

CERTIFICATION

I, Angela Ross, City Clerk of the City of Melbourne, Kentucky, do hereby  
Certify that, the above Resolution R5-2012 is a true, correct and complete  
copy as was presented to the City Commission of the City of Melbourne at a duly convened  
meeting held on October 15, 2012.

WITNESS, my hand and the Seal of said City, this 29<sup>th</sup> day of January, 2013.

  
(Signature of City Clerk)

(Seal)

RECEIVED AND FILED  
DATE January 30, 2013

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Gandee Walker

**CITY OF MELBOURNE  
CAMPBELL COUNTY, KENTUCKY  
RESOLUTION R5-2012**

**A RESOLUTION OF THE CITY OF MELBOURNE, CAMPBELL COUNTY, KENTUCKY,  
ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY  
PREVIOUSLY ANNEXED BY ORDINANCE 90-12 AND AMENDED BY ORDINANCE O5-10**

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

**WHEREAS**, each individual annexation contains a prior survey oft prepared by 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 date, 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 Board of Commissioners of the City of Melbourne, Campbell County, Kentucky:

SECTION 1. That the City Commission of the City of Melbourne hereby adopts the following legal description, and plat attached hereto as Exhibit "1" prepared by Greg Schultz, Licensed Profession Land Surveyor No. 2777 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Melbourne by Ordinance 90-12 dated 11-13-1990, and amended ordinance O5-10 dated 8-9-2010, copies which are 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 annexations.

SECTION 2. This new legal description as prepared by Greg Schultz, a Licensed Professional Land surveyor No. 2777 is as follows:

## **DESCRIPTION OF PARCEL RAINTREE SUBDIVISION**

This description prepared at the request of the City of Melbourne to correct calls and to include omitted calls from the original Annexation Ordinance of the Raintree Subdivision.

Being situated in the Commonwealth of Kentucky, County of Campbell, Community of Melbourne, lying south of Kentucky Highway 8 and being more particularly described:

### **Parcel One:**

Being situated in the Commonwealth of Kentucky, County of Campbell, Community of Melbourne, lying south of Kentucky Highway 8 and being more particularly described:

Beginning at the northwest corner to the Raintree Subdivision Lot 25 and in the line of the Sisters of Divine Providence as in Deed Book 210, Page 51 and in the line of the City of Melbourne; Thence along the west line of The Raintree Subdivision Lots 25, 26 and 1 N 19°45'00" E, a distance of 955.44' to a common corner with Douglas Murphey as in Deed Book 175, Page 118 also in the City of Melbourne; Thence along Murphey S71°06'36"E, a distance of 17.21; Thence along the Belleferme Subdivision, being in the City of Melbourne N82°08'24"E, a distance of 290.84'; Thence N5°16'23"E, a distance of 86.00'; Thence S84°58'40"E, a distance of 372.95'; Thence S6°07'27"E, a distance of 56.67'; Thence N87°58'24"E, a distance of 199.26'; Thence N0°14'59"E, a distance of 27.20'; Thence S84°28'32"E, a distance of 680.00'; Thence along the Reinert Subdivision S21°08'30"W, a distance of 790.00'; Thence S86°28'29"E, a distance of 575.00'; Thence along the Wm Moher Estate S19°41'58"W, a distance of 820.00'; Thence along Cincinnati Gas & Electric Property N71°15'10"W, a distance of 2007.91' to the POINT OF BEGINNING; said described tract containing 51.480 Acres, more or less.


### **Parcel Two:**


Beginning at the common corner to Kopp as in Deed Book 143, Page 372 in the south 30' right of way for Mary Ingles Highway, State Route 8; Thence along the right of way N87°57'23"E, a distance of 50.76' to a point, common corner to Tarvin; Thence along Tarvin S5°16'23"W, a distance of 353.93' to a point in the north line of the Raintree Subdivision; Thence along Raintree Lot 3 S82°08'24"W, a distance of 51.70' to a point, common corner to Kopp; Thence along Kopp N5°16'24"E, a distance of 359.21' to the POINT OF BEGINNING; said described tract containing 0.412 Acres, more or less.

No physical field survey has been performed for this description for **"Annexation" Purposes Only**. This description is not valid for any transfer of land. The description has been prepared from deeds and plats of record. The documents used to prepare this description include Deed Book 193, Page 490 with plat contained on Page 491. Plats of the Raintree Subdivision recorded in Cabinet E Slides 68B, 89A, 93B, 112B and 140B. Also used as reference is the description of survey by Richard Williams dated April 1990 and provided by the City of Melbourne. The Plats of Record do not close and this description reflects a forced closure along the south line of Raintree Subdivision, common to the Duke Energy Property.

SECTION 3. That this resolution shall take effect and be in full force when passed and recorded according to law.

Adopted this 15<sup>th</sup> day of October, 2012, by the City of Melbourne.

Attest:   
Angela Ross, City Clerk

  
Ronnie J. Walton

Yeas: 5  
Nays: 0

**EXHIBIT 1**

**DESCRIPTION OF PARCEL  
RAINTREE SUBDIVISION**

This description prepared at the request of the City of Melbourne to correct calls and to include omitted calls from the original Annexation Ordinance of the Raintree Subdivision.

Being situated in the Commonwealth of Kentucky, County of Campbell, Community of Melbourne, lying south of Kentucky Highway 8 and being more particularly described:

**Parcel One:**

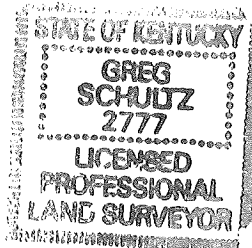
Being situated in the Commonwealth of Kentucky, County of Campbell, Community of Melbourne, lying south of Kentucky Highway 8 and being more particularly described:

Beginning at the northwest corner to the Raintree Subdivision Lot 25 and in the line of the Sisters of Divine Providence as in Deed Book 210, Page 51 and in the line of the City of Melbourne; Thence along the west line of The Raintree Subdivision Lots 25, 26 and 1 N 19°45'00" E, a distance of 955.44' to a common corner with Douglas Murphey as in Deed Book 175, Page 118 also in the City of Melbourne; Thence along Murphey S71°06'36"E, a distance of 17.21; Thence along the Belleferme Subdivision, being in the City of Melbourne N82°08'24"E, a distance of 290.84'; Thence N5°16'23"E, a distance of 86.00'; Thence S84°58'40"E, a distance of 372.95'; Thence S6°07'27"E, a distance of 56.67'; Thence N87°58'24"E, a distance of 199.26'; Thence N0°14'59"E, a distance of 27.20'; Thence S84°28'32"E, a distance of 680.00'; Thence along the Reinert Subdivision S21°08'30"W, a distance of 790.00'; Thence S86°28'29"E, a distance of 575.00'; Thence along the Wm Moher Estate S19°41'58"W, a distance of 820.00'; Thence along Cincinnati Gas & Electric Property N71°15'10"W, a distance of 2007.91' to the POINT OF BEGINNING; said described tract containing 51.480 Acres, more or less.

**Parcel Two:**

Beginning at the common corner to Kopp as in Deed Book 143, Page 372 in the south 30' right of way for Mary Ingles Highway, State Route 8; Thence along the right of way N87°57'23"E, a distance of 50.76' to a point, common corner to Tarvin; Thence along Tarvin S5°16'23"W, a distance of 353.93' to a point in the north line of the Raintree Subdivision; Thence along Raintree Lot 3 S82°08'24"W, a distance of 51.70' to a point, common corner to Kopp; Thence along Kopp N5°16'24"E, a distance of 359.21' to the POINT OF BEGINNING; said described tract containing 0.412 Acres, more or less.

No physical field survey has been performed for this description for **"Annexation" Purposes Only**. This description is not valid for any transfer of land. The description has been prepared from deeds and plats of record. The documents used to prepare this description include Deed Book 193, Page 490 with plat contained on Page 491. Plats of the Raintree Subdivision recorded in Cabinet E Slides 68B, 89A, 93B, 112B and 140B. Also used as reference is the description of survey by Richard Williams dated April 1990 and provided by the City of Melbourne. The Plats of Record do not close and this description reflects a forced closure along the south line of Raintree Subdivision, common to the Duke Energy Property.



**EXHIBIT 2**

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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