


CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-33 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 Hansie Adkins

RESOLUTION 09-33

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.470 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 94-20 dated May 3, 1994, 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 located 450+/- feet west of U.S Highway 25 in the Commonwealth of Kentucky, County of Madison consisting of 13.64 acres and described as follows:

The point of beginning being a steel pin located S52°32'51"W 450 +/- feet from the west right-of-way line of U.S. 25 in the line of Gumbert, thence with Gumbert's line four (4) calls, S52°32'51"W 85.36 feet, S52°50'38"W 356.82 feet, S52°55'45"W 631.85 feet, S75°36'08"W 138.29 feet to a steel pin in the line of East Kentucky Power, thence leaving the line of Gumbert with the line of East Kentucky Power two (2) calls, N5°35'16"W 495.13 feet, N46°30'59"W 168.42 feet to a steel pin, thence leaving the line of East Kentucky Power on a new line dividing the lands of Clouse two (2) calls, N76°31'29"E 702.63 feet, N7°44'27"W 509.32 feet to a steel pin in the line of lot 3, Block B of Fairview Estates, thence leaving said new lines with Block B of Fairview Estates, N88°15'58"E 168.77 feet to a steel pin, thence leaving Block B of Fairview Estates on lines common to the R2 section of this property six (6) calls, S53°00'00"E 115.00 feet, S15°30'00"E 240.00 feet, S17°30'00"W 40.00 feet, S37°30'00"E 125.00 feet, S63°30'00"E 60.00 feet, S37°30'00"E 170.07 feet to the point of beginning containing 13.64 acres more or less.

Tract: 2

Tract 2: A certain tract of land located 200+/- feet west of U.S Highway 25 in the Commonwealth of Kentucky, County of Madison consisting of 4.77 acres and described as follows:

The point of beginning being a point located S52°32'51"W 200 +/- feet from the west right-of-way line of U.S. 25 in the line of Gumbert, thence with Gumbert's line, S52°32'51"W 246.14 feet to a point in the line of Gumbert, thence leaving the line of Gumbert with the lines common to the R-1B section of this property six (6) calls, N37°30'00"W 160.00 feet, N63°30'00"W 60.00 feet, N37°30'00"W 125.00 feet, N17°30'00"E 40.00 feet, N15°30'00"W 240.00 feet, N53°00'00"W 115.00 feet to a steel pin in the line of lot 4 Block B Fairview Estates, thence continuing with lot 4, N13°25'40"E 170.00 feet to a point in the line of lot 4, thence leaving lot 4 with lines common to the B-3 section of this property five (5) calls, N83°30'00"E 240.00 feet, S15°15'00"E 205.00 feet, S18°00'00"E 210.00 feet, S30°15'00"E 135.00 feet, S40°15'00"E 157.53 feet to a point and the point of beginning containing 4.77 acres more or less.

Tract: 3

Tract 3: A certain tract of land located at west of U.S Highway 25 and south of Jacks Creek Road in the Commonwealth of Kentucky, County of Madison consisting of 4.54 acres and described as follows:

The point of beginning being a steel pin at the intersection of the south right-of-way line of Jacks Creek Road and the west right-of-way line of U.S. 25, thence continuing with the west right-of-way line of U.S. 25 six (6) calls, S14°39'55"E 342.97 feet, S15°47'00"E 80.34 feet, S20°22'39"E 93.18 feet, S28°36'16"E 98.72 feet, S37°42'04"E 94.49 feet, S38°32'23"E 64.21 feet to a steel pin in the west right-of-way line of U.S. 25 and corner to Gumbert, thence leaving the west right-of-way line of U.S. 25 with the line of Gumbert, S52°32'51"W 200.00 feet to a point in the line of Gumbert, thence leaving the line of Gumbert on the lines common to the R-2 section of this property five (5) calls, N40°15'00"W 165.00 feet, N30°15'00"W 135.00 feet, N18°00'00"W 210.00 feet, N15°15'00"W 205.00 feet, S83°30'00"W 240.00 feet to a point in the line of lot 4 Block B of Fairview Estates, thence continuing with lot 4, N13°25'49"E 175.00 feet to a steel pin in the south right-of-way line of Jacks Creek Road, thence leaving the line of lot 4 with the south right-of-way line of Jacks Creek Road N82°41'45"E 366.81 feet to a steel pin and the point of beginning containing 4.54 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>Smart</i>	
Mayor Lawson	X	

Constance Lawson

 Mayor

ATTEST:
Betsy Hughes

 City Clerk



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

"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-33
(ORDINANCE 94-20)
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)

10/23/09
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 94-20)
TRACT 2**

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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



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

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**LEGAL DESCRIPTION FOR
RESOLUTION 09-33
(ORDINANCE 94-20)
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Handwritten signature of Dwayne Wheatley in black ink.

Dwayne Wheatley, PE, LS

(L.S. 3265)

1/23/09

Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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