

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-46 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 Janie Adkinson

RESOLUTION 09-46

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 95-54 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 the new Richmond By-Pass in the Commonwealth of Kentucky, County of Madison consisting of 40.2 acres and described as follows:

The point of beginning being a point in the common line with Katherine Phelps Caperton Trust and the southwest right-of-way of the new Richmond By-Pass, thence with the right-of-way of the By-pass six (6) calls, S33°52'30"E 520.53 feet, S35°30'42"E 1051.90 feet, S26°16'49"E 302.86 feet, S49°15'05"E 207.58 feet, S29°25'39"E 451.67 feet, S41°28'40"E 221.11 feet to a point in the line of Frazier and Fritz, thence S21°33'25"W 212.64 feet with the line of Frazier and Fritz, thence N89°56'35"W 9.89 feet, thence S19°29'50"W 468.72 feet with the right-of-way of Four Mile Road, thence N81°28'14"W 808.96 feet leaving the road to a point, thence N80°28'14"W 34.04 feet, thence N0°19'09"W 1561.76 feet, thence N35°30'08"W 746.47 feet, thence N33°52'30"W 857.29 feet to a point in the line with the Katherine Caperton Trust, thence S75°32'45"E 451.51 feet to the point of beginning containing 40.2 acres more or less.

Tract 2

Tract 2: A certain tract of land situated on Red House Road in the Commonwealth of Kentucky, County of Madison consisting of 32 acres and described as follows:

The point of beginning being a point in the north right-of-way of the new Richmond By-Pass and on the common line with Katherine Phelps Caperton Trust and the subject property, thence S75°32'45"E 1857.08 feet to a point and corner between said tracts and in the line of Frazier and Fritz, thence S20°33'25"W 1200.52 feet, S21°33'25"W 337.66 feet with said line to the intersection of the northeast right-of-way of the new Richmond By-Pass, thence N33°52'30"W 522.13 feet, N24°38'42"W 404.82 feet, thence N60°26'24"W 111.84 feet, N33°52'30"W 749.46 feet, N17°10'33"W 52.13 feet, N36°44'15"W 200.13 feet, N33°52'30"W 256.07 feet to the point of beginning containing 32 acres more or less.

Tract 3

Tract 3: A certain tract of land situated on Red House Road in the Commonwealth of Kentucky, County of Madison consisting of 119.842 acres and described as follows:

The point of beginning being a point in the centerline of Red House Road and continuing with said centerline three (3) calls, N24°31'46"E 1262.60 feet, N17°31'46"E 627.00 feet, N8°16'46"E 363.00 feet to a common corner with the Katherine Phelps Caperton Trust, thence S75°38'14"E 974.67 feet to a point and corner, thence S33°52'30"E 857.29 feet, thence S35°30'08"E 746.47 feet, S0°19'09"E 1561.76 feet to a point and corner, thence N80°28'14"W 1372.44 feet to a point and corner, thence N19°43'14"W 402.60 feet to a point and corner, thence N82°43'14"W 348.20 feet to a point, thence N65°13'14"W 875.41 feet to the point of beginning containing 119.842 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	

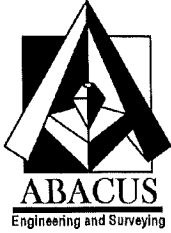
Constance Lawson

Mayor

ATTEST:

Betty Hughes

City Clerk



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

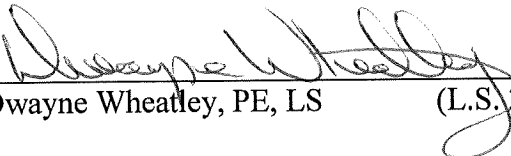
"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-46
(ORDINANCE 95-54)
TRACT 1**

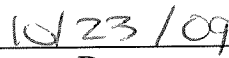
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Dwayne Wheatley, PE, LS (L.S. 3265)



Date



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

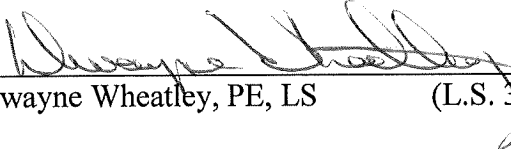
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**LEGAL DESCRIPTION FOR
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(ORDINANCE 95-54)
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Dwayne Wheatley, PE, LS

(L.S. 3265)

10/23/09

Date



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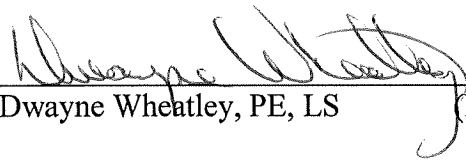
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Dwayne Wheatley, PE, LS

(L.S. 3265)

1423/09
Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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