

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-49 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
Randy Adkinson

RESOLUTION 09-49

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 95-57 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.

A certain tract of land across the Robert R. Martin Bypass and Cottonwood Drive in the Commonwealth of Kentucky, County of Madison consisting of 19.40 acres and described as follows:

The point of beginning being at a steel pin in the line of VanWinkle, a corner to Tract 2, thence with the line of VanWinkle, N15°42'45"W 38.68 feet to a steel pin, thence with the line of VanWinkle and Highland View Subdivision S81°06'13"W 875.51 feet to a steel pin, a corner to Bluegrass Acres, thence with the lines of Bluegrass Acres Subdivision and Bob Luxon N17°55'58"E 527.12 feet, N3°48'18"E 454.76 feet to a steel pin, and corner, to Bob Luxon, in the line of Winston Halcomb, thence with the lines of Halcomb S86°03'10"E 96.94 feet, N11°51'16"E 29.51 feet to a hub and tack at a gate post, a corner to Tract 4, thence with the line of Tract 4, S86°17'19"E 720.60 feet to a steel pin, a common corner to tracts 3, 4, 7, and 6, thence with the line of Tract 6, S14°46'56"E 746.54 feet to a steel pin, a common corner to tracts 2, 3, and 6, thence with the line of Tract 2, S71°24'10"W 347.51 feet to a steel pin in the line of VanWinkle, a common corner to Tract 2, and the point of beginning containing 19.40 acres more or less.

Tract 2

A certain tract of land situated on the north side of McKinney Lane, approximately 1710 feet east of Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting of 7.96 acres and described as follows:

The point of beginning being at an iron pin in the north line of McKinney Lane, a corner, to Ima Louise Manuel Purvis, thence with the line of Purvis, N25°09'00"E 473.23 feet, S64°00'00"E 709.40 feet to a post and corner to Winston Halcomb, thence with Halcomb's line, S13°09'00"W 449.40 feet, N66°30'00"W 803.09 feet to the point of beginning containing 7.96 acres more or less.

Tract 3

A certain tract of land situated on the new Richmond Bypass in the Commonwealth of Kentucky, County of Madison consisting of 32 acres and described as follows:

The point of beginning being at a point in the line between the grantor and J.W. McKinney's Noble Farm, thence S16°51'00"W 805.20 feet to a corner and on the north side of a road, thence along the north side of the road N64°08'00"W 856.76 feet to a stake at a gate across said road, thence S24°54'00"W 755.63 feet to a stake in the right-of-way of L&N Railroad, thence crossing the railroad S21°00'00"W 106.00 feet to a corner between Halcomb, McKinney and Taylor, thence with the south line of said railroad N88°11'00"E 296.79 feet, S77°22'00"E 379.25 feet, S0°55'00"W 65.07 feet, S88°27'00"E 1278.46 feet, N12°26'43"W 1038.41 feet, N46°33'33"W 495.00 feet to the point of beginning containing 32 acres more or less.

Exclusion Tract 1

Tract 1an exclusion tract, the point of beginning being at a point as shown on the Annexation Plat for Resolution 09-49 and Ordinance 95-57, thence S1°29'18"E 234.55 feet, S36°50'42"W 96.05 feet, S3°48'25"E 552.98 feet, S81°06'13"W 320.05, N3°48'25"W 911.00 feet, S86°03'10"E 67.25 feet, N11°51'16"E 29.51 feet, S86°17'19"E 318.99 feet to the point of beginning containing 7 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	<i>Absent</i>	
Mayor Lawson	x	

Constantine Lawson

Mayor

ATTEST:

Betty Long

City Clerk



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

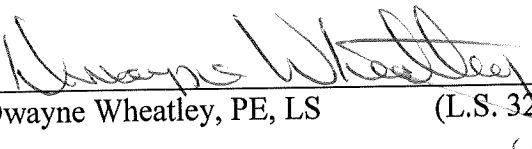
"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-49
(ORDINANCE 95-57)
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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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."

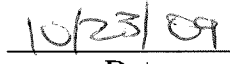
**LEGAL DESCRIPTION FOR
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(ORDINANCE 95-57)
Exclusion Tract 1**

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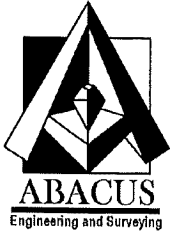
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Dwayne Wheatley, PE, LS (L.S. 3265)



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**LEGAL DESCRIPTION FOR
RESOLUTION 09-49
(ORDINANCE 95-57)
TRACT 2**

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



Date



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**LEGAL DESCRIPTION FOR
RESOLUTION 09-49
(ORDINANCE 95-57)
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.