

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-38 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 Hannie Alderman

RESOLUTION 09-38

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 95-15 dated May 23, 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 west of State Highway 876 (Barnes Mill Road) in the Commonwealth of Kentucky, County of Madison consisting of 26.197 acres and described as follows:

The point of beginning being at a point S3°15'38"E 25.89 feet from a wood post in the south right-of-way of State Highway 876 (Barnes Mill Road) said gate post being approximately 35.07 feet right-of-way of State Highway 1+355.764M, thence with the new right-of-way of State Highway 876 for four (4) calls, N86°52'34"E 472.45 feet, N78°22'17"E 128.06 feet, S82°45'57"E 135.21 feet, S88°18'34"E 81.90 feet, thence S37°09'27"E 56.93 feet to an iron pin with cap #1254, thence S37°09'08"E 276.45 feet to an iron pin with cap #1254, thence S22°21'07"E 263.04 feet to an iron pin with cap #1254, thence S16°44'54"E 248.95 feet to an iron pin with cap #1254, thence S4°17'30"E 212.45 feet to a point, thence S2°13'58"W 89.61 feet to a point, thence S86°24'22"W 1138.95 feet to a point, thence N3°15'39"W 1089.82 feet to the point of beginning containing 26.197 acres more or less. The above description includes Tract 2 of Berea College as recorded in Deed book 361, Page 713.

Tract 2

Tract 2: A certain tract of land situated west of I-75 in the Commonwealth of Kentucky, County of Madison consisting of 75.196 acres and described as follows:

The point of beginning being a common point in the line of Berea College and the west right-of-way of I-75, said point lying S22°04'30"E 1035.11 feet from the south right-of-way of State Highway 876, thence S2°13'58"W 411.77 feet to an iron pin with cap #1254, thence with the west right-of-way of I-75 six (6) calls, S5°25'53"E 701.09 feet to an iron pin with cap #1254, S2°01'42"W 300.52 feet to an iron pin with cap #1254, S2°19'29"E 550.34 feet to an iron pin with cap #1254, S1°27'13"W 372.48 feet to an iron pin with cap #1254, N87°43'26"E 32.02 feet to an iron pin with cap #1254, S7°20'03"E 684.29 feet to an iron pin with cap #1254 and common corner with M.C.E. Inc., thence with the line of M.C.E. Inc., N88°38'45"W 478.06 feet to a metal post at the end of a rock wall, thence N87°58'30"W 334.26 feet to an iron pin with cap #1254, thence continuing with said wall, N88°46'22"W 222.13 feet to the west end of said wall, thence N88°35'59"W 23.99 feet to a wood post, thence N89°22'09"W 84.88 feet to an iron pin with cap #1254, thence N3°15'38"W 2913.33 feet to a point at the southwest corner of Tract #1, thence N86°24'22"E 1138.95 feet the point of beginning containing 75.196 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:

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 09-38
(ORDINANCE 95-15)
TRACT 1**

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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
RESOLUTION 09-38
(ORDINANCE 95-15)
TRACT 2**

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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.