

**CERTIFICATION**

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-41 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 Hardie Albin

## **RESOLUTION 09-41**

### **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 95-35 dated September 5, 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:

**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 872.9 feet north of Irvine Road adjacent to Spurlin Trailer Park in the Commonwealth of Kentucky, County of Madison consisting of 1 acre and described as follows:

The point of beginning being a post in the west line of Spurlin Trailer Park, said point being located 872.9 feet north of the north right-of-way line of Irvine Road, thence with the line of Spurlin Trailer Park, N23°06'00"W 562.08 feet to a post and corner to the Halcomb Heirs, thence with the Halcomb Heirs, S85°24'08"W 13.63 feet, S10°39'23"E 593.07 feet to a post and new corner with Harold Prewitt, thence a new line with Prewitt N61°43'50"E 141.29 feet to the point of beginning containing 1 acre 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 Hingler*  
\_\_\_\_\_  
City Clerk



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 09-41  
(ORDINANCE 95-35)**

**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

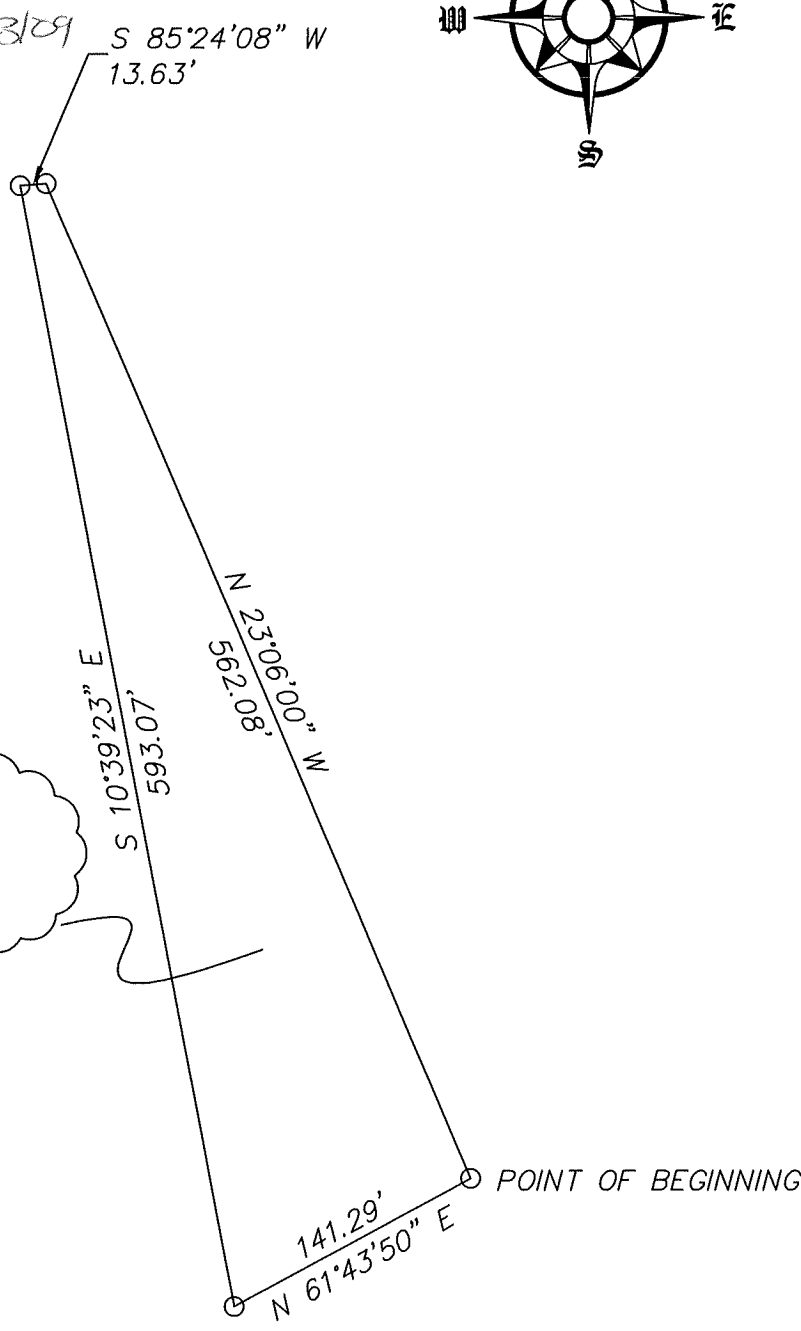
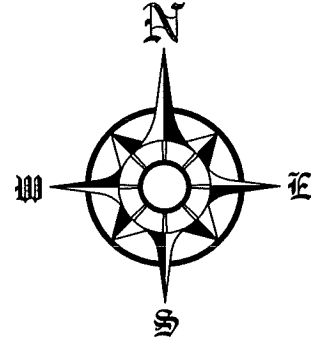
**SURVEYOR'S CERTIFICATION STATEMENT**

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: [Signature] DATE: 10/23/09



**RESOLUTION 09-41  
(ORDINANCE 95-35)  
1 ACRE +/-**



[Signature]  
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:	8JUN2009
Date of Revision:	27OCT2009

**"Not for Recording or Land Transfer"**

**ANNEXATION PLAT for**

**RESOLUTION No. 09-41 (Ord. No. 95-35)**

**Property due North of Ord. 95-17**

**Richmond, Madison County, Kentucky**