

**CERTIFICATION**

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-69 is a true and correct copy as was presented to the Richmond Board of Commissioners of the City of Richmond at their regular schedule meeting dated October 27, 2009.

Given under my hand this 27 day of October, 2009.

Betty Houghton  
City Clerk

(SEAL)

RECEIVED AND FILED  
DATE October 30, 2009

\_\_\_\_\_  
TREV GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Hankie Alderson

## **RESOLUTION 09-69**

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

**WHEREAS**, the City of Richmond has enacted numerous ordinances annexing property into the corporate limits of the City of Richmond; and

**WHEREAS**, each individual annexation contains a prior survey of 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.4 70 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 RICHMOND, KENTUCKY:**

**SECTION 1.** That the Richmond Board of Commissioners of the City of Richmond hereby adopts the following legal description, and a plat attached hereto as prepared by Dwayne Wheatley, Licensed Professional Land Surveyor No. 3265 as an accurate depiction of the property previously annexed into the corporate city limits of the City of Richmond by Ordinance 97-10 dated March 4, 1997, a copy of which is attached and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purpose when referencing this prior annexation.

**SECTION 2.** This new legal description as prepared by Dwayne Wheatley a Licensed Professional Land Surveyor No. 3265 is as follows:

#### Tract 1

**Note:** The following legal description is an accurate representation of the subject property as per listed ordinance and resolution. The legal description is based upon information provided to Abacus Engineering and Land Surveying, Inc., by the City of Richmond. This legal description is not intended to comply with 201 KAR 18:150 and as such shall not be used in connection with the sale or transfer of land.

A certain tract of land situated on Barnes Mill Road and Goggins Lane in the Commonwealth of Kentucky, County of Madison consisting of 1.29 acres and described as follows:

The point of beginning being at a concrete nail in the center line of Goggins Lane, a common corner to tract #2, thence with the center of Goggins Lane three (3) calls S29°26'15"W 101.29 feet, thence S26°06'01"W 60.32 feet, thence S32°09'59"W 127.44 feet to a concrete nail in the center line of Barnes Mill Road, thence with the center line of Barnes Mill Road two (2) calls, N64°46'05"W 192.05 feet, N70°43'10"W 43.60 feet to a concrete nail and common corner to DeJarnette, thence leaving the center line of Barnes Mill Road with the line of DeJarnette, N8°56'20"E 135.84 feet, thence with DeJarnette N89°23'37"E 70.19 feet, thence N88°24'42"E 216.90 feet, N75°37'51"E 52.58 feet to the point of beginning containing 1.29 acres more or less.

#### Tract 2

A certain tract of land situated on Goggins Lane in the Commonwealth of Kentucky, County of Madison consisting of 1.00 acres and described as follows:

The point of beginning being at a concrete nail in the center line of Goggins Lane, a common corner to DeJarnette, thence with the center of Goggins Lane four (4) calls S36°57'55"W 40.51 feet, S33°37'27"W 40.80 feet, S25°22'40"W 27.35 feet, S19°58'26"W 44.94 feet to a concrete nail and common corner to the White Oak Pond Christian Church tract, thence leaving the center line of Goggins Lane with the line of Tract 2, two (2) calls S75°37'51"W 52.58 feet, S88°24'42"W 216.90 feet to an iron pin and common corner to DeJarnette, thence leaving the line of Pond Church tract with the line of DeJarnette, two (2) calls, N38°58'01"E 304.01 feet, S60°50'29"E 172.45 feet to the point of beginning containing 1.00 acres more or less.

#### Tract 3

A certain tract of land situated on Barnes Mill Road in the Commonwealth of Kentucky, County of Madison consisting of 1.0551 acres and described as follows:

The point of beginning being at a steel pin set at a concrete right-of-way marker in the north right-of-way line of Barnes Mill Road, a corner to White Oak Pond Christian Church, thence leaving the line of the Church with said right-of-way line N70°17'20"W 50.00 feet to a set steel pin and said right-of-way line, a new corner to Maurice Baker, thence leaving said right-of-way line and with the new line of Baker N19°45'08"E 432.92 feet, S63°38'24"E 180.00 feet to a corner to Baker and the Church, thence leaving the line of Baker with the fenced line of the Church, S36°28'08"W 279.43 feet, S72°30'15"W 86.73 feet, S7°07'53"W 94.33 feet to the point of beginning containing 1.0551 acres more or less.

This Resolution shall be in full force and effect upon reading and adoption by the City of Richmond Board of Commissioners.

**DATE OF READING:** *October 27, 2009*  
**MOTION BY:** *Brewer*  
**SECONDED BY:** *Blythe*

<b>VOTE:</b>	<b>YES</b>	<b>NO</b>
Commissioner Blythe	X	
Commissioner Brewer	X	
Commissioner Smart	X	
Commissioner Strong	<i>Absent</i>	
Mayor Lawson	X	

*Constance Lawson*  
\_\_\_\_\_  
Mayor

ATTEST:

*Betty Hingle*  
\_\_\_\_\_  
City Clerk



P.O. Box 1164, Richmond, Kentucky 40476  
236 Boggs Lane, Suite 4

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*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-69  
(ORDINANCE 97-10)  
TRACT 1**

**Note:** The following legal description is an accurate representation of the subject property as per listed ordinance and resolution. The legal description is based upon information provided to Abacus Engineering and Land Surveying, Inc., by the City of Richmond. This legal description is not intended to comply with 201 KAR 18:150 and as such shall not be used in connection with the sale or transfer of land.

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\_\_\_\_\_  
Dwayne Wheatley, PE, LS (L.S. 3265)

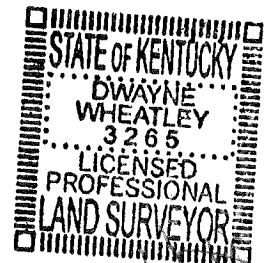
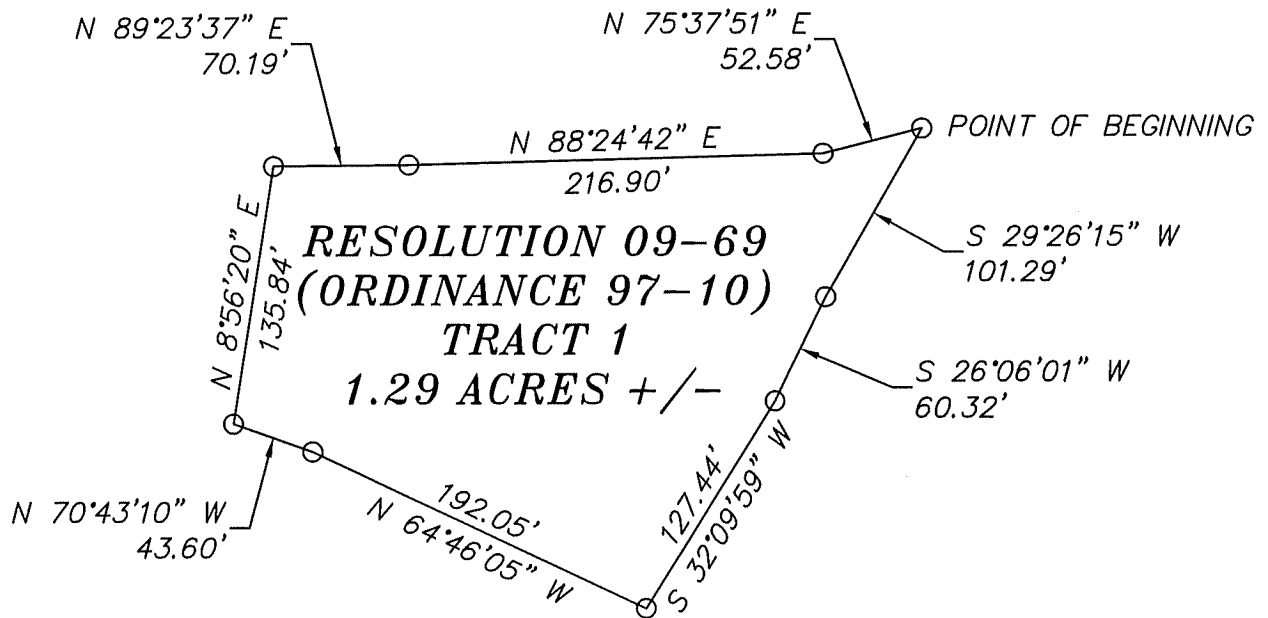
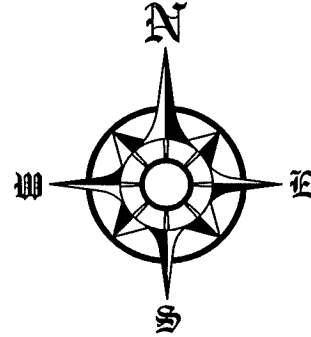
  
\_\_\_\_\_  
Date

**SURVEYOR'S CERTIFICATION STATEMENT**

I hereby certify that this Plat has been drawn by me, or persons under my direct control and supervision, and reviewed by me. It is an accurate graphical representation delineating the limits of the subject property as per the ordinance listed below. This plat is not intended to comply with 201 KAR 15:150 and as such shall not be used in connection with the sale or transfer of land. This plat does not represent a boundary survey as performed by Abacus Engineering and Land Surveying, Inc. and shall not be recorded in the Madison County Clerk's Office.

ABACUS ENGINEERING & LAND SURVEYING, INC.

FIRM  
*Dwayne Wheatley* 10/23/09  
 OWNER DATE



*Dwayne Wheatley*  
10/23/09



**Abacus**  
 Engineering & Land Surveying  
 236 Boggs Lane, Suite 4  
 Richmond, KY 40475  
 P: (859) 625-1200 ~ F: (859) 625-1207

Project No.:	09-040
Scale:	1" : 100'
Drawn by:	JMR
Checked by:	DW
Date of Survey:	N/A
Date of Plat:	14SEP2009
Date of Revision:	20OCT2009

**"Not for Recording or Land Transfer"**

**ANNEXATION PLAT for**

**RESOLUTION No. 09-69 (Ord. No. 97-10), TRACT 1**

**Property at NW Quad of Goggins Ln & KY Hwy 876**

**Richmond, Madison County, Kentucky**



P.O. Box 1164, Richmond, Kentucky 40476  
236 Boggs Lane, Suite 4

*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-69  
(ORDINANCE 97-10)  
TRACT 2**

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A handwritten signature in black ink, appearing to read 'Dwayne Wheatley', is written over a horizontal line.

Dwayne Wheatley, PE, LS

(L.S. 3265)


A handwritten date '10/23/09' is written in black ink over a horizontal line.

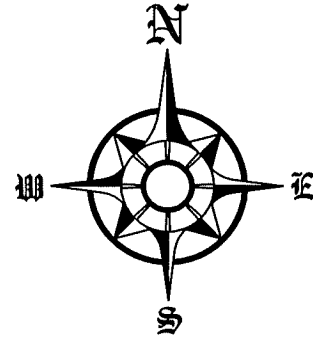
Date

**SURVEYOR'S CERTIFICATION STATEMENT**

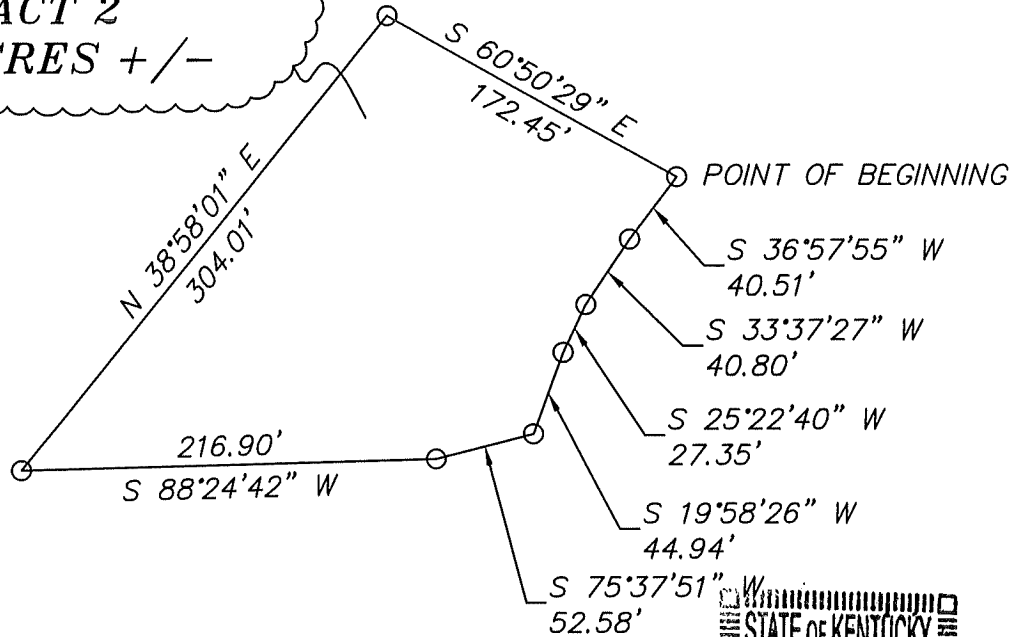
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ABACUS ENGINEERING & LAND SURVEYING, INC.

FIRM  
  
 DATE 11/27/09

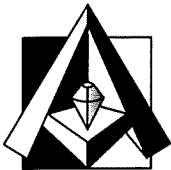


**RESOLUTION 09-69  
 (ORDINANCE 97-10)  
 TRACT 2  
 1.00 ACRES +/-**



STATE OF KENTUCKY  
 DWAYNE WHEATLEY  
 3285  
 LICENSED PROFESSIONAL LAND SURVEYOR





**Abacus**  
 Engineering & Land Surveying  
 236 Boggs Lane, Suite 4  
 Richmond, KY 40475  
 P: (859) 625-1200 ~ F: (859) 625-1207

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Date of Plat:	14SEP2009
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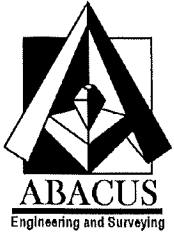
**"Not for Recording or Land Transfer"**

**ANNEXATION PLAT for**

**RESOLUTION No. 09-69 (Ord. No. 97-10), TRACT 2**

**Property due North of Ord. 97-10, Tract 1**

**Richmond, Madison County, Kentucky**



P.O. Box 1164, Richmond, Kentucky 40476  
236 Boggs Lane, Suite 4

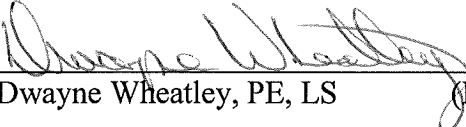
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**LEGAL DESCRIPTION FOR  
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TRACT 3**

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Dwayne Wheatley, PE, LS

(L.S. 3265)

  
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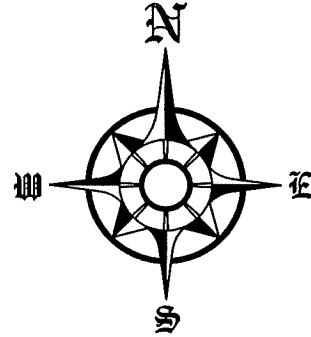
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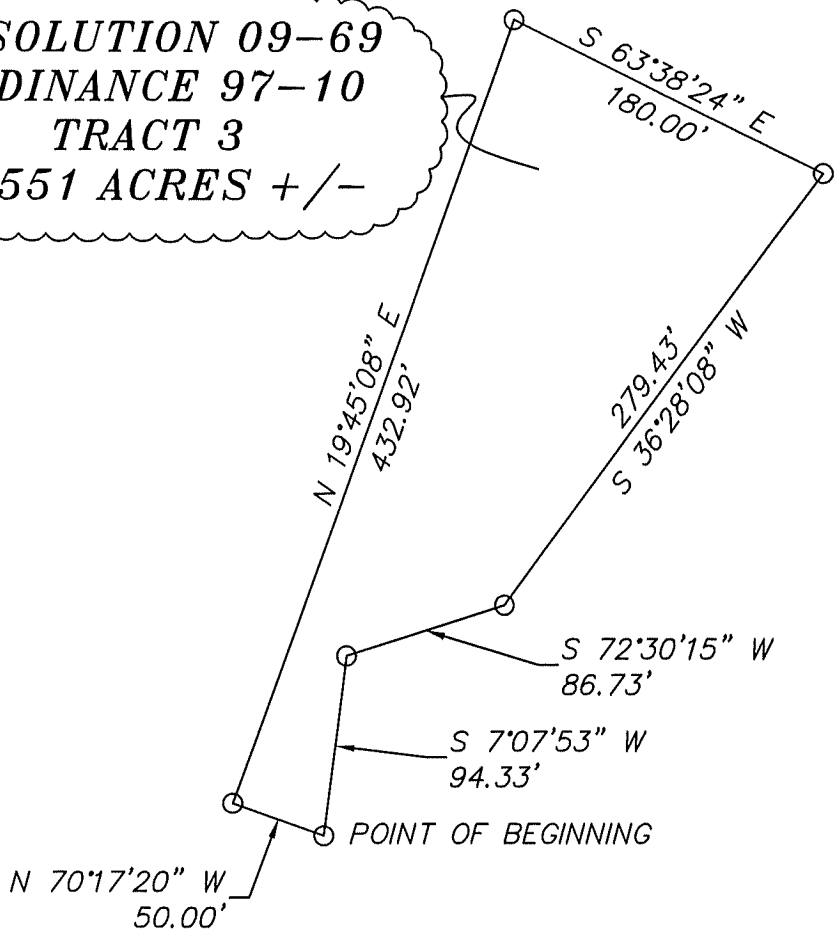
FIRM

*[Signature]* DATE 10/23/09

OWNER

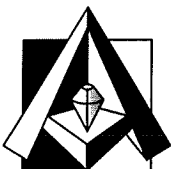


**RESOLUTION 09-69  
ORDINANCE 97-10  
TRACT 3  
1.0551 ACRES +/-**



STATE OF KENTUCKY  
DWAYNE WHEATLEY  
3265  
LICENSED PROFESSIONAL LAND SURVEYOR

*[Signature]*  
10/23/09



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Engineering & Land Surveying  
236 Boggs Lane, Suite 4  
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Date of Survey:	N/A
Date of Plat:	14SEP2009
Date of Revision:	20OCT2009

**"Not for Recording or Land Transfer"**

**ANNEXATION PLAT for**

**RESOLUTION No. 09-69 (Ord. No. 97-10), TRACT 3**

**Property due East of Ord. 97-10, Tract 2**

**Richmond, Madison County, Kentucky**