

**CERTIFICATION**

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-62 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 Oct. 30, 2009

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
W. Kandice Addison

## RESOLUTION 09-62

### **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 96-49 dated June 18, 1996, 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 McCord Lane in the Commonwealth of Kentucky, County of Madison consisting of 345 acres and described as follows:

The point of beginning being at the common corner with Shirley Durbin at the right-of-way of I-75, thence with Durbin N24°00'00"E 118.60 feet, N23°24'00"E 608.36 feet, N23°08'00"E 1078.02 feet to a common corner with Deatherage and Hortman, thence with same S67°23'00"E 841.02 feet, S66°39'00"E 1077.59 feet, S75°05'00"E 401.13 feet, S67°52'00"E 593.80 feet to a common corner with McCord and continuing with same S25°05'00"W 2896.88 feet, S66°17'00"E 398.08 feet, S66°56'00"E 1478.80 feet to the common corner with the Pearl Wight Burnam Estates and continuing with same S25°00'00"W 1415.73 feet, S25°07'00"W 986.13 feet, S26°46'00"W 311.07 feet, S28°28'00"W 846.53 feet to the new Richmond By-Pass and with same N62°08'48"W 322.13 feet to the I-75 right-of-way and with same N19°32'00"W 3898.32 feet, N70°28'00"E 40.00 feet, N19°32'00"W 330.00 feet, S70°28'00"W 40.00 feet, N19°32'00"W 1957.78 feet to the point of beginning containing 345 acres more or less.

Tract 2

A certain tract of land situated on the Robert R. Martin By-Pass in the Commonwealth of Kentucky, County of Madison consisting of 0.5 acres and described as follows:

The point of beginning being at the intersection of the right-of-way of the By-pass and the line of subject property, thence S28°58'00"W 57.97 feet, N61°02'00"W 12.00 feet, S28°00'00"W 25.00 feet, S19°08'00"W 90.00 feet, S28°58'00"W 42.00 feet, N19°32'00"W 200.45 feet, S89°56'43"E 167.17 feet to the point of beginning containing 0.5 acres more or less.

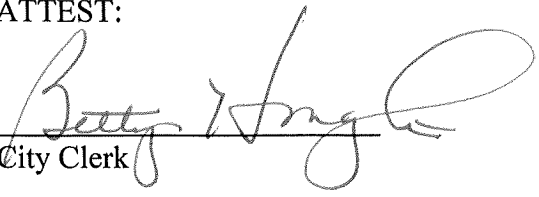
This Resolution shall be in full force and effect upon reading and adoption by the City of Richmond Board of Commissioners.

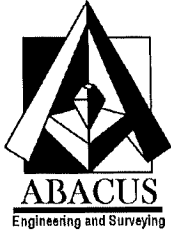
DATE OF READING: *October 27, 2009*  
MOTION BY: *Brewer*  
SECONDED BY: *Blythe*

<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	

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

ATTEST:

  
City Clerk



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

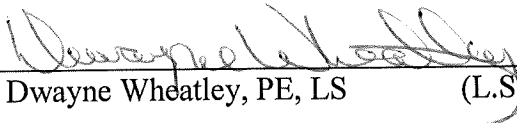
*"Surveys you can count on."*


**LEGAL DESCRIPTION FOR  
RESOLUTION 09-62  
(ORDINANCE 96-49)  
TRACT 1**

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

  
Date



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

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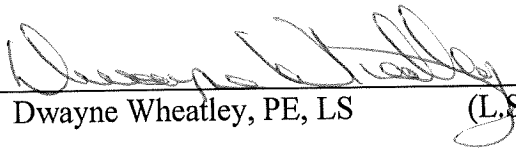
*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-62  
(ORDINANCE 96-49)  
TRACT 2**

**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)

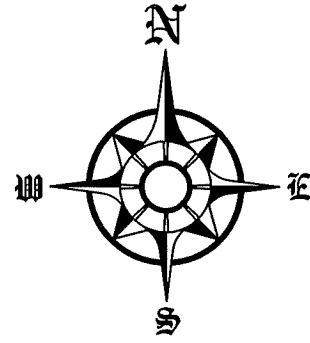
10/23/09  
Date

**SURVEYOR'S CERTIFICATION STATEMENT**

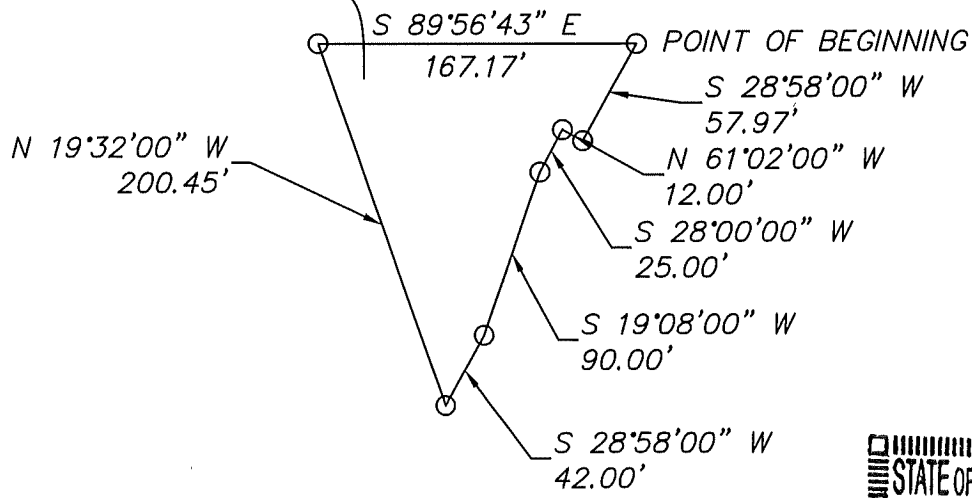
I hereby certify that this Plat has been drawn by me, or persons under my direct control and supervision, and reviewed by me. It is an accurate graphical representation delineating the limits of the subject property as per the ordinance listed below. This plat is not intended to comply with 201 KAR 15:150 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.

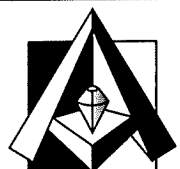
FIRM  
  
 OWNER  
 DATE 10/23/09



**RESOLUTION 09-62  
 (ORDINANCE 96-49)  
 TRACT 2  
 0.5 ACRES +/-**



STATE OF KENTUCKY  
 DWAYNE WHEATLEY  
 3265  
 LICENSED PROFESSIONAL LAND SURVEYOR  
  
 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. 09-62 (Ord. No. 96-49), TRACT 2**

**Property due South of Ord 96-49, Tract 1**

**Richmond, Madison County, Kentucky**

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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