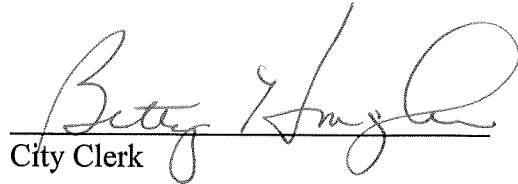


**CERTIFICATION**

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-34 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 Hannie Adkinson

**RESOLUTION 09-34**

**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 94-21 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 at east of Four Mile Road and north of Oldham Avenue in the Commonwealth of Kentucky, County of Madison consisting of 9.053 acres and described as follows:

The point of beginning being a point at the intersection of the north line of Oldham Avenue with the east line of Four Mile Road, a corner, thence with the east line of Four Mile Road, N19°29'00"E 230.01 feet to a point and new corner with Frazier, thence a new line with Frazier, S70°46'08"E 1718.77 feet to a post and corner to Winston Halcomb, thence with Halcomb's line, S21°36'00"W 230.20 feet to a post in the north line Oldham Avenue, a corner, thence with said north line N70°46'08"W 1710.27 feet to the point of beginning containing 9.053 acres more or less.

Tract: 2

Tract 2: A certain tract of land located at east of Four Mile Road and north of the Frazier Property in the Commonwealth of Kentucky, County of Madison consisting of 11.478 acres and described as follows:

The point of beginning being a post in the east line of Four Mile Road, said point being 230.00 feet north of the north line of Oldham Avenue, thence with said east line, N19°29'00"E 290.00 feet to a point and new corner with Frazier, thence a new line with Frazier, S70°46'08"E 1728.21 feet to a point and new corner to Frazier, thence a new line with Frazier, S21°20'52"W 290.20 feet to a point and new corner to Frazier, thence a new line with Frazier, N70°46'08"W 1718.77 feet to the point of beginning containing 11.478 acres more or less.

Tract: 3

Tract 3: A certain tract of land located at east of Four Mile Road and north of the Frazier Property in the Commonwealth of Kentucky, County of Madison consisting of 16.654 acres and described as follows:

The point of beginning being a point in the east line of Four Mile Road, said point being 520.00 feet north of the north line of Oldham Avenue, thence with said east line two (2) calls, N19°29'00"E 332.00 feet, N19°52'00"E 88.01 feet to a point and new corner with Frazier, thence a new line with Frazier two (2) calls, S70°46'08"E 1725.77feet, S19°13'52"W 420.00 feet to a point and new corner to Frazier, thence a new line with Frazier, N70°46'08"W 1728.21 feet to the point of beginning containing 16.654 acres more or less.

Tract: 4

Tract 4: A certain tract of land located at east of Four Mile Road and north of the Frazier Property in the Commonwealth of Kentucky, County of Madison consisting 39.027 acres and described as follows:

The point of beginning being a point in the east line of Four Mile Road, said point being 940.01 feet north of the north line of Oldham Avenue, thence with said east line, N19°52'00"E 609.69 feet to a post and corner to Harold Richardson, thence with Richardson's line and the line of Farris Parks two (2) calls, S70°27'00"E 1259.10 feet, S70°53'00"E 976.00 feet to a post and corner to John Halcomb, thence with the line of Halcomb and the line of Winston Halcomb, S9°12'00"W 1113.50 feet to a post and corner to Winston Halcomb, thence continuing with Halcomb, N67°28'00"W 711.20 feet to a post and corner to Frazier, thence a new line with Frazier two (2) calls, N19°13'52"E 450.92 feet, N70°46'08"W 1725.77 feet to the point of beginning containing 39.027 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 Humber*  
\_\_\_\_\_  
City Clerk



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

*"Surveys you can count on."*

**LEGAL DESCRIPTION FOR  
RESOLUTION 09-34  
(ORDINANCE 94-21)  
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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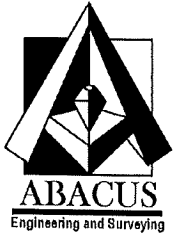
A handwritten signature in black ink, appearing to read 'Dwayne Wheatley', written over a horizontal line.

Dwayne Wheatley, PE, LS

(L.S. 3265)

A handwritten date '10/23/09' 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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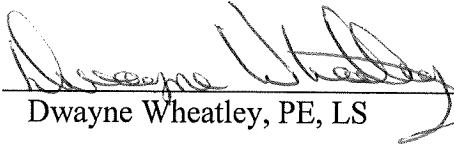
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**LEGAL DESCRIPTION FOR  
RESOLUTION 09-34  
(ORDINANCE 94-21)  
TRACT 2**

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

  
Date



P.O. Box 1164, Richmond, Kentucky 40476  
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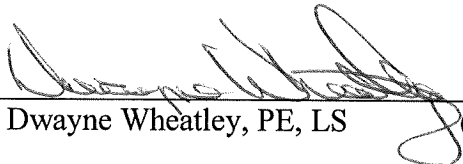
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**LEGAL DESCRIPTION FOR  
RESOLUTION 09-34  
(ORDINANCE 94-21)  
TRACT 3**

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\_\_\_\_\_  
Dwayne Wheatley, PE, LS

(L.S. 3265)

  
\_\_\_\_\_  
Date



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236 Boggs Lane, Suite 4

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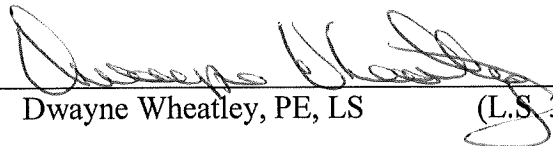
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**LEGAL DESCRIPTION FOR  
RESOLUTION 09-34  
(ORDINANCE 94-21)  
TRACT 4**

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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.