

CERTIFICATION

I, Betty Houghton, Clerk of the City of Richmond do hereby certify that, the above Resolution 09-68 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 December 29, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkins

RESOLUTION 09-68

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 96-77 dated December 17, 1996, 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:

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 Irvine Road in the Commonwealth of Kentucky, County of Madison consisting of 56.01 acres and described as follows:

The point of beginning being at a stone corner to A.J. Tribble, thence with Tribble's line N2°00'00"E 1701.94 feet to Tribble's corner, a stone on a hill side also a corner to Lewis Francis Miller tract, same course contained and in all 1704.45 feet to a stake in center of Irvine Pike on said Francis line and a corner to A. Chenault, thence with the center of said pike and with said Chenault's line N85°00'00"W 330.00 feet, thence S80°00'00"W 363.00 feet, thence S76°00'00"W 547.80 feet to a stake, a corner, to Lewis Bybee, thence his line S62°30'00"W 313.50 feet crossing a pond to a stone corner to said Bybee, thence with a line of the McKee and Traynor tract S3°30'00"W 1386.00 feet to a stone corner to J.H. Boggs Robinson tract, thence with a line of same S86°15'00"E 782.76 feet to a stone corner, thence N86°30'00"E 741.35 feet to the point of beginning containing 56.01 acres more or less.

Exclusion Tract 1

A certain tract of land situated on Irvine Road in the Commonwealth of Kentucky, County of Madison consisting of 6 acres and described as follows:

The point of beginning being at a stake on the line of A.S. Gott with his line S89°16'21"E 154.83' feet to a stone corner to Taylor and Pigg, thence with their line N2°00'00"E 1704.45 feet to the middle of the Richmond and Irvine Pike, N85°00'00"W 155.00 feet to a stake, thence leaving the pike, a new line S2°00'00"W 1716.00 feet to the point of beginning containing 6 acres more or less.

Exclusion Tract 2

A certain tract of land situated on Irvine Road in the Commonwealth of Kentucky, County of Madison consisting of 5 acres and described as follows:

The point of beginning being at a point in the center of Irvine Pike, corner to J.C. Taylor, thence with the center of said Pike S83°15'00"E 125.98 feet to a new corner, thence a new line with Mrs. Bennett S4°15'00"W 1735.80 feet to another new corner at a stake in the wire fence on line of Richmond Water and Light Company, thence with said Company N89°00'00"W 126.06 feet to another corner to J.G. Taylor, thence with Taylor line N4°15'00"E 1748.44 feet to the point of beginning containing 5 acres more or less.

Exclusion Tract 3

A certain tract of land situated on Irvine Road in the Commonwealth of Kentucky, County of Madison consisting of 15 acres and described as follows:

The point of beginning being at the west side of a large cedar post set in concrete, a corner to the Richmond Water and Gas Works property and Virginia Hisle Shannon and a new corner to the remainder of the W.H. James land, thence a new line with James N7°18'00"E 1729.67 feet to a stake in the south line of the Richmond-Irvine Road, a new corner to James, thence with the south side of said road N79°30'00"E 241.56 feet, N88°30'00"E 31.02 feet, S81°30'00"E 58.74 feet to a point in line, corner to Morgan Eaves, thence leaving the road with Evans S3°30'00"W 1719.30 feet to a post corner to Evans, and in line of the Richmond Water and Gas Works, with said line S85°22'30"W 442.88', to the point of beginning containing 15 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
Commissioner Brewer
Commissioner Smart
Commissioner Strong
Mayor Lawson

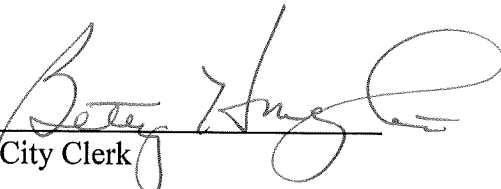
YES **NO**

x
x
x
Absent
x



Mayor

ATTEST:



City Clerk



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

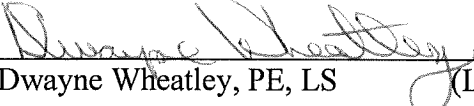
"Surveys you can count on."

**LEGAL DESCRIPTION FOR
RESOLUTION 09-68
(ORDINANCE 96-77)**

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)



Date



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

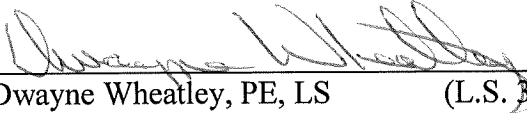
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EXCLUSION TRACT 1**

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(L.S. 3265)

10/23/09

Date



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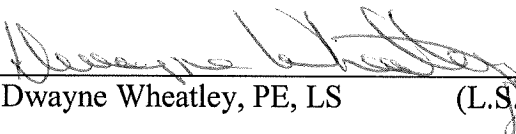
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Dwayne Wheatley, PE, LS (L.S. 3265)



Date

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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