


### CERTIFICATION

I, Phyllis Hudson, Clerk of the City of Midway do hereby certify that, the above Resolution 2009 - 04 is a true and correct copy as was presented to the City Council of the City of Midway at their special scheduled meeting dated December 30, 2008.

Given under my hand this 30th day of December, 2008.

  
\_\_\_\_\_  
City Clerk

(SEAL)

RECEIVED AND FILED  
DATE March 24, 2009  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Gandi Adkins

RESOLUTION 2008 04

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

WHEREAS, the City of Midway has enacted numerous ordinances annexing property into the corporate limits of the City of Midway; 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, 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 June 26, 2007; and

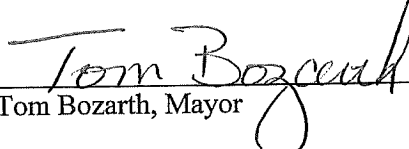
WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

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

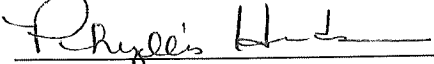
SECTION 1: That the City Council of the City of Midway hereby adopts the following legal description, and a plat attached hereto as prepared Malcolm Endicott, PLS, Licensed Professional Land Surveyor No. 2005 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Midway by Ordinance 91-12 dated Dec. 6, 1994, 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 Malcolm Endicott, PLS, a Licensed Professional Land Surveyor No. 2005 is as follows:

Passed and Approved this 30<sup>th</sup> day of December 2008

  
Tom Bozarth, Mayor

Attest:

  
Phyllis Hudson  
City Clerk/Treasurer

December 22, 2008

Legal Description  
City of Midway, Kentucky  
Waste Water Treatment Plant Lot  
Annexation Ordinance No. 99-12

See Legal Description in the Ordinance. It is correct as prepared/submitted December 6, 1999. It was prepared originally by Tim Thompson, PLS 1304.

*Mark E. Ender*

*12/22/08*

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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