RECEIVED AND FILED
DATE December 29, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkins

RESOLUTION NO. 2010-012

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

WHEREAS, the City Council of the City of Paintsville enacted on March 7, 1972 an ordinance entitled "the Annexation Ordinance of 1972" (see attached "Annexation Ordinance of 1972", incorporated as Exhibit 1 hereto); and

WHEREAS, said "Annexation Ordinance of 1972" was an ordinance annexing certain unincorporated territory contiguous to the City of Paintsville by consent of the owners of record of the real property annexed, pursuant to applicable Kentucky law in effect at the time of enactment of said ordinance, including, but not limited to, KRS 81.275 (see attached "Agreed Order and Judgment" of the Johnson Circuit Court as entered in CR-5026 and entered of record September 17, 1974, incorporated hereto as Exhibit 2); 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 the real property subject to the annexation; and

WHEREAS, the City wishes to comply with the requirements of KRS 81A.470, as amended, effective March 11, 2010; and

WHEREAS, the City does not intend to amend or replace its previously enacted Ordinance adopted and enacted on March 7, 1972 officially entitled "the Annexation Ordinance of 1972", but rather wishes to interpret the defined boundaries of the territory previously annexed through said ordinance and adopt a modern and accurate legal description of the territory previously annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PAINTSVILLE, KENTUCKY, AS FOLLOWS:

SECTION I

That the City Council of the City of Paintsville hereby adopts the legal description set forth below and the plat attached hereto, as prepared by Dewey L. Bocook, Jr., Licensed Professional Land Surveyor, as an accurate depiction of the property previously annexed into the corporate city limits of the City of Paintsville, Kentucky by ordinance adopted and enacted on March 7, 1972, officially entitled "the Annexation Ordinance of 1972", and pursuant to the Agreed Order and Judgment entered of record on September 17, 1974 in Johnson Circuit Court, CR-5026, a copy of which previously enacted ordinance and Agreed Order and Judgment of the Johnson Circuit Court is attached hereto as Exhibit 1 and Exhibit 2, respectively; and hereby adopts the below provided legal description and attached plat as the official legal description and plat to be utilized by the City for all purposes when referencing this previously annexed territory.

SECTION II

This new, modern and accurate legal description herein adopted, as prepared by Dewey L. Bocook, Jr., Licensed Professional Land Surveyor, is as follows:

TRACT DESCRIPTION

Island Creek Annexation
Annex Dated 9-17-74

BEGINNING AT A POINT ON THE WEST SIDE OF LEVISA FORK, HAVING A NORTHING OF 548,864.20 AND AN EASTING OF 2,855,048.06; THENCE LEAVING LEVISA FORK AND UP THE HILL NORTH 78°43'46" WEST, A DISTANCE OF 1118.91 FEET TO A POINT ON A KNOB;
THENCE TURNING RIGHT AND WITH THE CENTERLINE OF THE RIDGE FOR THE NEXT 7 COURSES:
1) SOUTH 01°52'49" WEST, A DISTANCE OF 286.19 FEET;
2) SOUTH 00°00'00" WEST, A DISTANCE OF 226.14 FEET;
3) SOUTH 06°44'05" EAST, A DISTANCE OF 385.77 FEET;
4) SOUTH 11°39'16" WEST, A DISTANCE OF 263.50 FEET;
5) SOUTH 16°51'50" WEST, A DISTANCE OF 137.61 FEET;

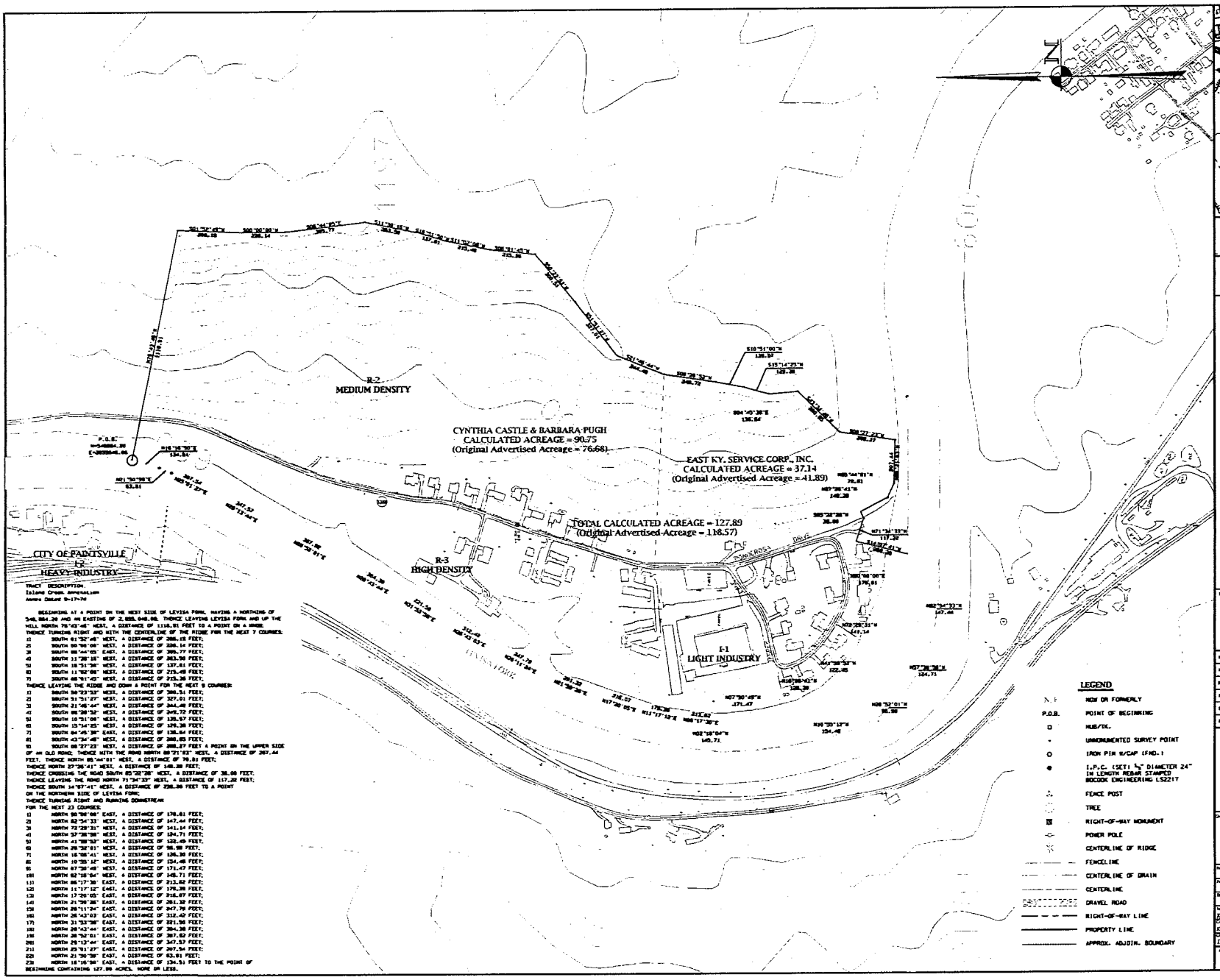
6) SOUTH 11°02'08" WEST, A DISTANCE OF 215.49 FEET;
7) SOUTH 06°01'45" WEST, A DISTANCE OF 215.36 FEET;
THENCE LEAVING THE RIDGE AND DOWN A POINT FOR THE NEXT 9 COURSES:
1) SOUTH 50°23'53" WEST, A DISTANCE OF 300.51 FEET;
2) SOUTH 51°51'27" WEST, A DISTANCE OF 327.01 FEET;
3) SOUTH 21°46'44" WEST, A DISTANCE OF 244.40 FEET;
4) SOUTH 08°28'52" WEST, A DISTANCE OF 249.72 FEET;
5) SOUTH 10°51'00" WEST, A DISTANCE OF 135.57 FEET;
6) SOUTH 15°14'25" WEST, A DISTANCE OF 129.38 FEET;
7) SOUTH 04°45'38" EAST, A DISTANCE OF 136.64 FEET;
8) SOUTH 43°34'46" WEST, A DISTANCE OF 280.65 FEET;
9) SOUTH 08°27'23" WEST, A DISTANCE OF 268.27 FEET A POINT ON THE UPPER SIDE OF AN OLD ROAD;
THENCE WITH THE ROAD NORTH 88°21'03" WEST, A DISTANCE OF 207.44 FEET;
THENCE NORTH 65°44'01" WEST, A DISTANCE OF 70.81 FEET;
THENCE NORTH 27°26'41" WEST, A DISTANCE OF 148.28 FEET;
THENCE CROSSING THE ROAD SOUTH 65°22'28" WEST, A DISTANCE OF 36.00 FEET;
THENCE LEAVING THE ROAD NORTH 71°34'33" WEST, A DISTANCE OF 117.22 FEET;
THENCE SOUTH 14°07'41" WEST, A DISTANCE OF 256.20 FEET TO A POINT ON THE NORTHERN SIDE OF LEVISA FORK;
THENCE TURNING RIGHT AND RUNNING DOWNSTREAM
FOR THE NEXT 23 COURSES:
1) NORTH 90°00'00" EAST, A DISTANCE OF 178.81 FEET;
2) NORTH 82°54'33" WEST, A DISTANCE OF 147.44 FEET;
3) NORTH 72°29'31" WEST, A DISTANCE OF 141.14 FEET;
4) NORTH 57°38'58" WEST, A DISTANCE OF 124.71 FEET;
5) NORTH 41°59'52" WEST, A DISTANCE OF 122.45 FEET;
6) NORTH 28°52'01" WEST, A DISTANCE OF 96.98 FEET;
7) NORTH 16°08'41" WEST, A DISTANCE OF 126.30 FEET;
8) NORTH 10°55'12" WEST, A DISTANCE OF 154.46 FEET;
9) NORTH 07°50'49" WEST, A DISTANCE OF 171.47 FEET;
10) NORTH 02°18'04" WEST, A DISTANCE OF 145.71 FEET;
11) NORTH 06°17'30" EAST, A DISTANCE OF 213.62 FEET;
12) NORTH 11°17'12" EAST, A DISTANCE OF 179.39 FEET;
13) NORTH 17°20'05" EAST, A DISTANCE OF 216.07 FEET;
14) NORTH 21°59'26" EAST, A DISTANCE OF 281.32 FEET;
15) NORTH 28°11'24" EAST, A DISTANCE OF 247.78 FEET;
16) NORTH 26°43'03" EAST, A DISTANCE OF 312.42 FEET;
17) NORTH 31°53'59" EAST, A DISTANCE OF 221.50 FEET;
18) NORTH 28°43'44" EAST, A DISTANCE OF 304.39 FEET;
19) NORTH 28°52'01" EAST, A DISTANCE OF 387.92 FEET;
20) NORTH 29°13'44" EAST, A DISTANCE OF 347.57 FEET;
21) NORTH 25°01'27" EAST, A DISTANCE OF 207.54 FEET;
22) NORTH 21°50'59" EAST, A DISTANCE OF 63.81 FEET;
23) NORTH 16°16'50" EAST, A DISTANCE OF 134.51 FEET TO THE POINT OF BEGINNING CONTAINING 127.89 ACRES, MORE OR LESS

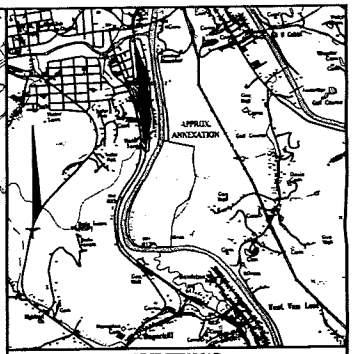
This Resolution was adopted and approved by the Paintsville City Council on this 27 day of December, 2010.

BOB PORTER, MAYOR
CITY OF PAINTSVILLE

The undersigned certifies that the above Resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Resolution No. 2010-012 is the same as presented at the meeting of the Paintsville City Council conducted 12-27- _____, 2010.

Virgie Castle, City Clerk





VICINITY MAP

TAKEN FROM
PAINTSVILLE 7.5 MINUTE SERIES QUADRANGLE
1" = 2000'

NOTES:

1) THIS DRAWING IS FOR PAINTSVILLE CITY ANNEXATION PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS A BOUNDARY SURVEY. THIS DRAWING DOES NOT MEET THE STANDARDS OF A RECORDABLE BOUNDARY SURVEY.

2) PLANIMETRIC INFORMATION TAKEN FROM CORPS OF ENGINEERS FLOODWAY MAPPING.

3) CONTOURS TAKEN FROM PAINTSVILLE 7.5 MINUTE SERIES QUADRANGLE.

4) THE PURPOSE OF THIS PLAT IS TO DESCRIBE THE ANNEXATION DATED SEPT. 17, 1974 AND APPROVED BY THE PAINTSVILLE CITY COUNCIL.

Disclaimer
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KEY "A"	Revisions to Tract Description	12-15-10
KEY "B"	N/A	N/A
KEY "C"	N/A	N/A
KEY "D"	N/A	N/A
KEY "E"	N/A	N/A
KEY "F"	N/A	N/A

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BOCOOK ENGINEERING, INC.
CONSULTING ENGINEERS

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PAINTSVILLE, KY 41240
(606) 789-5961 - phone
(606) 789-7671 - facsimile

259 NORTH ARNOLD AVENUE
PRESTONSBURG, KY 41653
(606) 886-7584 - phone
(606) 886-7895 - facsimile

Graphic Scale
In. 1 1/2 0 1 2 3
FT. 200 100 0 200 400 600
SCALE: 1"=200'

Island Creek Annexation
for
CITY of PAINTSVILLE
located along
Island Creek
Johnson County, KY
Annexation Dated 9/17/74

Project Number	Sheet Number	Revision	Date	Scale	Sheet Number
4410	1 of 1	A	12/15/10	1"=200'	Island Creek Annexation

Drawn by: Kelly Osborne
Checked by: Kelly Osborne
Checked by: Thurry L. Bocook, JR.

TRACT DESCRIPTION
Island Creek Annexation
Annex Dated 9-17-74

BEGINNING AT A POINT ON THE WEST SIDE OF LEVISA FORK, HAVING A NORTHING OF 548,884.20 AND AN EASTING OF 2,855,848.88, THENCE LEAVING LEVISA FORK AND UP THE HILL NORTH 79°43'46" WEST, A DISTANCE OF 1118.81 FEET TO A POINT ON A RIDGE;
THENCE TURNING RIGHT AND WITH THE CENTERLINE OF THE RIDGE FOR THE NEXT 7 COURSES:
1) SOUTH 61°52'48" WEST, A DISTANCE OF 288.18 FEET;
2) SOUTH 80°56'09" WEST, A DISTANCE OF 286.34 FEET;
3) SOUTH 88°44'03" EAST, A DISTANCE OF 305.77 FEET;
4) SOUTH 11°38'15" WEST, A DISTANCE OF 363.56 FEET;
5) SOUTH 18°51'38" WEST, A DISTANCE OF 137.81 FEET;
6) SOUTH 11°52'08" WEST, A DISTANCE OF 219.48 FEET;
7) SOUTH 68°51'07" WEST, A DISTANCE OF 275.36 FEET;
THENCE LEAVING THE RIDGE AND DOWN A POINT FOR THE NEXT 9 COURSES:
1) SOUTH 56°23'33" WEST, A DISTANCE OF 399.51 FEET;
2) SOUTH 51°51'27" WEST, A DISTANCE OF 327.01 FEET;
3) SOUTH 21°45'44" WEST, A DISTANCE OF 344.68 FEET;
4) SOUTH 88°28'52" WEST, A DISTANCE OF 349.72 FEET;
5) SOUTH 10°51'08" WEST, A DISTANCE OF 138.57 FEET;
6) SOUTH 15°34'25" WEST, A DISTANCE OF 129.38 FEET;
7) SOUTH 84°45'38" EAST, A DISTANCE OF 138.84 FEET;
8) SOUTH 43°34'48" WEST, A DISTANCE OF 268.83 FEET;
9) SOUTH 88°27'23" WEST, A DISTANCE OF 288.27 FEET A POINT ON THE UPPER SIDE OF AN OLD ROAD; THENCE WITH THE ROAD NORTH 88°21'53" WEST, A DISTANCE OF 267.44 FEET, THENCE NORTH 85°44'21" WEST, A DISTANCE OF 76.81 FEET;
THENCE NORTH 27°26'41" WEST, A DISTANCE OF 148.38 FEET;
THENCE CROSSING THE ROAD SOUTH 85°22'28" WEST, A DISTANCE OF 38.00 FEET;
THENCE LEAVING THE ROAD NORTH 71°34'33" WEST, A DISTANCE OF 117.20 FEET;
THENCE SOUTH 34°57'41" WEST, A DISTANCE OF 258.38 FEET TO A POINT ON THE NORTHERN SIDE OF LEVISA FORK;
THENCE TURNING RIGHT AND RUNNING DOWNSTREAM FOR THE NEXT 23 COURSES:
1) NORTH 88°58'08" EAST, A DISTANCE OF 178.61 FEET;
2) NORTH 82°54'33" WEST, A DISTANCE OF 167.44 FEET;
3) NORTH 72°29'31" WEST, A DISTANCE OF 141.14 FEET;
4) NORTH 57°38'58" WEST, A DISTANCE OF 184.71 FEET;
5) NORTH 41°58'52" WEST, A DISTANCE OF 128.49 FEET;
6) NORTH 26°32'01" WEST, A DISTANCE OF 98.98 FEET;
7) NORTH 16°08'41" WEST, A DISTANCE OF 186.38 FEET;
8) NORTH 10°05'32" WEST, A DISTANCE OF 154.48 FEET;
9) NORTH 07°28'48" WEST, A DISTANCE OF 171.47 FEET;
10) NORTH 02°18'04" WEST, A DISTANCE OF 148.71 FEET;
11) NORTH 06°17'38" EAST, A DISTANCE OF 213.82 FEET;
12) NORTH 11°17'12" EAST, A DISTANCE OF 178.38 FEET;
13) NORTH 17°26'05" EAST, A DISTANCE OF 316.67 FEET;
14) NORTH 21°58'28" EAST, A DISTANCE OF 261.32 FEET;
15) NORTH 28°11'24" EAST, A DISTANCE OF 247.78 FEET;
16) NORTH 28°42'03" EAST, A DISTANCE OF 312.42 FEET;
17) NORTH 31°53'58" EAST, A DISTANCE OF 321.56 FEET;
18) NORTH 28°42'44" EAST, A DISTANCE OF 304.38 FEET;
19) NORTH 26°52'01" EAST, A DISTANCE OF 287.82 FEET;
20) NORTH 25°13'44" EAST, A DISTANCE OF 347.57 FEET;
21) NORTH 25°51'27" EAST, A DISTANCE OF 307.54 FEET;
22) NORTH 21°36'28" EAST, A DISTANCE OF 63.81 FEET;
23) NORTH 18°16'58" EAST, A DISTANCE OF 134.51 FEET TO THE POINT OF BEGINNING CONTAINING 127.89 ACRES, MORE OR LESS.

TRACT DESCRIPTION

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Annex Dated 9-17-74

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5) SOUTH 10°51'00" WEST, A DISTANCE OF 135.57 FEET;
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9) SOUTH 08°27'23" WEST, A DISTANCE OF 268.27 FEET A POINT ON THE UPPER SIDE OF AN OLD ROAD;

THENCE WITH THE ROAD NORTH 88°21'03" WEST, A DISTANCE OF 207.44 FEET;
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THENCE CROSSING THE ROAD SOUTH 65°22'28" WEST, A DISTANCE OF 36.00 FEET;
THENCE LEAVING THE ROAD NORTH 71°34'33" WEST, A DISTANCE OF 117.22 FEET;
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12) NORTH 11°17'12" EAST, A DISTANCE OF 179.39 FEET;
13) NORTH 17°20'05" EAST, A DISTANCE OF 216.07 FEET;
14) NORTH 21°59'26" EAST, A DISTANCE OF 281.32 FEET;
15) NORTH 28°11'24" EAST, A DISTANCE OF 247.78 FEET;
16) NORTH 26°43'03" EAST, A DISTANCE OF 312.42 FEET;
17) NORTH 31°53'59" EAST, A DISTANCE OF 221.50 FEET;
18) NORTH 28°43'44" EAST, A DISTANCE OF 304.39 FEET;
19) NORTH 28°52'01" EAST, A DISTANCE OF 387.92 FEET;
20) NORTH 29°13'44" EAST, A DISTANCE OF 347.57 FEET;
21) NORTH 25°01'27" EAST, A DISTANCE OF 207.54 FEET;
22) NORTH 21°50'59" EAST, A DISTANCE OF 63.81 FEET;
23) NORTH 16°16'50" EAST, A DISTANCE OF 134.51 FEET TO THE POINT OF
BEGINNING CONTAINING 127.89 ACRES, MORE OR LESS

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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