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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