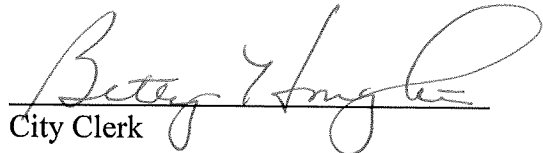


CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-43 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 Frankie Addison

RESOLUTION 09-43

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 95-38 dated September 19, 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

Tract 1: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting 0.2 acres and described as follows:

The point of beginning being at the northeast corner of Ival James Farm and south right-of-way of Four Mile Road, thence with the right-of-way of Four Mile Road,

S87°00'00"E 50.00 feet to a point, and corner, thence leaving the right-of-way of Four Mile Road, S17°45'00"W 200.00 feet, to a point and corner, thence N87°00'00"W 50.00 feet to a point and corner, thence N17°45'00"E 200.00 feet to the point of beginning containing 0.2 acres.

Tract 2

Tract 2: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting 7 acres and described as follows:

The point of beginning being at a stake in the line of J.R. McKinney to the southwest corner of Charley Terrill, thence with McKinney, N69°30'00"W 429.00 feet to a fence post and corner to Morris Brewer, thence N17°45'00"E 835.56 feet to a stake and new corner to the remainder of the Hendrix land, thence S69°30'00"E 324.72 feet to a stake in the line of Charley Terrill, thence S10°41'10"W 846.99 feet to the point of beginning containing 7 acres.

Tract 3

Tract 3: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting 11.64 acres and described as follows:

The point of beginning being at a point in the center of Four Mile Road, a corner to Walker, Eades, and Cobb, thence with the center of said road, S87°45'00"E 267.66 feet to a point in said road, a corner to Charles Terrill, thence with Terrill's line, S17°15'00"W 1578.06 feet to a stone in the line of James R. McKinney, thence N69°30'00"W 405.90 feet to a stone and corner to Walker, Eades, and Cobb, thence N22°53'22"E 1493.00 feet to the point of beginning containing 11.64 acres.

Exclusion Parcel 27

Parcel 27 an exclusion tract, the point of beginning being at a point as shown on the Annexation Plat for Resolution 09-43 and Ordinance 95-38, thence S33°52'30"E 210.35 feet, S26°25'03"E 346.72 feet, S10°53'29"W 108.20 feet, N71°10'53"W 237.27 feet, N33°52'30"W 219.27 feet, N16°03'03"E 346.31 feet to the point of beginning containing 2.525 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

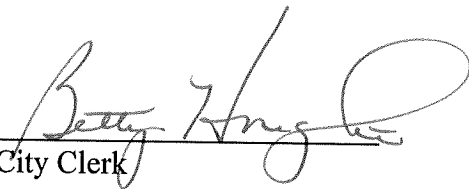
NO

X
X
X
Absent
X



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 09-43
(ORDINANCE 95-38)
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 0.2 acres and described as follows:

The point of beginning being at the northeast corner of Ival James Farm and south right-of-way of Four Mile Road, thence with the right-of-way of Four Mile Road, S87°00'00"E 50.00 feet to a point, and corner, thence leaving the right-of-way of Four Mile Road, S17°45'00"W 200.00 feet, to a point and corner, thence N87°00'00"W 50.00 feet to a point and corner, thence N17°45'00"E 200.00 feet to the point of beginning containing 0.2 acres more or less.



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



Date

SURVEYOR'S CERTIFICATION STATEMENT

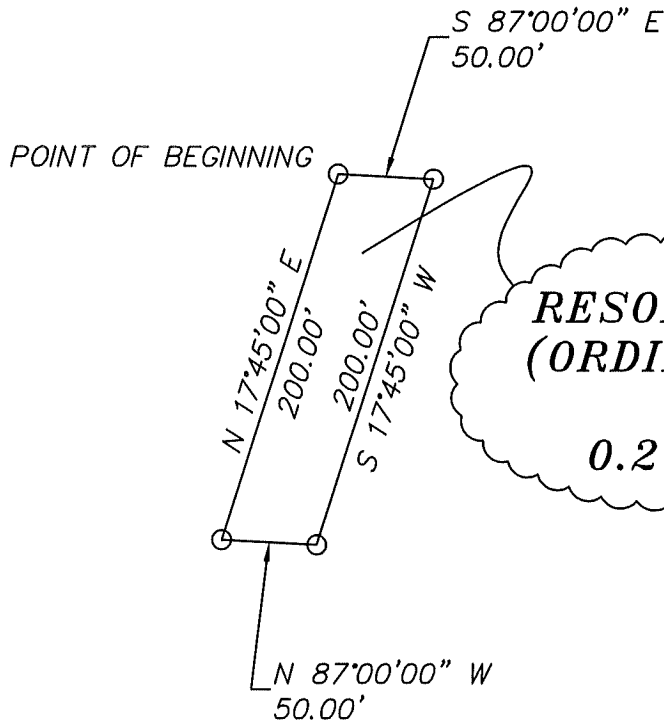
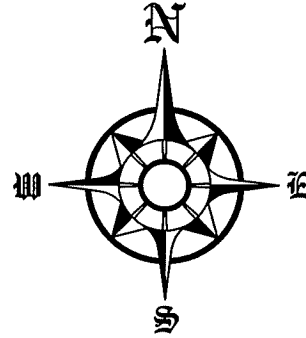
I hereby certify that this Plat has been drawn by me, or persons under my direct control and supervision, and reviewed by me. It is an accurate graphical representation delineating the limits of the subject property as per the ordinance listed below. This plat is not intended to comply with 201 KAR 15:150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

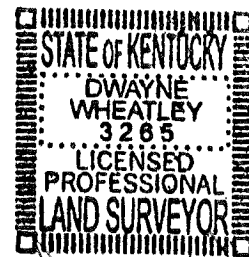
FIRM

 OWNER

10/23/09
 DATE



**RESOLUTION 09-43
 (ORDINANCE 95-38)
 TRACT I
 0.2 ACRES +/-**




 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:	20OCT2009

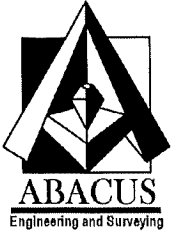
"Not for Recording or Land Transfer"

ANNEXATION PLAT for

RESOLUTION No. 09-43 (Ord. No. 95-38), TRACT I

Property at Int. of Four Mile & Ival James Blvd

Richmond, Madison County, Kentucky



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

"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-43
(ORDINANCE 95-38)
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.

Tract 2: A certain tract of land situated on Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting of 7 acres and described as follows:

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A handwritten signature in black ink, appearing to read 'Dwayne Wheatley', written over a horizontal line.

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

10/23/09

Date



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

"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-43
(ORDINANCE 95-38)
Exclusion Parcel 27**

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.

Parcel 27 an exclusion tract, the point of beginning being at a point as shown on the Annexation Plat for Resolution 09-43 and Ordinance 95-38, thence S33°52'30"E 210.35 feet, S26°25'03"E 346.72 feet, S10°53'29"W 108.20 feet, N71°10'53"W 237.27 feet, N33°52'30"W 219.27 feet, N16°03'03"E 346.31 feet to the point of beginning containing 2.525 acres more or less.

A handwritten signature in black ink, appearing to read 'Dwayne Wheatley', is written over a horizontal line.

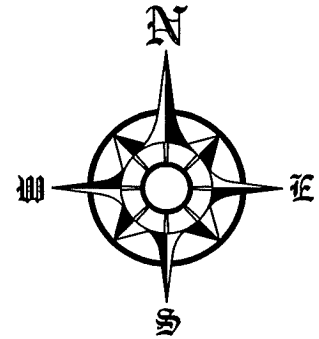
Dwayne Wheatley, PE, LS (L.S. 3265)

10/23/09

Date

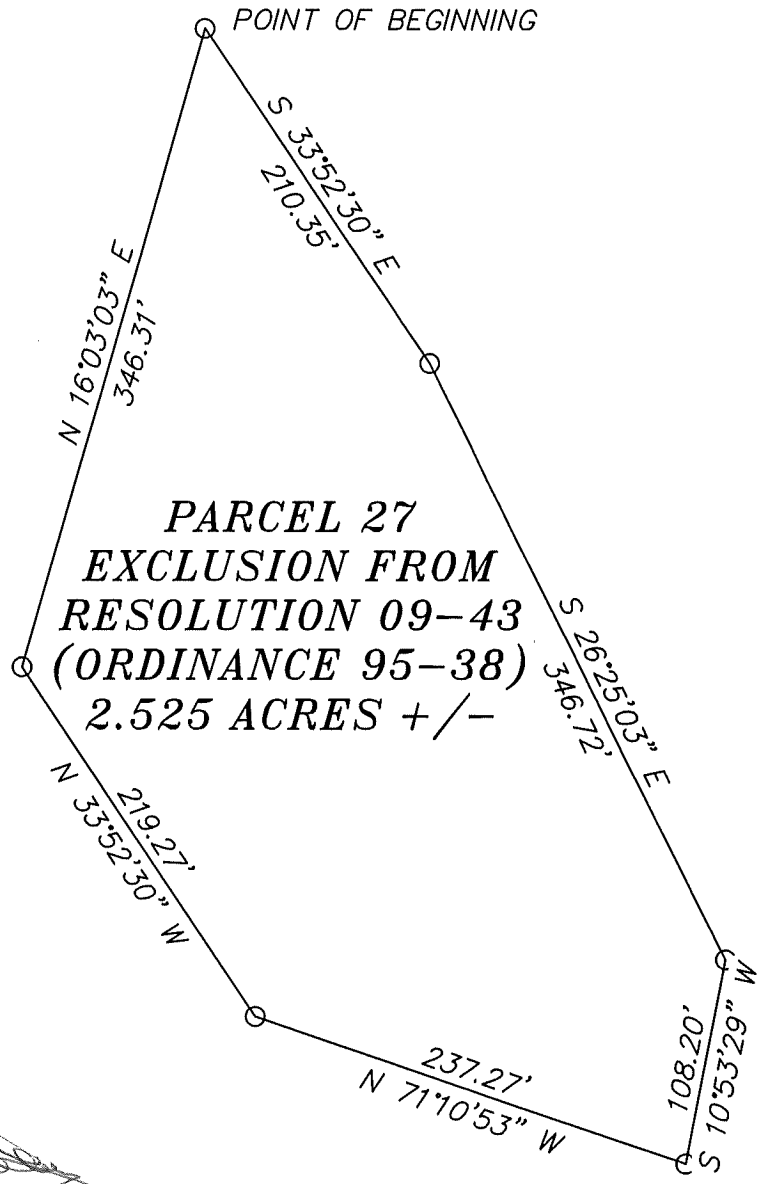
SURVEYOR'S CERTIFICATION STATEMENT

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.



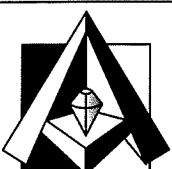
ABACUS ENGINEERING & LAND SURVEYING, INC.

FIRM
 [Signature] 1/23/09
 OWNER DATE



STATE OF KENTUCKY
 DWAYNE WHEATLEY
 3265
 LICENSED PROFESSIONAL LAND SURVEYOR

[Signature]
 1/23/09



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:	20OCT2009

"Not for Recording or Land Transfer"
ANNEXATION PLAT for
RESOLUTION No. 09-43 (Ord. No. 95-38), EXCEPTION
Property shown shaded on RESOLUTION 09-43
Richmond, Madison County, Kentucky



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

"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-43
(ORDINANCE 95-38)
TRACT 3**

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, appearing to read 'Dwayne Wheatley', is written over a horizontal line.

Dwayne Wheatley, PE, LS

(L.S. 3265)

A handwritten date '10/23/09' is written in black ink over a horizontal line.

Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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