

**CERTIFICATION**

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-81 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  
BY Handie Adkins

## **RESOLUTION 09-81**

### **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 06-10 dated March 4, 2006, 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.

### Lot 1

A certain tract of land located on the west side of US HWY 25 approximately .38 miles south of intersection of US HWY 25 and HWY 876 in the Commonwealth of Kentucky, County of Madison consisting of 2.7733 acres and described as follows:

The point of beginning being a found ½ inch diameter iron pipe and corner to Burnam Estates (Deed Book 551 Page 556) in the west right-of-way of US HWY 25; thence with said right-of-way S05°10'25"E 50.00 feet to a set steel pin and new corner to Lot 3, 25 South Properties, LLC (Deed Book 591 Page 651), thence with the line of Lot 3 S84°50'53"W 285.29 feet, to a set steel pin and new corner to Lot 2; thence with the line of Lot 2 four (4) calls: S84°50'53"W 73.48 feet to a set steel pin, N05°10'59"W 4.71 feet to a set steel pin, S84°49'45"W 245.82 feet to a set steel pin, S84°49'45"W 49.24 feet to a set steel pin and corner to Burnam Estates (Deed Book 551 Page 556); thence with the line of the Burnam Estates five (5) calls: N05°14'22"W 45.47 feet to a post, N05°09'38"W 238.48 feet to a found PK Nail in fencepost, N84°43'55"E 374.22 feet to a found ½ inch diameter iron pipe, S05°18'12"E 239.32 feet to a found iron pipe, N84°50'53"E 279.07 feet to the point beginning containing 2.7733 acres more or less.

### Lot 2

A certain tract of land located approximately 285 feet west of the west-right-of-way of US HWY 25 in the Commonwealth of Kentucky, County of Madison consisting of 2.9876 acres and described as follows:

The point of beginning being a set steel pin and corner common to Lot 1, 25 South Properties LLC, (Deed Book 591 Page 651) and to Burnam Estates (Deed Book 551 Page 556); thence with the line of Lot 1 four (4) calls: N84°49'45"E 49.24 feet to a set steel pin, N84°49'45"E 245.82 feet to a set steel pin, S05°10'59"E 4.71 feet to N84°50'53"E 73.48 feet to a post and corner to Lot 3; thence with the line of Lot 3 two (2) calls: S02°38'18"E 92.73 feet to a set steel pin, S07°13'48"E 257.11 feet to a set steel pin and corner in the line of the Burnam Heirs (Deed Book 591 Page 651); thence with the line of Burnam Heirs S84°47'45"W 373.25 feet to corner post and corner to the Burnam Estates N05°14'26"W 354.54 feet to the point beginning containing 2.9876 acres more or less.

### Lot 3

A certain tract of land located approximately 285 feet west of the west-right-of-way of US HWY 25 in the Commonwealth of Kentucky, County of Madison consisting of 2.290 acres and described as follows:

The point of beginning being a set steel pin in the west right-of-way of UD HWY 25 and corner common to Burnam Heirs (Deed Book 551 Page 556); thence with the line of Burnam Heris S84°47'48"W 280.17 feet to a set steel pin and corner to Lot 2 25 South Properties LLC; thence with the line of Lot 2 N07°13'48"W 257.11 feet to a set steel pin, N02°38'18"W 92.73 feet to a set steel pin and corner to Lot 1, thence with the line of Lot

1, N84°50'53"E 285.29 feet to a set steel pin in the west right-of-way of US HWY 25; thence with said right-of-way S05°10'25"E 349.33 to the point beginning containing 2.290 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	

*Constantine Lawson*  
\_\_\_\_\_  
Mayor

**ATTEST:**  
  
*Betty Huggins*  
\_\_\_\_\_  
City Clerk



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

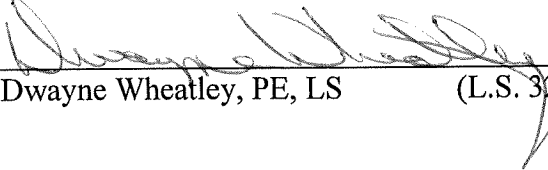
*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-81  
(ORDINANCE 06-10)  
Lot 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)

10/23/09  
Date



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

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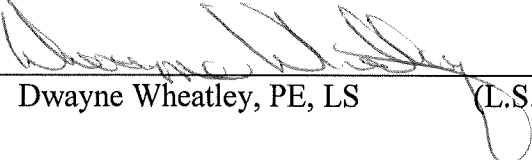
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**LEGAL DESCRIPTION FOR  
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(ORDINANCE 06-10)  
Lot 2**

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Dwayne Wheatley, PE, LS

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Dwayne Wheatley, PE, LS

(L.S. 3265)

  
Date

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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