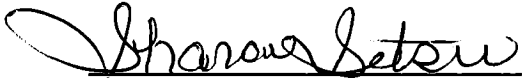


CERTIFICATE

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 adopted by the City Council of said City at a meeting duly held on September 27, 2021; 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61.825; that a quorum was present at said meeting; that said official action has not been modified, amended, revoked or repealed and is now in full force and effect.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 11th day of January, 2023.


Sharon Setser, City Clerk

RESOLUTION NO. 12-2021

(seal)

RECEIVED AND FILED
DATE March 16, 2023

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Katie Adkins

RESOLUTION NO. 12-2021

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. 1-85 March 18, 1985 was not included in the KRS 81.045 boundary statement inasmuch as the map submitted was prepared in 1985 and the City failed to make a correction to the map to include the hereinabove referenced March 18, 1985 and ordinance when the KRS 81.045 filing submitted to the Secretary of State’s Office in 1981; and,

Whereas, Ordinance No. 01-85, dated March 18, 1985 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 March 18, 1985 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 September 27, 2021; and,

Whereas, with respect to the Ordinance No. 01-85, dated March 18, 1985 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. 01-85, dated March 18, 1985, a certified copy of which is attached hereto, 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:

A TRACT OF LAND SITUATED AT THE R/W INTERSECTION OF KY RTE. 114 AND U.S. 23, FLOYD COUNTY, KENTUCKY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point at the intersection of the northern right-of-way of KY Route 114 and the western right-of-way of U.S. 23; said point being a common corner of the corporate limits of the city of Prestonsburg; said point having NAD83 Kentucky state plane single zone coordinate system values of North 3,777,098 and East 5,779,084; thence leaving the U.S. 23 right-of-way and with the KY Route 114 right-of-way and the corporate limits for the next three (3) courses and distances:

- 1) S66°00'13"W, 606.96'
- 2) N04°10'56"E, 46.93'
- 3) S63°50'30"W, 66.41'

to a point in a drain; thence leaving the KY Route 114 right-of-way and the corporate limits and with the proposed annexation boundary and along the drain for the next six (6) courses and distances:

- 1) N22°18'52"W, 48.45'
- 2) N08°07'30"W, 48.03'
- 3) N02°28'06"W, 53.89'
- 4) N09°59'10"E, 85.19'
- 5) N10°52'52"W, 157.57'
- 6) N14°08'38"W, 150.37'

to a point on the corporate limits of Prestonsburg and next to Middle Creek of Levisa Fork; thence leaving the proposed corporate limit boundary and with the existing corporate limits and Middle Creek for the next seven (7) courses and distances:

- 1) N89°28'18"E, 186.20'
- 2) N01°49'37"W, 21.47'
- 3) N85°13'48"E, 83.39'
- 4) N78°15'27"E, 48.24'
- 5) N76°28'20"E, 42.94'
- 6) N71°23'02"E, 48.63'
- 7) N63°53'25"E, 74.70'

to a point on the western right-of-way of U.S. 23; thence leaving Middle Creek and continuing with the right-of-way and the corporate limits for the next three (3) courses and distances:

- 1) S55°12'05"E, 162.59'
- 2) S13°47'54"E, 247.16'
- 3) S21°45'19"E, 72.02'

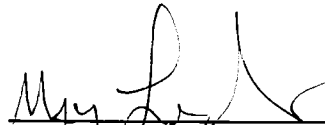
to the beginning and containing 6.6 acres or 289,290 sq. ft. The boundary described herein is for annexation purposes only and is adjacent to the City of Prestonsburg's corporate limits.

Bocook Engineering's file of this annexation can be found in W:\10000\10379 – Prestonsburg City\Microstation Files\10379 – Glyn View Annexation.dgn

Thomas E. Nairn, PLS #3921
Bocook Engineering, Inc.
259 North Arnold Ave., Prestonsburg, Ky. 41653
November 28, 2022

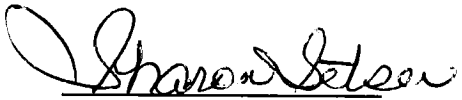
3. This resolution and the attached documents shall be filed with the Secretary of State to correct the City's KRS 81.045 filing.

Adopted unanimously upon proper motion, second and vote on this 27 day of
September, 2021.

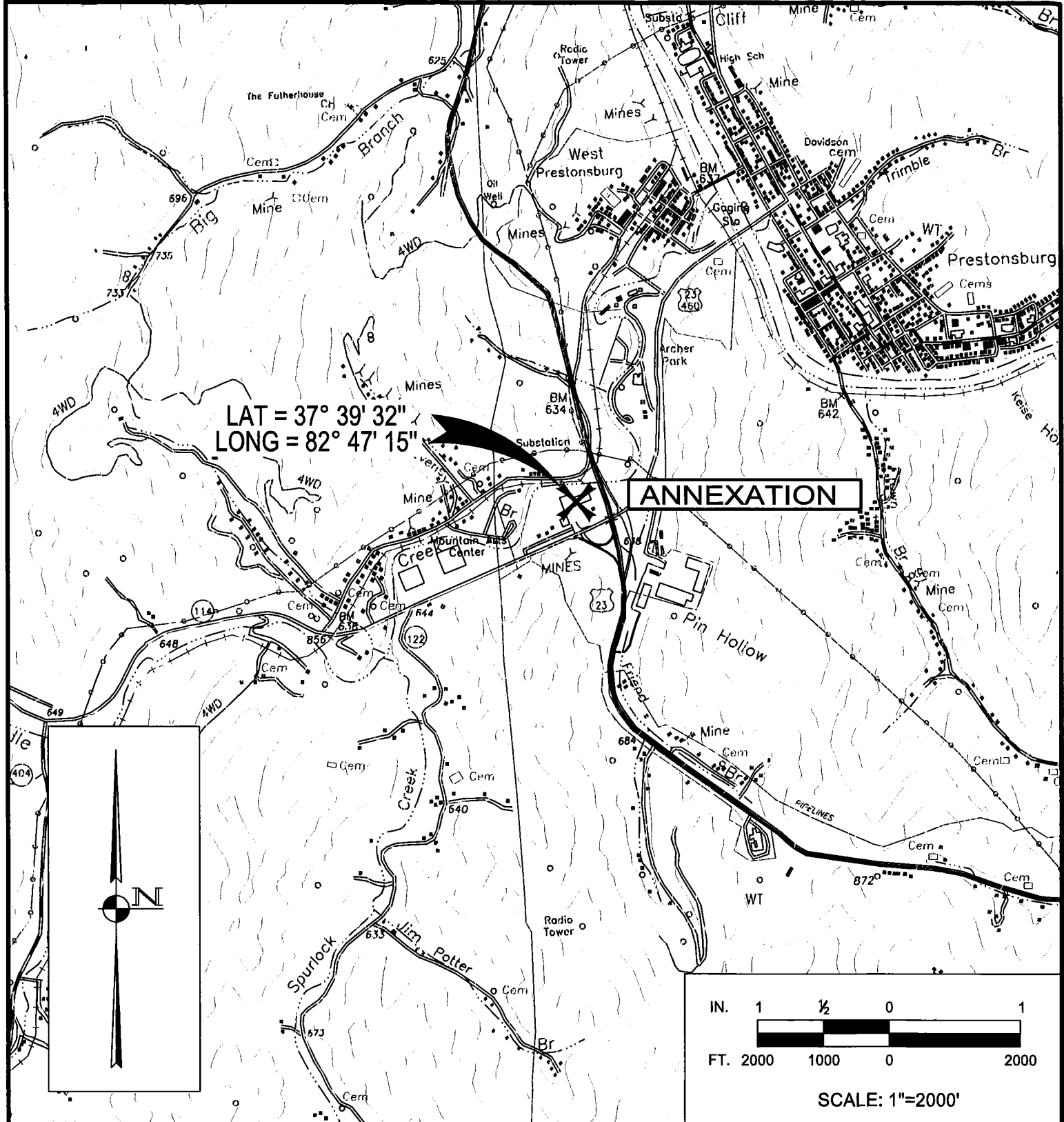


Les Stapleton, Mayor

Attest:

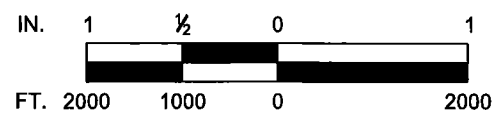
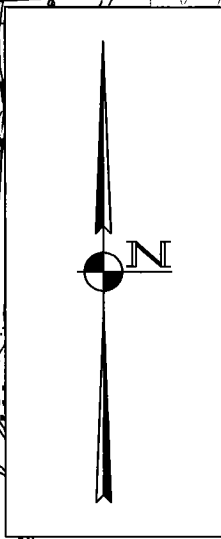


Sharon Setser, City Clerk
City of Prestonsburg, Kentucky



LAT = 37° 39' 32"
 LONG = 82° 47' 15"

ANNEXATION



SCALE: 1"=2000'

**Vicinity Map for
 CITY of PRESTONSBURG
 ANNEXATION
 GLYN VIEW PLAZA**

- Prepared By -

BOCOOK ENGINEERING, INC
 CONSULTING ENGINEERS

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

259 N. ARNOLD AVE.
 PRESTONSBURG, KY 41653
 (606) 886-7884 - phone
 (606) 886-7895 - facsimile



w.o. 10379

date: 11/28/22

ANNEXATION DESCRIPTION
Of The
GLYN VIEW PLAZA (KY Rte. 114 & U.S. 23)

A TRACT OF LAND SITUATED AT THE R/W INTERSECTION OF KY RTE. 114 AND U.S. 23, FLOYD COUNTY, KENTUCKY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point at the intersection of the northern right-of-way of KY Route 114 and the western right-of-way of U.S. 23; said point being a common corner of the corporate limits of the city of Prestonsburg; said point having NAD83 Kentucky state plane single zone coordinate system values of North 3,777,098 and East 5,779,084; thence leaving the U.S. 23 right-of-way and with the KY Route 114 right-of-way and the corporate limits for the next three (3) courses and distances:

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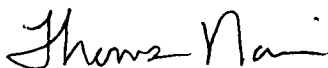
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- 7) N63°53'25"E, 74.70'

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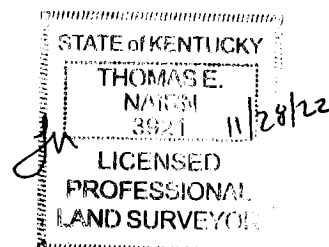
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Thomas E. Nairn, PLS #3921
Bocook Engineering, Inc.
259 North Arnold Ave., Prestonsburg, Ky. 41653
November 28, 2022



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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