

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-44 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 Hardie Adkins

RESOLUTION 09-44

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 95-39 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:

A certain tract of land situated on the east and south side of Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting 38.46 acres and described as follows:

The point of beginning being at a post in the south line of Four Mile Road, a corner to Ival James, thence leaving said road with James' line, S24°22'00"W 1269.90 feet, S24°35'00"W 491.40 feet to a post and corner to Mary Louise Purvis, thence with

Purvis' line, N66°28'00"W 481.40 feet, N66°19'00"W 617.40 feet to a post in the east line of Four Mile Road, a corner, thence with the east line of Four Mile Road, N24°30'00"E 1084.80 feet to a post and corner to Mrs. E.H. Walker, thence leaving the road with Walker's line S72°35'00"E 276.90 feet, S72°55'00"E 121.00 feet to an iron pin and corner to Mrs. Walker, thence continuing with Walker's line, N12°40'00"E 138.50 feet to an iron pin and corner, thence N72°35'00"W 363.80 feet to a post in the east line of Four Mile Road, a corner, thence with the east line of Four Mile Road, N20°52'56"E 93.58 feet, N37°42'00"E 50.60 feet to a post in the south line of Four Mile Road, a corner, thence with the south line of Four Mile Road, N71°32'00"E 63.60 feet, S84°44'00"E 561.80 feet, S85°11'00"E 540.00 feet the point of beginning containing 38.46 acres.

Exclusion Parcel 24

Parcel 24 an exclusion tract, the point of beginning being at a point as shown on the Annexation Plat for Resolution 09-44 and Ordinance 95-39, thence S32°50'00"E 420.62', S36°58'14"E 363.25', S19°50'07"W 310.25', N34°37'35"W 346.38', N30°26'29"W 250.45', N33°18'07"W 500.02', S55°12'29"W 274.89', N76°49'52"W 67.53', N19°46'16"E 83.32', through a curve the radius of which is 126.74 feet and whose chord is S55°11'06"W 146.89', thence continuing S89°24'04"E 399.74' to the point of beginning containing 5.702 acres more or less.

Exclusion Parcel 24A

Parcel 24A an exclusion tract, the point of beginning being at a point as shown on the Annexation Plat for Resolution 09-44 and Ordinance 95-39, thence S19°50'07"W 41.48', N79°21'04"W 224.41', S89°24'04"E 234.63' to the point of beginning containing 0.105 acres more or less.

Exclusion Parcel 24B

Parcel 24B an exclusion tract, the point of beginning being at a point as shown on the Annexation Plat for Resolution 09-44 and Ordinance 95-39, thence S77°15'56"E 30.06', S22°00'12"W 291.07', S40°04'32"W 53.31', thence N19°46'16"E 337.16' to the point of beginning containing 0.171 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

YES

NO

X

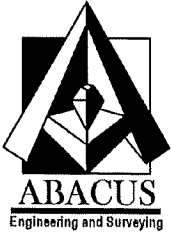
Commissioner Brewer
Commissioner Smart
Commissioner Strong
Mayor Lawson

x
x
Absent
x

Constana Lawson
Mayor

ATTEST:

Betty Hughes
City Clerk



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

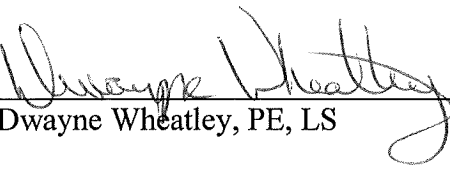
"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-44
(ORDINANCE 95-39)**

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 on the east and south side of Four Mile Road in the Commonwealth of Kentucky, County of Madison consisting of 38.46 acres and described as follows:

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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
RESOLUTION 09-44
(ORDINANCE 95-39)
Exclusion Parcel 24**

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(ORDINANCE 95-39)
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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



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236 Boggs Lane, Suite 4

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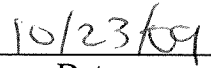
**LEGAL DESCRIPTION FOR
RESOLUTION 09-44
(ORDINANCE 95-39)
Exclusion Parcel 24B**

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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.