

**CERTIFICATION**

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-78 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 Hannie Adkins

## RESOLUTION 09-78

### **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 97-47 dated October 21, 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 4A

**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 Lexington Road in the Commonwealth of Kentucky, County of Madison consisting of 2.00 acres and described as follows:

The point of beginning being at a steel pin in the south right-of-way of Lexington Road and corner to Gumbert, thence leaving the line of Gumbert with said right-of-way S61°30'00"E 200.03 feet to a steel pin and new corner to Tract 4B, thence leaving the south right-of-way of Lexington Road with the line of Tract 4B dividing the lands of Victory Christian Center Two (2) calls, S35°48'25"W 439.12 feet, N61°30'00"W 200.03 feet to a steel pin and new corner in the line of Gumbert, thence with the line of Gumbert N35°48'25"E 439.12 feet to a steel pin and the point of beginning containing 2.00 acres more or less.

Tract 4B

A certain tract of land situated on Lexington Road in the Commonwealth of Kentucky, County of Madison consisting of 9.57 acres and described as follows:

The point of beginning being at a steel pin and new corner to Tract 4A in the south right-of-way of Lexington Road, thence with said right-of-way S61°30'00"E 50.41 feet to a steel pin and corner to Timmons, thence leaving said right-of-way with the line of Timmons for a portion of the Manning and Anderson the remaining of S35°48'25"W 2056.60 feet to a steel pin and corner to Clouse, thence with the line of Clouse N48°47'29"W 249.51 feet to a steel pin and corner to Gumbert, thence leaving the line of Clouse with the line of Gumbert N35°48'25"E 1562.15 feet to a steel pin and new corner to Tract 4A, thence leaving the line of Gumbert with the new lines of Tract 4A dividing the lands of Victory Christian Center two (2) calls S61°30'00"E 200.03 feet, N35°48'25"E 439.11 feet to a steel pin and the point of beginning containing 9.57 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>
<b>Commissioner Blythe</b>	X	
<b>Commissioner Brewer</b>	X	
<b>Commissioner Smart</b>	X	
<b>Commissioner Strong</b>	<i>Absent</i>	
<b>Mayor Lawson</b>	X	

Constance Lawan  
Mayor

ATTEST:

Betty Hughes  
City Clerk



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

---

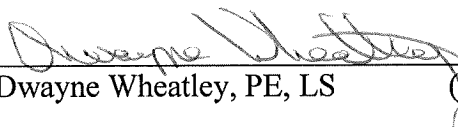
*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-78  
(ORDINANCE 97-47)  
TRACT 4A**

**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 Lexington Road in the Commonwealth of Kentucky, County of Madison consisting of 2.00 acres and described as follows:

The point of beginning being at a steel pin in the south right-of-way of Lexington Road and corner to Gumbert, thence leaving the line of Gumbert with said right-of-way S61°30'00"E 200.03 feet to a steel pin and new corner to Tract 4B, thence leaving the south right-of-way of Lexington Road with the line of Tract 4B dividing the lands of Victory Christian Center Two (2) calls, S35°48'25"W 439.12 feet, N61°30'00"W 200.03 feet to a steel pin and new corner in the line of Gumbert, thence with the line of Gumbert N35°48'25"E 439.12 feet to a steel pin and the point of beginning containing 2.00 acres more or less.

  
\_\_\_\_\_  
Dwayne Wheatley, PE, LS

(L.S. 3265)

  
\_\_\_\_\_  
Date

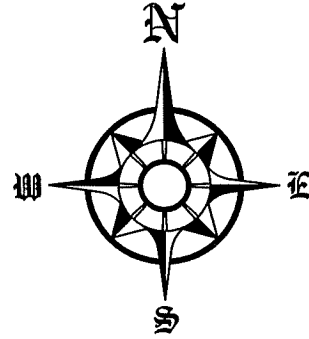
**SURVEYOR'S CERTIFICATION STATEMENT**

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.

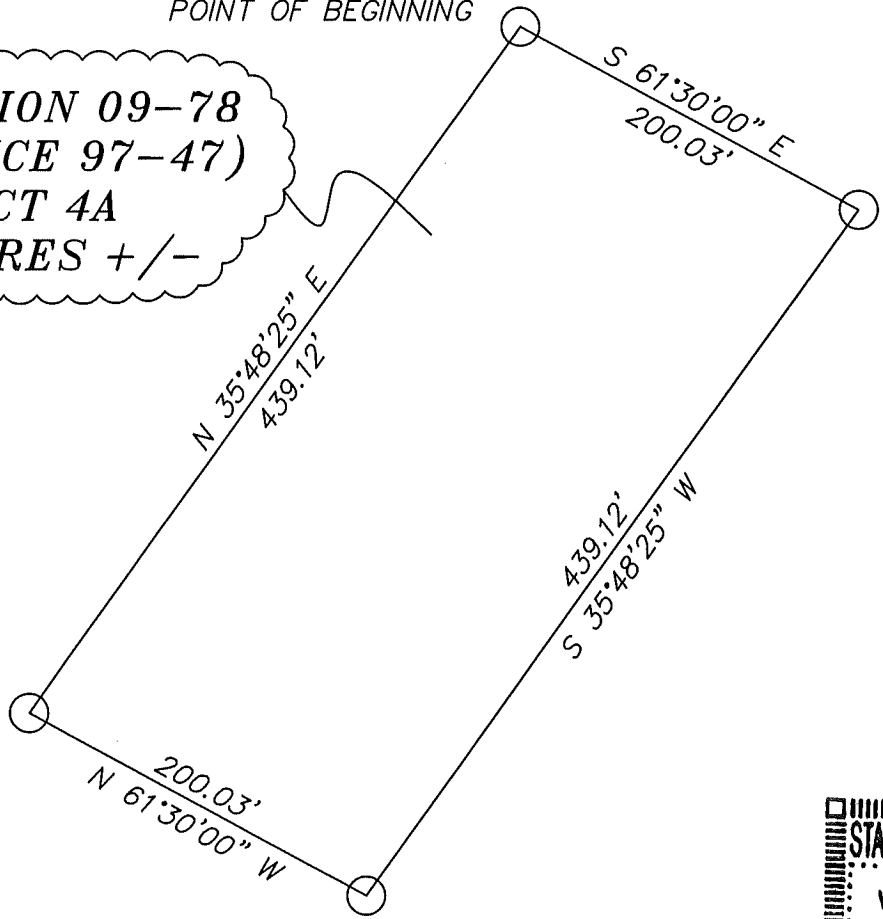
FIRM

OWNER *[Signature]* DATE 10/23/09



POINT OF BEGINNING

**RESOLUTION 09-78  
(ORDINANCE 97-47)  
TRACT 4A  
2.00 ACRES +/-**



STATE OF KENTUCKY  
DWAYNE WHEATLEY  
3265  
LICENSED PROFESSIONAL LAND SURVEYOR  
*[Signature]*  
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. 09-78 (Ord. No. 97-47), TRACT 4A**  
**Property at Int of Keystone Dr & Lexington Rd**  
**Richmond, Madison County, Kentucky**



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

---

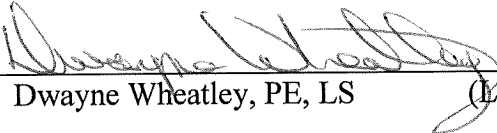
*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-78  
(ORDINANCE 97-47)  
TRACT 4B**

**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 Lexington Road in the Commonwealth of Kentucky, County of Madison consisting of 9.57 acres and described as follows:

The point of beginning being at a steel pin and new corner to Tract 4A in the south right-of-way of Lexington Road, thence with said right-of-way S61°30'00"E 50.41 feet to a steel pin and corner to Timmons, thence leaving said right-of-way with the line of Timmons for a portion of the Manning and Anderson the remaining of S35°48'25"W 2056.60 feet to a steel pin and corner to Clouse, thence with the line of Clouse N48°47'29"W 249.51 feet to a steel pin and corner to Gumbert, thence leaving the line of Clouse with the line of Gumbert N35°48'25"E 1562.15 feet to a steel pin and new corner to Tract 4A, thence leaving the line of Gumbert with the new lines of Tract 4A dividing the lands of Victory Christian Center two (2) calls S61°30'00"E 200.03 feet, N35°48'25"E 439.11 feet to a steel pin and the point of beginning containing 9.57 acres more or less.

  
Dwayne Wheatley, PE, LS

(L.S. 3265)

10/23/09  
Date

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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