

I certify I am the duly qualified City Clerk of the City of Bellevue, Kentucky, and the foregoing Resolution 2009-05-01 is a true, correct and complete copy duly adopted by the Bellevue City Council on 5/13/2009, all as appears in the official records of the City.

WITNESS, my hand and Seal, this 13th day of May 2009.

Mary H. Scott

Mary H. Scott, City Clerk

Seal

RECEIVED AND FILED
DATE July 23, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Harlie Addison

RESOLUTION 2009-05-01

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

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

WHEREAS, each individual annexation contains a prior survey of the 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 BELLEVUE, KENTUCKY:

SECTION 1. That the City Council of the City of Bellevue hereby adopts the following legal description, and plat attached hereto as prepared by Daniel V. Leach DBA DVL Land Surveying, Licensed Professional Land Surveyor No. 2974 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Bellevue by Ordinance 92-4-1 dated May 27, 1992, 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 Daniel V. Leach a license Professional Land Surveyor No.2974 is as follows:

A. That the following described area shall be transferred from the incorporated area of the City of Newport, Kentucky, and be added to the territorial limits of the City of Bellevue, Kentucky:

Situated in the City of Newport, Campbell County, Commonwealth of Kentucky and being more particularly described as follows;

Commencing at a point in the intersection of the southerly right-of-way line of State Route 8 (Riverside Drive) and the easterly Corporation line of the City of Newport and the westerly corporation line of the City of Bellevue, said point also being approximately station 103+94.04, 43.00 feet left of the centerline of State Route 8;

Thence South $52^{\circ} 50' 04''$ East along said corporation lines 13.04 feet to the Real Point of Beginning;

Thence South $52^{\circ} 50' 04''$ East along said corporation lines 62.81 feet to a point;

Thence South $37^{\circ} 32' 33''$ East continuing along said corporation lines 68.88 feet to a point;

Thence South $36^{\circ} 29' 07''$ East continuing along said corporation lines 90.22 feet to a point;

Thence South $37^{\circ} 30' 37''$ East continuing along said corporation lines 108.35 feet to a point;

Thence South $40^{\circ} 15' 19''$ East continuing along said corporation lines 118.03 feet to a point;

Thence South $43^{\circ} 09' 48''$ East continuing along said corporation lines 204.07 feet to a point;

Thence South $45^{\circ} 33' 42''$ East continuing along said corporation lines 121.18 feet to a point;

Thence South $43^{\circ} 23' 24''$ East continuing along said corporation lines 186.50 feet to a point;

Thence South $48^{\circ} 15' 08''$ East continuing along said corporation lines 63.06 feet to a point;

Thence South $44^{\circ} 27' 57''$ East continuing along said corporation lines 128.11 feet to a point;

Thence South $42^{\circ} 40' 56''$ East continuing along said corporation lines 45.18 feet to a point;

Thence South $35^{\circ} 05' 52''$ West along a line 64.27 feet to a point;

Thence North 49° 47'30" West along a line 479.27 feet to a point;

Thence North 46° 59'29" West along a line 472.61 feet to a point;

Thence North 49° 54'08" West along a line 254.00 feet to a point in the existing right-of-way of State Route 8;

Thence along the existing southerly right-of-way line of State Route 8 and the arc of a curve to the right, having a radius of 7596.44 feet, for a distance of 106.59 feet, the long chord of said arc bears North 40° 33'33" East 106.59 feet to a point;

Thence South 49° 02'20" East along a line 13.00 feet to a point;

Thence along the existing southerly right-of-way line of State Route 8 and the arc of a curve to the right, having a radius of 7583.44 feet, for a distance of 82.13 feet, the long chord of said arc bears North 41° 16'17" East 82.13 feet to the point of the beginning;

Containing 3.2871 acres of land and being subject to all easement of record.

The above described property upon its transfer to the City of Bellevue, Kentucky, shall have the zoning classification of MLU (mixed land use) in accordance with the zoning ordinance of the City of Bellevue, Kentucky.

B. That the following described area shall be transferred from the incorporated area of the City of Bellevue, Kentucky, and be added to the territorial limits of the City of Newport, Kentucky.

Situated in the City of Newport and the City of Bellevue, County of Campbell, Commonwealth of Kentucky, being part of Lot 57 of Newport Manufacturing Company's Addition as recorded in Plat Book 9, Page 17, and Part of lots 20,19,18 and 17 of Taylor's Addition to Bellevue as recorded in Plan Book 6, Page 4, and being more particularly described as follows:

Commencing at a point in the east line of the property conveyed to the City of Newport in Deed Book 230, Page 379 and the north controlled Access (C.A.) right-of-way line of State Route 8 (Riverside Drive), said point also begin station 106+71.03, 43.00 feet right;

Thence North 47°48'52" West along said east line 270.96 feet to a point in the northwest corner of a tract of land currently owned by the Kentucky

Department of Highways, hereafter referred to as KDOT, as recorded in Deed Book 394, Page 438;

Thence North $42^{\circ}27'07''$ East along the northerly line of said KDOT tract of land 17.00 feet to a point in the northwest corner of a tract of land currently owned by the KDOT as recorded in Deed Book 254, Page 177;

Thence North $27^{\circ}50'42''$ East along the northerly line of said KDOT tract of land 97.92 feet to a point in the northwest corner of a tract of land currently owned by the KDOT as recorded in Deed Book 504, Page 574 and the westerly corporation line of the City of Bellevue and the Real Point of beginning for the tract of land herein described;

Thence North $30^{\circ}28'23''$ East along the northerly line of said KDOT Tract of land 178.84 feet to a point;

Thence South $52^{\circ}55'47''$ East along a line 181.14 feet to a point in the centerline of River Dock Road, said point being station 52+52.59;

Thence with the centerline of River Dock Road and with the arc of a curve to the right, having a radius of 100.00 feet, 166.68 feet to a point, the long chord of said arc bearing North $84^{\circ}49'13''$ East a distance of 148.04 feet;

Thence South $47^{\circ}25'47''$ East continuing along said centerline 42.91 feet to a point in the northerly right-of-way line of State Route 8 (Riverside Drive), said point being station 102+61.00, 43.00 feet right;

Thence with the northerly right-of-way of State Route 8 and the arc of a curve to the left, having a radius of 7682.44 feet, 190.64 feet to a point in the westerly corporation line of the City of Bellevue, the long chord of said arc bearing South $41^{\circ}51'39''$ West for a distance of 190.64 feet to said point;

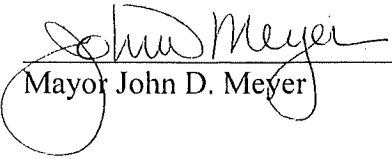
Thence $68^{\circ}33'56''$ West along the said westerly Corporation Line, 308.38 feet to the point of beginning.

Containing 1.26 acres of land and subject to all easements of record.

Being the same land described in Ordinance 92-4-1 adopted on May 27, 1992 by the Bellevue City Council.

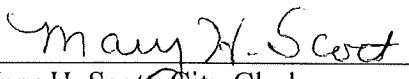
Dan V. Lamb #2974 APRIL 30, 2009
Surveyor RLS Date

Adopted this 13th day of May, 2009.



Mayor John D. Meyer

ATTEST:



Mary H. Scott, City Clerk