

CERTIFICATION

I, Phyllis Hudson, Clerk of the City of Midway do hereby certify that, the above Resolution 2009 - 05 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.

Phyllis Hudson
City Clerk

(SEAL)

RECEIVED AND FILED
DATE March 24, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
Handie Addison

RESOLUTION 2009 - 05

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

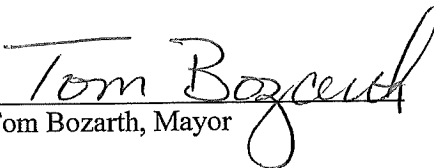
WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

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

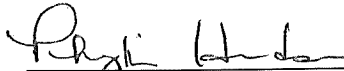
SECTION 1: That the City Council of the City of Midway hereby adopts the following legal description, and a plat attached hereto as prepared Malcolm Endicott, PLS, Licensed Professional Land Surveyor No. 2005 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Midway by Ordinance 93-19 dated Sept 20, 1993, 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 30th day of December 2008


Tom Bozarth, Mayor

Attest:


Phyllis Hudson
City Clerk/Treasurer

December 22, 2008

Legal Description

City of Midway, Kentucky

Cemetery and Lift Station

Annexation Ordinance 93-19

Beginning at the intersection of the centerlines of Spring Station Road and Circle Drive; thence with the centerline of Circle Drive S 28° 12' 20" E, 214.00 feet to a point; thence leaving said Circle Drive generally with the fence along the southerly boundary of the Saint Rose Tabernacle Cemetery S 63° 32' 23" W, 172.00 feet to a point; thence generally with the fence along the westerly boundary of said Cemetery N 28° 08' 48" W, 163.57 feet to a point, corner to the pump or lift station lot; thence generally with the fences along the southerly and westerly side of said lot, respectively, for the following two calls -- S 62° 21' 14" W, 26.00 feet to a point and N 28° 28' 36" W, 47.89 feet to a point in the centerline of the aforementioned Spring Station Road; thence with said centerline N 62° 39' 00" E, 198.00 feet to the Point of Beginning.

Melvin Ender
12/22/08

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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