

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-48 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
BY Handie Adkins

RESOLUTION 09-48

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 95-56 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 165.4 acres and described as follows:

The point of beginning being at a point in the centerline of Four Mile Road, thence fourteen (14) calls, S89°30'00"E 63.03 feet, N84°30'00"E 373.00 feet, N78°00'00"E 149.00 feet, N51°45'00"E 200.00 feet, N71°00'00"E 178.00 feet, N80°30'00"E 200.00 feet, N87°45'00"E 376.00 feet, N76°30'00"E 124.00 feet, N57°30'00"E 357.00 feet, N83°00'00"E 200.00 feet, N88°00'00"E 311.00 feet, N80°30'00"E 286.00 feet, N83°30'00"E 160.00 feet, N49°30'00"E 90.00 feet to a point and corner, thence leaving Four Mile Road, S32°45'00"E 1576.00 feet, S35°00'00"E 326.00 feet, S45°00'00"E 120.00 feet, S45°00'00"E 632.00 feet to a point in the line of Turpin (now or formerly), thence S65°00'00"W 717.00 feet, N85°30'00"W 1943.00 feet, S1°30'00"W 417.00 feet to a point in the line of the Halcomb Heirs, thence N78°03'42"W 759.81 feet, N23°15'46"W 582.35 feet leaving said line with the line of Parks land zoned B-3, thence N29°19'31"W 101.82 feet, N35°07'53"W 1510.41 feet to the point of beginning containing 165.4 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 34.3 acres and described as follows:

The point of beginning being at a point in the centerline of Four Mile Road at the northwest corner of the property now belonging to Greg James, thence S89°30'00"E 224.60 feet to a point in the center of said road, thence S35°10'10"E 1510.46 feet to a point between the zones of B-3 and AG, thence S29°19'31"E 101.82 feet, S23°15'46"E 582.35 feet to a point in the Halcomb Heirs line, thence N77°00'00"W 1358.11 feet, S12°20'00"W 126.00 feet to a point, thence N68°00'00"W 161.52 feet to a point in the north line of the new by-pass, thence N35°10'10"W 193.08 feet with said line to a point in the line of James, thence N9°12'40"E 1478.78 feet to the point of beginning containing 34.3 acres more or less.

Tract 3

Tract 3: A certain tract of land situated on the new Richmond By-pass in the Commonwealth of Kentucky, County of Madison consisting of 7.2 acres and described as follows:

The point of beginning being at a point in the new by-pass line and the line common to Greg James, thence S32°41'18"E 594.38 feet to a point in the right-of-way of the Eastern Bypass, thence S58°31'14"W 74.64 feet to a point in said Eastern By-pass right-of-way and the property of Purvis and Frazier et.al., thence N68°00'00"W 935.69 feet with the line of Purvis and Frazier et.al., thence N22°00'00"E 403.55 feet with said line and a

corner to James, thence S68°00'00"E 495.08 feet to the point of beginning containing 7.2 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:

October 27, 2009
Brewer
Blythe

VOTE:

Commissioner Blythe
Commissioner Brewer
Commissioner Smart
Commissioner Strong
Mayor Lawson

YES	NO
<i>x</i>	
<i>x</i>	
<i>x</i>	
<i>Absent</i>	
<i>x</i>	

Constantine Lawson

Mayor

ATTEST:

Betty Anglin

City Clerk



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

"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-48
(ORDINANCE 95-56)
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.

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A handwritten signature in black ink that reads 'Dwayne Wheatley'.

Dwayne Wheatley, PE, LS

(L.S. 3265)

A handwritten date in black ink that reads '10/23/09'.

Date



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

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**LEGAL DESCRIPTION FOR
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(ORDINANCE 95-56)
TRACT 2**


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Tract 2: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting of 34.3 acres and described as follows:

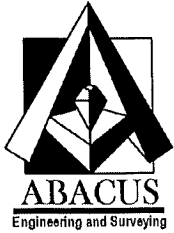
The point of beginning being at a point in the centerline of Four Mile Road at the northwest corner of the property now belonging to Greg James, thence $S89^{\circ}30'00''E$ 224.60 feet to a point in the center of said road, thence $S35^{\circ}10'10''E$ 1510.46 feet to a point between the zones of B-3 and AG, thence $S29^{\circ}19'31''E$ 101.82 feet, $S23^{\circ}15'46''E$ 582.35 feet to a point in the Halcomb Heirs line, thence $N77^{\circ}00'00''W$ 1358.11 feet, $S12^{\circ}20'00''W$ 126.00 feet to a point, thence $N68^{\circ}00'00''W$ 161.52 feet to a point in the north line of the new by-pass, thence $N35^{\circ}10'10''W$ 193.08 feet with said line to a point in the line of James, thence $N9^{\circ}12'40''E$ 1478.78 feet to the point of beginning containing 34.3 acres more or less.



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



Date



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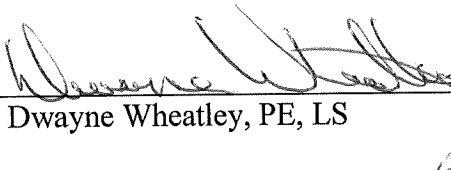
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**LEGAL DESCRIPTION FOR
RESOLUTION 09-48
(ORDINANCE 95-56)
TRACT 3**


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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.