


CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-47 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.


City Clerk

(SEAL)

RECEIVED AND FILED
DATE Oct. 30, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkins

RESOLUTION 09-47

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 95-55 dated December 12, 1995, 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.

Tract 1: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting of 38.04 acres and described as follows:

The point of beginning being a point on the common line with the new Richmond By-Pass, Frazier and Fritz, and James C. and Anthony R. Burnam, thence N21°33'25"E 337.75 feet, N20°33'25"E 1198.02 feet to a common corner with the Katherine Phelps Caperton Estate, thence S34°13'21"E 2242.34 feet to a common corner with Farris and Anna H. Parks, thence with the right-of-way of Four Mile Road six (6) calls, S89°54'09"W 559.35 feet, N74°53'58"W 126.86 feet, N86°34'41"W 245.92 feet, N69°06'11"W 415.56 feet, N83°39'21"W 105.44 feet, S78°45'46"W 204.35 feet to a point and corner in the new by-pass and Four Mile Road, thence with the right-of-way of the new by-pass, N28°00'30"W 160.87 feet, N45°02'58"W 154.82 feet to the point of beginning containing 38.04 acres more or less.

Tract 2

Tract 2: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting of 161.96 acres and described as follows:

The point of beginning being at the common corner with Burnam and the B-3 zone line, thence N16°28'17"E 725.65 feet, N18°32'38"E 189.73 feet, N18°37'37"E 923.41 feet, N19°45'44"E 577.26 feet, N20°55'46"E 676.17 feet to a point and corner, thence S73°51'57"E 277.12 feet to a point and corner, thence S0°40'16"E 231.02 feet to a point and corner, thence S86°14'31"E 1610.74 feet to a point and corner, thence S22°11'45"W 2806.50 feet, S17°27'51"W 1999.93 feet to a point and corner, thence N31°19'15"W 2334.46 feet to the point of beginning containing 161.96 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: *October 27, 2009*
MOTION BY: *Brewer*
SECONDED BY: *Blythe*

VOTE: YES NO
Commissioner Blythe X
Commissioner Brewer X
Commissioner Smart X
Commissioner Strong *Absent*
Mayor Lawson X

Constantine Lawson

Mayor

ATTEST:


City Clerk



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

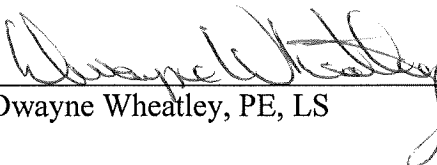
"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-47
(ORDINANCE 95-55)
TRACT 1**


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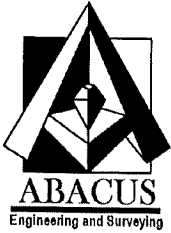
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Dwayne Wheatley, PE, LS (L.S. 3265)



Date



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

"Surveys you can count on."

**LEGAL DESCRIPTION FOR
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(ORDINANCE 95-55)
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)

10/23/09

Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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