

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-79 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

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
Kandice Ledner

RESOLUTION 09-79

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.470 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 03-49 dated October 28, 2003, 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:

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 located at the northwest quadrant of the intersection of US Highway 25 and Duncannon Lane in the Commonwealth of Kentucky, County of Madison consisting of 34.96 acres and described as follows:

The point of beginning being at a wooden fencepost in the west right-of-way of US Highway 25 and its north right-of-way of Duncannon Lane, thence with a fence line and the north right-of way of Duncannon Lane two (2) calls: S44°59'20"W 34.40 feet, S86°27'20"W 1226.20 feet to a wooden post in the west right-of way of CSX Railroad; thence with said right-of-way and fence line eleven (11) calls: N2°26'40"W 1770.80 feet, N8°55'40"W 189.90 feet, N12°30'40"W 83.60 feet, N15°07'40"W 174.40 feet, N20°36'40"W 145.60 feet, N12°29'40"W 137.30 feet, N23°46'40"W 732.80 feet, N34°15'09"W 64.87 feet, N22°23'31"W 200.00 feet, N23°43'31"W 624.00 feet, N29°02'31"W 136.00 feet to a wooden fencepost and corner to a spur track of CSX Railroad; thence with the line of CSX Railroad and a fence line three (3) calls: S82°44'46"E 46.80 feet, S83°30'46"E 112.50 feet, S83°18'46"E 43.50 feet to a wooden fencepost in the west right-of-way of US Highway 25; thence with said right-of-way and fence line nine (9) calls S20°46'40"E 2060.00 feet, S22°27'40"E 229.90 feet, S24°52'40"E 305.20 feet, S28°01'40"E 253.80 feet, S31°01'40"E 261.70 feet, S34°46'40"E 312.00 feet, S36°51'40"E 355.00 feet, S37°44'40"E 653.90 feet, S42°49'40"E 43.00 feet to a wooden fencepost and the point of beginning containing 34.96 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:

MOTION BY:

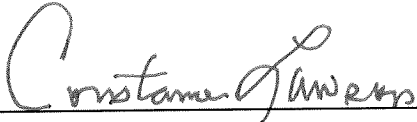
SECONDED BY:

VOTE:

YES

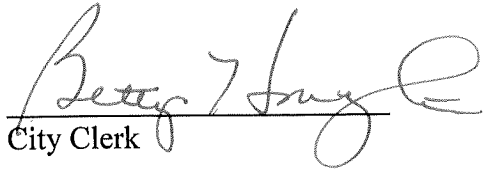
NO

Commissioner Blythe
Commissioner Brewer
Commissioner Smart
Commissioner Strong
Mayor Lawson



Mayor

ATTEST:


City Clerk



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

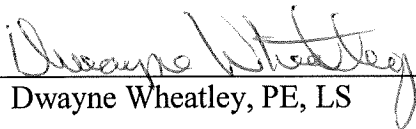
"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-79
(ORDINANCE 03-49)**

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 located at the northwest quadrant of the intersection of US Highway 25 and Duncannon Lane in the Commonwealth of Kentucky, County of Madison consisting of 34.96 acres and described as follows:

The point of beginning being at a wooden fencepost in the west right-of-way of US Highway 25 and its north right-of-way of Duncannon Lane, thence with a fence line and the north right-of way of Duncannon Lane two (2) calls: S44°59'20"W 34.40 feet, S86°27'20"W 1226.20 feet to a wooden post in the west right-of way of CSX Railroad; thence with said right-of-way and fence line eleven (11) calls: N2°26'40"W 1770.80 feet, N8°55'40"W 189.90 feet, N12°30'40"W 83.60 feet, N15°07'40"W 174.40 feet, N20°36'40"W 145.60 feet, N12°29'40"W 137.30 feet, N23°46'40"W 732.80 feet, N34°15'09"W 64.87 feet, N22°23'31"W 200.00 feet, N23°43'31"W 624.00 feet, N29°02'31"W 136.00 feet to a wooden fencepost and corner to a spur track of CSX Railroad; thence with the line of CSX Railroad and a fence line three (3) calls: S82°44'46"E 46.80 feet, S83°30'46"E 112.50 feet, S83°18'46"E 43.50 feet to a wooden fencepost in the west right-of-way of US Highway 25; thence with said right-of-way and fence line nine (9) calls S20°46'40"E 2060.00 feet, S22°27'40"E 229.90 feet, S24°52'40"E 305.20 feet, S28°01'40"E 253.80 feet, S31°01'40"E 261.70 feet, S34°46'40"E 312.00 feet, S36°51'40"E 355.00 feet, S37°44'40"E 653.90 feet, S42°49'40"E 43.00 feet to a wooden fencepost and the point of beginning containing 34.96 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.