

DATE February 3, 2020

RESOLUTION NO. 05-2019

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adams

**A RESOLUTION CORRECTING AN ORIGINAL KRS 81.045 FILING AND ADOPTING A MODERN
LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE.**

Whereas, the City of Prestonsburg, Kentucky, (hereafter call the "City") in 1981 submitted a boundary statement and other information in compliance with KRS 81.045; and,

Whereas, an area annexed by Ordinance No. 08-68 November 21, 1968 was not included in the KRS 81.045 boundary statement inasmuch as the map submitted was prepared in 1968 and the City failed to make a correction to the map to include the hereinabove referenced November 21, 1968 and ordinance when the KRS 81.045 filing submitted to the Secretary of State's Office in 1981; and,

Whereas, Ordinance No. 08-68, dated November 21, 1968 was not overturned in court or in an election process; and,

Whereas, the City further wishes to provide a modern legal description and annexation plat for the purpose of showing the location of the prior November 21, 1968 annexation, same having been prepared by a professional land surveyor for the purposes stated herein; and,

Whereas, the City wishes to correct the KRS 81.045 filing and comply with the requirements of Amended KRS 81A.470, effective July 13, 2004; and,

Whereas, with respect to the Ordinance No. 08-68, dated November 21, 1968 the City does not intend to replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern legal description of territory previously annexed; and,

Whereas, the City wishes to add the modern legal description of the territory previously annexed to its KRS 81.045 filing, thereby correcting same,

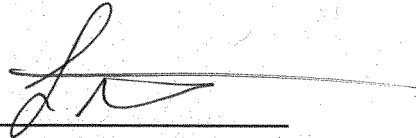
NOW, THEREFORE, be it resolved by the City of Prestonsburg, Kentucky (the "City") as follows:

1. The City adopts the following legal description and plat attached hereto as prepared by Thomas Nairn, Licensed Professional Land Surveyor No. 3921 for the purposes stated therein, as a modern description of the property previously annexed into the corporate city limits of the City by Ordinance No. 08-68, dated November 21, 1968, a certified copy of which is attached hereto as Exhibit C, 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 and referencing this prior annexation.
2. The new legal description as prepared by Thomas Nairn, Licensed Professional Land Surveyor No. 3921 for the purposes stated herein, is as follows:

See Attached Exhibit A for said Legal Description
See Attached Exhibit B for said Annexation Plat

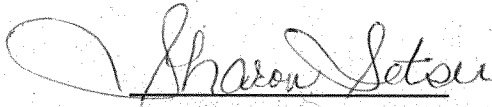
3. This resolution and the attached documents shall be filed with the Secretary of State to correct the City's KRS 81.045 filing.

Adopted unanimously upon proper motion, second and vote on this 15th day of July, 2019.



Les Stapleton, Mayor

Attest:




Sharon Setser, City Clerk
City of Prestonsburg, Kentucky

CERTIFICATE

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk of the City of Prestonsburg, Kentucky, that the foregoing is a full, true, and correct copy of a Resolution/~~Ordinance~~ adopted by the City Council of said City at a meeting duly held on 7/15/2019, ~~2020~~; that said official action appears as a matter of public record in the official records or journal of the governing authority; that said meeting was held in accordance with all applicable requirements of Kentucky Law, including KRS 61.810, 61.815, 61.820, and 61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.

IN TESTIMONY WHEREOF, witness my signature this 28 day of January, 2020.



Sharon Setser, City Clerk

RESOLUTION NO. 05-2019

ORDINANCE NO. _____

ANNEXATION DESCRIPTION
Of The
GOBLE ROBERTS AREA

A TRACT OF LAND SITUATED IN THE COMMUNITY OF GOBLE ROBERTS, PRESTONSBURG, FLOYD COUNTY, KENTUCKY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point on the CSX railroad right-of-way in the community of Goble Roberts; said point also being a common corner to the corporate limits of the City of Prestonsburg; said point having NAD83 Kentucky state plane south zone coordinate system values of North 2,140,037 and East 2,518,631; thence leaving the railroad right-of-way and with the corporate limits N 71°39'01" E a distance of 610.54 feet to a point near the center of Levisa Fork of the Big Sandy River; thence leaving the corporate limits and going upstream with the center of said river for the next fourteen (14) courses and distances:

- 1) S22°48'24"E, 120.92'
- 2) S21°47'34"E, 144.06'
- 3) S20°47'30"E, 194.08'
- 4) S20°37'31"E, 123.29'
- 5) S14°06'42"E, 168.27'
- 6) S14°00'37"E, 114.81'
- 7) S14°40'52"E, 228.52'
- 8) S10°08'24"E, 105.66'
- 9) S06°59'00"E, 90.61'
- 10) S02°28'48"E, 84.76'
- 11) S01°25'02"W, 96.69'
- 12) S10°07'04"W, 100.55'
- 13) S15°19'33"W, 126.96'
- 14) S17°38'46"W, 308.59'

to a point common with the corporate limits; thence with the corporate limits and the center of Levisa Fork S 16°07'00" W a distance of 210.48 feet to a point; thence leaving the corporate limits and continuing with Levisa Fork S 18°57'20" W a distance of 128.98 feet to a point; thence leaving the center of Levisa Fork and up the bank and back to the railroad right-of-way N 74°56'32" W a distance of 188.56 feet to a point; thence running along the railroad right-of-way for the next fifteen (15) courses and distances:

- 1) N04°47'50"E, 99.39'
- 2) N00°47'48"E, 135.26'
- 3) N02°23'14"W, 158.27'
- 4) N05°59'30"W, 54.69'
- 5) N05°59'31"W, 103.20'
- 6) N10°20'26"W, 165.22'
- 7) N14°49'56"W, 170.94'
- 8) N18°35'00"W, 180.88'
- 9) N20°23'44"W, 154.42'
- 10) N20°22'24"W, 180.74'
- 11) N20°46'23"W, 149.14'
- 12) N20°30'09"W, 103.89'
- 13) N21°09'07"W, 176.08'
- 14) N22°06'40"W, 148.39'
- 15) N25°48'08"W, 122.40'

ANNEXATION DESCRIPTION
Of The
GOBLE ROBERTS AREA

to the beginning and containing 24.4 acres or 1,061,247 sq. ft. The boundary depicted by this description is for clarification purposes regarding a previous annexation only and is adjacent to the City of Prestonsburg's corporate limits.

Bocook Engineering's file of this annexation can be found in W:\9000\9129gobleroberts – Prestonsburg City\Microstation Files\9129gr – Goble Roberts Annexation.dgn

Thomas Nair

Thomas E. Nair, PLS #3921
Bocook Engineering, Inc.
259 North Arnold Ave., Prestonsburg, Ky. 41653
July 1st, 2019



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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