

PROPERTY INCLUDED IN ANNEXATION ORDINANCE 2020-07

1. Russell County Industrial Development Authority

P O Box 1068

Jamestown, Ky.42642

Map #033-60-01-017.00

2. Leon and Margaret L Murrell

296 Arlis Hale Road

Russell Springs, Ky. 42642

Map #033-60-01-017.01

COMMONWEALTH OF KENTUCKY
CITY OF RUSSELL SPRINGS
ORDINANCE NO. 2020-07

**AN ORDINANCE OF CONSENSUAL ANNEXATION OF
AN AREA OF PROPERTY OWNED BY THE RUSSELL COUNTY INDUSTRIAL
DEVELOPMENT AUTHORITY IN THE VICINITY OF
AIRPORT DRIVE AND WEST DRIVE AND AN AREA OF PROPERTY OWNED BY
LEON MURRELL AND MARGARET L. MURRELL ADJOINING AIRPORT DRIVE**

BE IT ORDAINED BY THE CITY OF RUSSELL SPRINGS, KENTUCKY AS FOLLOWS:

WHEREAS, the City of Russell Springs, Kentucky has:

1. Determined that the area hereinafter described ("Subject Property") is desirable to be annexed, the same being in an unincorporated area, accurately described and accurately depicted on descriptions and surveys prepared by a Kentucky-licensed surveyor dated ~~12-11-20~~ ¹¹⁻²⁵⁻²⁰ 2020 which documents are, respectively, attached hereto and incorporated herein as **Exhibits A, B, C, and D.**
2. Tract 1 of the Subject Property is owned by the Russell County Industrial Development Authority as the sole fee simple property owner and is described in **Exhibit A** and depicted in **Exhibit B**, as attached hereto and incorporated by reference.
3. Tract 2 of the Subject Property is owned by Leon Murrell and Margaret L. Murrell as the sole fee simple property owners and is described in **Exhibit C** and depicted in **Exhibit D**, as attached hereto and incorporated by reference.
4. Tract 1 of the Subject Property consists of 2.417 acres and Tract 2 of the Subject Property consists of 14.331 acres.
5. The Subject Property is adjacent and/or contiguous to the preexisting boundaries of the City of Russell Springs Kentucky as established by Ordinance No. 2007-17
6. The City Council further finds that this annexation is a VOLUNTARY annexation, being considered at the request and irrevocable written consent of property owner Russell County Industrial Development Authority as the sole fee simple owner of Tract 1 and Leon Murrell and Margaret Murrell, husband and wife, as the sole fee simple property owners of Tract 2 as referenced above.
7. The Subject Property proposed for annexation, as more specifically described below and depicted on the attached and incorporated Exhibits, is located in the vicinity of Airport Road and West Drive.

8. Utility Infrastructure, as defined in KRS 81A.427, which is owned by the City of Russell Springs is located in Tract 1 of the Subject Property.

9. The City Council, in compliance with KRS 81A.410(1)(b), finds the territory to be annexed by reason of governmental use of land for utility services, to be urban in character and/or suitable for development for urban purposes without unreasonable delay.
10. The City Council finds no part of the Subject Property to be annexed to be in an Agricultural District as the term is used in KRS 262.850.
11. The City Council, based on knowledge of the subdivision plat of Middletown Acres, Section B as appearing in Plat Cabinet 1, Slide 141, as well as photographs of record, finds there is a residential subdivision including numerous homes generally to the northeast of Tract 1 and to the north of Tract 2, thus evidencing urban character of the vicinity.
12. The City Council finds the Subject Property is inherently urban in character and/or suitable for development for urban purposes without unreasonably delay in that a portion is owned in fee simple by the Russell County Industrial Development Authority, a statutory purpose of which entity is to "*[a]cquire, retain, and develop land for industrial and commercial purposes in Kentucky; aid in the development and promotion of industrial sites, parks, and subdivisions to meet industrial and commercial needs in Kentucky.*" KRS 154.50-320(1)(a).
13. Financial assistance for the Russell County Industrial Development authority for purchase of the parent tract for Tract 1 of the Subject Property was recently provided by the Kentucky Department for Local Government (known as the Regional Development Agency Assistance Program), thus evidencing the suitability of the Subject Property and entire parent parcel for urban development.
14. Tract 2 of the Subject Property has reasonable access to utility services of the City of Russell Springs and other utility services, thus enhancing its suitability for urban development.
15. The Subject Property is in the vicinity of a very large parcel owned by the Russell County Industrial Development Authority to the north as described in a deed recorded in Deed Book 201, Page 13 in the Office of the Russell County, Kentucky Court Clerk. Such property evidences the area is urban in character.
16. The relatively level topography of Tract 2 of the Subject Property is suitable for urban development.

17. Tract 2 of the Subject Property adjoins Airport Drive so as to provide vehicular access consistent with urban development of Tract 2.

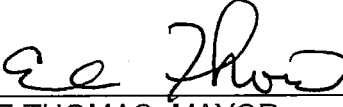
18. The City Council finds that all of the foregoing adjudicative facts support annexation of the Subject Property being in compliance with KRS 81A.410(1)(b) as being urban in character or suitable for urban development for urban purposes without unreasonable delay.
19. The City Council is aware of no evidence to indicate utility infrastructure owned by another city is in the territory proposed for annexation.
20. This property is not in any other boundary of an incorporated city, and all of these above findings are in keeping with KRS 81A.410 and KRS 81A.412 and other applicable Kentucky law. For such reasons:

**BE IT ORDAINED BY THE CITY OF RUSSELL SPRINGS,
KENTUCKY AS FOLLOWS:**

Now, therefore, the City of Russell Springs, Kentucky, does hereby declare its intent to annex the property particularly described on attached and incorporated **Exhibits A and B** and respectively depicted on attached and incorporated **Exhibits C and D** in keeping with applicable Kentucky law.

21. This Intent to Annex Ordinance and the various parts thereof are hereby declared to be severable. If any section, clause, sentence, or phrase of this Intent to Annex Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall not affect the validity of the ordinance as a whole, or an portion thereof other than the section so declared to be unconstitutional or invalid.
22. All employees, officials, agents and attorneys of the City of Russell Springs shall timely endeavor and cooperate to effect this Ordinance on its passage on second reading, including appropriate filings with the Kentucky Secretary of State and County Clerk and any other officials pursuant to KRS Chapter 81A.
23. This Ordinance shall become effective immediately upon publication. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

FIRST READING: 12 - 07, 2020
SECOND READING: 12 - 10, 2020
PUBLICATION: 12 - 17, 2020



EDDIE THOMAS, MAYOR
Date: 12 - 10 - 20

ATTEST: 

CHRISTOPHER RAMSEY, CITY CLERK
Date: 12 - 10 - 20

EXHIBIT A

**[Tract 1 Description – Portion of Property of
Russell County Industrial Development
Authority]**



Smith Land Surveying & Consulting Forestry

Robert L. Smith PLS #3897

Russell County Surveyor

P.O. Box 1534

Russell Springs, KY. 42642

(270)566-0567

ANNEXATION ORDINANCE

December 11, 2020

DESCRIPTION OF A TRACT OF LAND BY A BOUNDARY RETRACEMENT SURVEY FOR THE CITY OF RUSSELL SPRINGS FOR THE PURPOSE OF ANNEXATION, THE PROPERTY OF LEON AND MARGARET MURRELL (DEED BOOK 337 PAGE 501) AND A PORTION OF THE PROPERTY OF THE RUSSELL COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (PORTION OF DEED BOOK 353 PAGE 72) (, LOCATED APPROXIMATELY 1061.00 FEET WEST OF U.S. HIGHWAY #127, IN MIDDLETOWN, RUSSELL COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT #1

Beginning at a set 1/2"x18" re-bar pin with cap #3897 on the northeast right of way of Airport Drive and a corner with Leon and Margaret Murrell (Deed Book 337 Page 501); thence, leaving Murrell and with the right of way, N 82°34'13" W 20.79 feet to a point; thence N 84°14'11" W 80.81 feet to a set 1/2"x18" re-bar pin with cap #3897 and a new corner with the Russell County Industrial Development Authority, RCIDA (Deed Book 353 Page 72); thence, leaving the right of way and with the RCIDA, a new division line of the parent tract for the next four courses, N 08°32'55" E 30.03 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 84°06'49" E 70.51 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 06°21'35" E 1044.94 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 86°55'330" W 447.76 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 02°09'45" E 1098.57 feet to a set 1/2"x18" re-bar pin with cap #3897 in the line of the RCIDA (Deed Book 201 Page 13, Incorporated Property, Ordinance #2007-17); thence S 86°50'39" E 30.00 feet to a found one inch pipe and a corner with Middletown Acres, Section B (Plat Cabinet 1 Slide 141); thence, leaving RCIDA and with Middletown Acres, Section B, S 02°09'19" W 546.83 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 86°58'06" E 150.16 feet to a set 1/2"x18" re-bar pin with cap #3897 on the southwest right of way of West Drive; thence, with the right of way of West Drive, S 20°39'46" E 124.53 feet to a set 1/2"x18" re-bar pin with cap #3897; thence, leaving the right of way, S 78°18'05" W 203.80 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 02°10'05" W 371.70 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 86°55'30" E 450.00 feet to a set 1/2"x18" re-bar pin with cap #3897 and a corner with the aforesaid Murrell; thence, leaving Middletown Acres, Section B and with Murrell, S 06°21'35" W 1107.00 feet to the Point of Beginning, containing 2.417 Acres.

TRACT #2


Beginning at a found iron pin with cap #3897 on the northeast right of way of Airport Drive and a corner with the Russell County Industrial Development Authority (RCIDA) (Deed Book 353 Page 72); thence, leaving the right of way of Airport Drive and with the RCIDA, N 06°21'35" E 1107.00 feet to a found iron pin with cap #3897 in the line of Middletown Acres (Plat Cabinet 1 Slide 141 & 142); thence, leaving RCIDA and with Middletown Acres, S 87°23'56" E 35.47 feet to a found iron pin with cap #3897; thence N 09°01'41" E 192.53 feet to a found iron pin with cap #3897 on the south right of way of West Drive; thence S 89°16'30" E 30.19 feet to a found iron pin with cap #3897 and a corner with the aforesaid Middletown Acres; thence leaving the right of way of West Drive and with Middletown Acres, S 09°00'58" W 193.52 feet to a found iron pin with cap #3897; thence S 87°23'56" E 816.15 feet to a 30 inch white oak with old marks /// and a corner with the City of Jamestown (Deed Book 340 Page 352); thence, leaving Middletown Acres and with the City of Jamestown and the branch, S 04°33'42" W 75.12 feet to a point; thence S 34°31'12" W 198.34 feet to a point; thence S 43°37'50" W 186.78 feet to a point; thence S

58°07'33" W 218.50 feet to a point; thence S 59°35'38" W 82.61 feet to a point; thence S 32°16'10" W 73.09 feet to a point; thence S 05°09'38" E 161.28 feet to a point; thence S 47°13'22" W 107.84 feet to a point; thence S 32°31'10" W 116.25 feet to a point; thence S 01°18'17" E 127.43 feet to a point; thence S 62°11'13" W 23.25 feet to a point; thence S 08°07'10" W 55.18 feet to a point on the northeast right of way of the aforesaid Airport Drive; thence, leaving the City of Jamestown and the branch and with the right of way of Airport Drive, N 72°37'24" W 43.30 feet to a point; thence N 79°01'53" W 171.15 feet to a point; thence N 83°17'28" W 99.06 feet to the Point of Beginning, containing 14.331 Acres.

This survey is subject to any and all legal easements and rights of ways recorded or unrecorded.

Geodetic North was observed in the field from the Northwest side of the property, N 07°44'34" W 3239.23z feet from the point of beginning along a random baseline on December 5, 2020.

I hereby certify that this survey was done under my direct supervision by the method of GPS Real Time Kinetic (RTK) performed using a Trimble R10-2 Dual Frequency Receiver, having a relative accuracy of 0.015 feet using the Kentucky South Zone 1602 (United States/State Plane 1983). This is an Urban Class Survey and meets the Minimum Standards required by the Commonwealth of Kentucky as defined by 201 KAR 18:150.


Robert L. Smith PLS #3897 12/7/2020
Russell County Surveyor

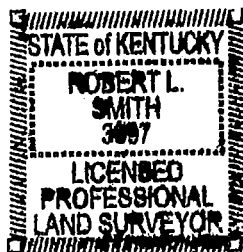


EXHIBIT B

**[Tract 1 Survey/Annexation Map - Portion of
Property of Russell County Industrial
Development Authority]**

EXHIBIT C

**[Tract 2 Description – Leon Murrell &
Margaret L. Murrell]**

EXHIBIT D

**[Tract 2 Survey/Annexation Map – Leon
Murrell & Margaret L. Murrell]**

IRREVOCABLE REQUEST FOR ANNEXATION

December 4th 2020

VIA HAND DELIVERY

Mayor Eddie Thomas
City of Russell Springs
P.O. Box 247
Russell Springs, KY 42642

Re: Irrevocable Request for Annexation
Property Owners: Leon Murrell & Margaret L. Murrell
D.B. & Page No. of Subject Property: D.B. 337, Page 501 in Office of
Russell County, Kentucky Clerk

Dear Mayor Thomas:

This letter constitutes an Irrevocable Request for Annexation by Leon Murrell & Margaret L. Murrell (collectively "Property Owner") to the City of Russell Springs, Kentucky for the annexation of the Subject Property referenced above and more particularly described in the legal description attached hereto and incorporated as **Exhibit A** (the "Subject Property"). Such Subject Property consists of 14.331 acres more or less.

The Property Owner recognizes the City has requested execution of this Irrevocable Request for Annexation because the City will incur survey and other costs in connection with the annexation and may have to defend against litigation by third parties seeking to overturn such annexation even if such litigation is without merit. In such circumstances, the Property Owner understands the City cannot afford to allow the Property owner, after requesting and receiving annexation and zoning classification, to then withdraw consent subsequent to the City having incurred significant costs.

The Property Owner acknowledges that this Irrevocable Request for Annexation may not be revoked, withdrawn, voided, amended, or otherwise altered without the prior written consent of the City of Russell Springs, Kentucky.

The undersigned is fully authorized to sign this Irrevocable Request for Annexation in his or her capacity as an owner of the Subject Property.

This Irrevocable Request for Annexation is effective as of the date first above-written. The Property Owner hereby waives any further notice and objections of any type concerning the requested annexation.

There are no residents or registered voters residing on the Subject Property.

The Property Owner has no actual knowledge of any other person or entity, except for the City of Russell Springs having any interest in the Subject Property in the nature of an option, purchase agreement or tenancy of any kind.

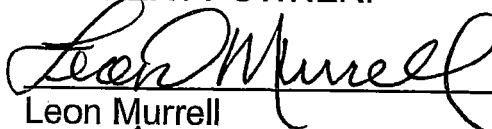
The Property Owner has been advised that statutory authority for this Irrevocable Request for Annexation is provided by KRS 81A.412 and any other Kentucky law as may be applicable. The Property Owner intends this letter to constitute proof of its written consent for the Subject Property to be annexed as required by KRS 81A.412. The undersigned recognizes that such an annexation by consent does not require the City of London to wait the sixty (60) day period provided for in KRS 81A.420(2) prior to enacting a final ordinance annexing the Subject Property.

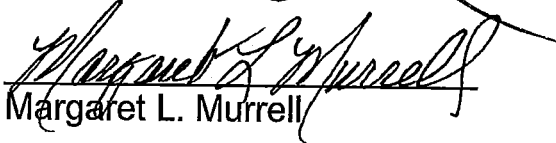
The Property Owner agrees to cooperate with the City of Russell Springs in defense of its anticipated annexation of the Subject Property but is not required to expend Property Owner funds to do so. The Property Owner agrees that the joint defense privilege is applicable to any communications between officials, employees, agents or counsel for the City of Russell Springs and the Property Owners and their counsel, employees or agents in regard to annexation of the Subject Property or defense of litigation contesting any such annexation.

In witness whereof and with the intent to be bound hereby, the Property Owner, tenders and agrees to this Irrevocable Request for Annexation. We look forward to being part of the City of Russell Springs.

Sincerely,

PROPERTY OWNER:


Leon Murrell


Margaret L. Murrell

COMMONWEALTH OF KENTUCKY
COUNTY OF RUSSELL

This foregoing Irrevocable Consent to Annexation was subscribed, sworn to, and acknowledged before me by LEON MURRELL on this 4th day of December, 2020. My commission expires: 12-12-2021.


Notary Public, State at Large

COMMONWEALTH OF KENTUCKY
COUNTY OF RUSSELL

This foregoing Irrevocable Consent to Annexation was subscribed, sworn to, and acknowledged before me by MARGARET L. MURRELL on this 4th day of December, 2020. My commission expires: 12-12-2021.


Notary Public, State at Large

EXHIBIT A

[Page 1 of 2 pages]

DESCRIPTION OF A TRACT OF LAND, BY A BOUNDARY RETRACEMENT SURVEY, THE PROPERTY OF THE HEIRS OF J.D. HADLEY (WILL BOOK 26 PAGE 779, REMAINDER OF DEED BOOK 34 PAGE 259), LOCATED ON THE NORTHEAST OF AIRPORT DRIVE, APPROXIMATELY 1250.00 FEET NORTH OF AIRPORT ROAD, IN THE MIDDLETOWN COMMUNITY OF RUSSELL COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a set 1/2" x 1/8" re-bar pin with cap #3897 on the northeast right of way of Airport Drive and a corner with Arthur Gene McMahan (Deed Book 318 Page 325); thence, leaving the right of way and with McMahan, N 12°46'57" E 1107.00 feet to a set 1/2" x 1/8" re-bar pin in the line of Hollis and Norma Rose Curtsinger (Deed Book 104 Page 304 and Deed Book 118 Page 468, Portion of Lot #6 and Lot #7, Section B of Middletown Acres Subdivision, Plat Cabinet 1 Slide 141); thence, leaving McMahan and with Curtsinger, N 06°49'48" E 194.50 feet to a set 1/2" x 1/8" re-bar pin with cap #3897 on the southwest right of way of West Drive; thence, leaving Curtsinger and with the right of way, S 84°29'27" E 30.00 feet to a set 1/2" x 1/8" re-bar pin with cap #3897 and a corner with the aforesaid Curtsinger; thence, leaving this [the] right of way and with Curtsinger, S 06°50'06" W 196.44 feet to a set 1/2" x 1/8" re-bar pin with cap #3897; thence, [passing] [passing] corners with Arvil and Resa Brown (Deed Book 119 Page 415, Lot #5, Section B of Middletown Acres Subdivision, Plat Cabinet 1 Slide 141), Jackie and Lina Ferguson (Deed Book 137 Page 161, Lots #3-4, Section B of Middletown Acres Subdivision, Plat Cabinet 1 Slide 141) and Donnie and Leah Smith (Deed Book 142 Page 287, Lot #2, Section B of Middletown Acres Subdivision, Plat Cabinet 1 Slide 141), S 80°47'26" E 816.24 feet to

EXHIBIT A

[Page 2 of 2 pages]

a 30 inch white oak (deed call) with new marks /// and a corner with Danny and Rita Voils (Deed Book 250 Page 646); thence, leaving Smith and with Voils, S 11°06'27" W 75.12 feet to a point on the creek; thence, with the creek for the next 11 courses (deed call), S 41°03'56" W 198.34 feet to a point; thence S 50°10'34" W 186.78 feet to a point; thence S 64°40'18" W 218.50 feet to a point, referenced by a set 1/2"x18" re-bar pin with cap #3897, N 77°22'46" W 27.96 feet; thence S 66°08'22" W 82.61 feet to a point, referenced by the aforesaid iron pin, N 50°40'54" E 62.38 feet; thence S 36°27'53" W 73.15 feet to a point; thence S 02°14'28" W 159.47 feet to a point; thence S 53°46'06" W 107.84 feet to a point; thence S 39°03'55" W 116.25 feet to a point; thence S 05°14'27" W 127.43 feet to a point; thence S 68°43'58" W 23.25 feet to a point; thence S 14°39'55" W 55.18 feet to a point on the northeast right of way of the aforesaid Airport Drive, referenced by a set PK Nail, S 14°39'55" W 29.63 feet; thence, leaving Voils and the creek and with the right of way, N 66°04'40" W 43.30 feet to a point; thence N 72°29'09" W 171.15 feet to a point; thence N 76°11'53" W 33.14 feet to the Point of Beginning, containing 14.331 Acres.

This survey is subject to any and all legal easements and rights of ways recorded or unrecorded.

Magnetic North was observed in the field from the Southwest side of the property, S 56°20'50" E 50.38 feet from the point of beginning with a reference bearing of Southwest 23° along a random baseline on October 12, 2018.

I hereby certify that this survey was done under my direct supervision by the method of Random Traverse with side shots and the unadjusted precision ratio of the traverse was 1:52,541.53 feet. This survey is an Urban Class Survey and meets the Minimum Standards required by the Commonwealth of Kentucky as defined by 201 KAR 18:150. Robert L. Smith, P.L.S. #3897, Russell County Surveyor 10/18/18

BEING the same property conveyed to Lean Murrell & Margaret L. Murrell by deed from Happy Guy Hadley, aka H. Guy Hadley, as Executor of the Last Will and Testament of J.D. Hadley, dated // - / , 2018, and of record in Deed Book 337, Page 501, in the office of the Russell County Clerk, Jamestown, Kentucky.

IRREVOCABLE REQUEST FOR ANNEXATION

12/4, 2020

VIA HAND DELIVERY

Mayor Eddie Thomas
City of Russell Springs
P.O. Box 247
Russell Springs, KY 42642

Re: Irrevocable Request for Annexation
Property Owner: Russell County Industrial Development Authority
Subject Property: *Portion of D.B. 353, Page 72 in Office of Russell
County, Kentucky Clerk*

Dear Mayor Thomas:

This letter constitutes an Irrevocable Request for Annexation by the Russell County Industrial Development Authority ("Property Owner") to the City of Russell Springs, Kentucky for the annexation of the Subject Property referenced above and more particularly described in the legal description attached hereto and incorporated as **Exhibit A** (the "Subject Property") and also on the Boundary Retracement & New Division Survey for the City of Russell Springs attached hereto and incorporated as **Exhibit B**. Such Subject Property is 2.417 acres more or less.

The Property Owner recognizes the City has requested execution of this Irrevocable Request for Annexation because the City will incur survey and other costs in connection with the annexation and may have to defend against litigation by third parties seeking to overturn such annexation even if such litigation is without merit. In such circumstances, the Property Owner understands the City cannot afford to allow the Property owner, after requesting and receiving annexation, to then withdraw consent subsequent to the City having incurred significant costs.

The Property Owner acknowledges that this Irrevocable Request for Annexation may not be revoked, withdrawn, voided, amended, or otherwise altered without the prior written consent of the City of Russell Springs, Kentucky.

The undersigned is fully authorized to sign this Irrevocable Request for Annexation in his or her capacity as authorized officer and/or agent of the Property Owner.

This Irrevocable Request for Annexation is effective as of the date first above-written. The Property Owner hereby waives any further notice and objections of any type concerning the requested annexation.

There are no residents or registered voters residing on the Subject Property.

The Property Owner has no actual knowledge of any other person or entity having any fee simple interest in the Subject Property.

The Property Owner has been advised that statutory authority for this Irrevocable Request for Annexation is provided by KRS 81A.412 and any other Kentucky law as may be applicable. The Property Owner intends this letter to constitute proof of its written consent for the Subject Property to be annexed as required by KRS 81A.412. The undersigned recognizes that such an annexation by consent does not require the City of Russell Springs to wait the sixty (60) day period provided for in KRS 81A.420(2) prior to enacting a final ordinance annexing the Subject Property.

The Property Owner agrees to cooperate with the City of Russell Springs in defense of its anticipated annexation of the Subject Property but is not required to expend Property Owner funds to do so. The Property Owner agrees that the joint defense privilege is applicable to any communications between officials, employees, agents or counsel for the City of Russell Springs and the Property Owners and their counsel, employees or agents in regard to annexation of the Subject Property or defense of litigation contesting any such annexation.

In witness whereof and with the intent to be bound hereby, the Property Owner, tenders and agrees to this Irrevocable Request for Annexation. The Property Owner looks forward to the Subject Property being part of the City of Russell Springs.

Sincerely,

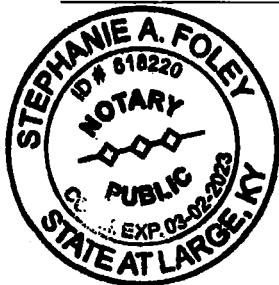
PROPERTY OWNER:

Russell County Industrial Development
Authority

By: Clint Voils
Print Name: Clint Voils
Title: Chairman

COMMONWEALTH OF KENTUCKY
COUNTY OF RUSSELL

This foregoing Irrevocable Consent to Annexation was subscribed, sworn to, and acknowledged before me by Clint Voils as authorized officer or agent of the Russell County Industrial Development Authority on this 4th day of December, 2020. My commission expires: 03-02-2023.



Stephanie Foley
Notary Public, State at Large

EXHIBIT A

[LEGAL DESCRIPTION]



Smith Land Surveying & Consulting Forestry

Robert L. Smith PLS #3897

Russell County Surveyor

P.O. Box 1534

Russell Springs, KY. 42642

(270)566-0567

LEGAL DESCRIPTION

November 25, 2020

DESCRIPTION OF A TRACT OF LAND, BY A BOUNDARY RETRACEMENT AND NEW DIVISION SURVEY, FOR THE CITY OF RUSSELL SPRINGS (RUSSELL COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, DEED BOOK 353 PAGE 72), LOCATED AT THE END OF AND ON THE NORTH SIDE OF AIRPORT DRIVE, ON THE WATERS OF PERKINS CREEK, RUSSELL COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a set 1/2"x18" re-bar pin with cap #3897 on the northeast right of way of Airport Drive and a corner with Leon and Margaret Murrell (Deed Book 337 Page 501); thence, leaving Murrell and with the right of way, N 82°34'13" W 20.79 feet to a point; thence N 84°14'11" W 80.81 feet to a set 1/2"x18" re-bar pin with cap #3897 and a new corner with the Russell County Industrial Development Authority, RCIDA (Deed Book 353 Page 72); thence, leaving the right of way and with the RCIDA, a new division line of the parent tract for the next four courses, N 08°32'55" E 30.03 feet to a set 1/2"x18" re-bar pin with cap #3897z; thence S 84°06'49" E 70.51 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 06°28'57" E 1044.94 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 86°48'08" W 447.76 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 02°17'27" E 1098.68 feet to a set 1/2"x18" re-bar pin with cap #3897 in the line of the RCIDA (Deed Book 201 Page 13); thence S 86°46'04" E 30.00 feet to a found one inch pipe and a corner with Middletown Acres, Section B (Plat Cabinet 1 Slide 141); thence, leaving RCIDA and with Middletown Acres, Section B, S 02°17'27" W 546.96 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 87°05'27" E 153.00 feet to a set 1/2"x18" re-bar pin with cap #3897 on the southwest right of way of West Drive; thence, with the right of way of West Drive, S 23°14'14" E 125.16 feet to a set 1/2"x18" re-bar pin with cap #3897; thence, leaving the right of way, S 78°25'27" W 212.50 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 02°17'27" W 371.70 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 86°55'30" E 450.00 feet to a set 1/2"x18" re-bar pin with cap #3897 and a corner with the aforesaid Murrell; thence, leaving Middletown Acres, Section B and with Murrell, S 06°21'35" W 1107.00 feet to the Point of Beginning, containing 2.417 Acres.

This survey is subject to any and all legal easements and rights of ways recorded or unrecorded.

Geodetic North was observed in the field from the Northwest side of the property, N 07°44'34" W 3239.23 feet from the point of beginning along a random baseline on November 24, 2020.

I hereby certify that this survey was done under my direct supervision by the method of GPS Real Time Kinetic (RTK) performed using a Trimble R10-2 Dual Frequency Receiver, having a relative accuracy of 0.015 feet using the Kentucky South Zone 1602 (United States/State Plane 1983). This is an Urban Class Survey and meets the Minimum Standards required by the Commonwealth of Kentucky as defined by 201 KAR 18:150.

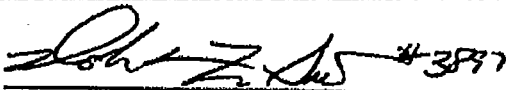

Robert L. Smith PLS #3897
Russell County Surveyor 11/27/2020

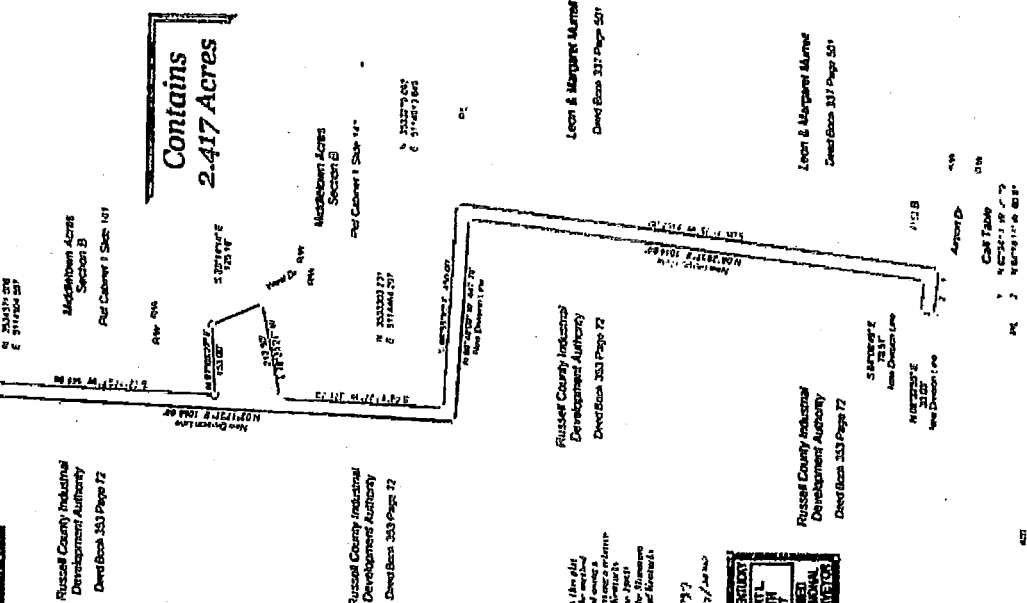


EXHIBIT B

[Boundary Retracement & New Division Survey]

North Arrow
 1/20/20
 1/20/20

Surveyor's Note
 This survey was performed for the Vermont Special Education Agency
 and is subject to the Vermont Special Education Agency's policies and procedures.
 The survey was performed on 10/20/2010. The survey was performed using GPS.
 100 percent of this survey was performed using GPS.



Surveyor's Certification
 I hereby certify that the survey depicted in this plat was performed in accordance with the rules and regulations of the State of Vermont. I am a duly licensed Professional Land Surveyor in the State of Vermont. My license number is 12345. I am a member of the Vermont Association of Professional Land Surveyors. This is a true and correct copy of the original survey as recorded in the State of Vermont. My commission expires on 12/31/2012.

Robert L. Smith
 Professional Land Surveyor
 License No. 12345
 Vermont Association of Professional Land Surveyors



LEGEND
 P.O.B. Property Boundary
 R.L. Right of Way
 R.W. Right of Way
 O. Other

SCALE 1" = 200'

DATE 10/20/2010

PROJECT 10/20/2010

City of Russell Springs
 411 Main Street
 Russell Springs, MS 38967
 Deed Book 353 Page 72
 On The Waters of Perimeter Creek, Russell County, Kentucky

Smith Land Surveying & Consulting Forestry
 Robert L. Smith, Professional Land Surveyor - 3896
 P.O. Box 1332, Blue Hill, MS 38909
 KATIS Member - Kentucky Association of Professional Surveyors



Smith Land Surveying & Consulting Forestry

Robert L. Smith PLS #3897

Russell County Surveyor

P.O. Box 1534

Russell Springs, KY. 42642

(270)566-0567

ANNEXATION ORDINANCE

December 11, 2020

DESCRIPTION OF A TRACT OF LAND BY A BOUNDARY RETRACEMENT SURVEY FOR THE CITY OF RUSSELL SPRINGS FOR THE PURPOSE OF ANNEXATION, THE PROPERTY OF LEON AND MARGARET MURRELL (DEED BOOK 337 PAGE 501) AND A PORTION OF THE PROPERTY OF THE RUSSELL COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (PORTION OF DEED BOOK 353 PAGE 72) (, LOCATED APPROXIMATELY 1061.00 FEET WEST OF U.S. HIGHWAY #127, IN MIDDLETOWN, RUSSELL COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT #1

Beginning at a set 1/2"x18" re-bar pin with cap #3897 on the northeast right of way of Airport Drive and a corner with Leon and Margaret Murrell (Deed Book 337 Page 501); thence, leaving Murrell and with the right of way, N 82°34'13" W 20.79 feet to a point; thence N 84°14'11" W 80.81 feet to a set 1/2"x18" re-bar pin with cap #3897 and a new corner with the Russell County Industrial Development Authority, RCIDA (Deed Book 353 Page 72); thence, leaving the right of way and with the RCIDA, a new division line of the parent tract for the next four courses, N 08°32'55" E 30.03 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 84°06'49" E 70.51 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 06°21'35" E 1044.94 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 86°55'30" W 447.76 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 02°09'45" E 1098.57 feet to a set 1/2"x18" re-bar pin with cap #3897 in the line of the RCIDA (Deed Book 201 Page 13, Incorporated Property, Ordinance #2007-17); thence S 86°50'39" E 30.00 feet to a found one inch pipe and a corner with Middletown Acres, Section B (Plat Cabinet 1 Slide 141); thence, leaving RCIDA and with Middletown Acres, Section B, S 02°09'19" W 546.83 feet to a set 1/2"x18" re-bar pin with cap #3897; thence N 86°58'06" E 150.16 feet to a set 1/2"x18" re-bar pin with cap #3897 on the southwest right of way of West Drive; thence, with the right of way of West Drive, S 20°39'46" E 124.53 feet to a set 1/2"x18" re-bar pin with cap #3897; thence, leaving the right of way, S 78°18'05" W 203.80 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 02°10'05" W 371.70 feet to a set 1/2"x18" re-bar pin with cap #3897; thence S 86°55'30" E 450.00 feet to a set 1/2"x18" re-bar pin with cap #3897 and a corner with the aforesaid Murrell; thence, leaving Middletown Acres, Section B and with Murrell, S 06°21'35" W 1107.00 feet to the Point of Beginning, containing 2.417 Acres.

TRACT #2


Beginning at a found iron pin with cap #3897 on the northeast right of way of Airport Drive and a corner with the Russell County Industrial Development Authority (RCIDA) (Deed Book 353 Page 72); thence, leaving the right of way of Airport Drive and with the RCIDA, N 06°21'35" E 1107.00 feet to a found iron pin with cap #3897 in the line of Middletown Acres (Plat Cabinet 1 Slide 141 & 142); thence, leaving RCIDA and with Middletown Acres, S 87°23'56" E 35.47 feet to a found iron pin with cap #3897; thence N 09°01'11" E 192.53 feet to a found iron pin with cap #3897 on the south right of way of West Drive; thence S 89°16'30" E 30.19 feet to a found iron pin with cap #3897 and a corner with the aforesaid Middletown Acres; thence leaving the right of way of West Drive and with Middletown Acres, S 09°00'58" W 193.52 feet to a found iron pin with cap #3897; thence S 87°23'56" E 816.15 feet to a 30 inch white oak with old marks /// and a corner with the City of Jamestown (Deed Book 340 Page 352); thence, leaving Middletown Acres and with the City of Jamestown and the branch, S 04°33'42" W 75.12 feet to a point; thence S 34°31'12" W 198.34 feet to a point; thence S 43°37'50" W 186.78 feet to a point; thence S

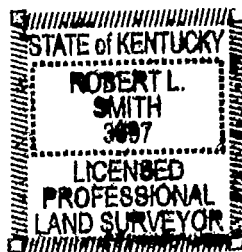
58°07'33" W 218.50 feet to a point; thence S 59°35'38" W 82.61 feet to a point; thence S 32°16'10" W 73.09 feet to a point; thence S 05°09'38" E 161.28 feet to a point; thence S 47°13'22" W 107.84 feet to a point; thence S 32°31'10" W 116.25 feet to a point; thence S 01°18'17" E 127.43 feet to a point; thence S 62°11'13" W 23.25 feet to a point; thence S 08°07'10" W 55.18 feet to a point on the northeast right of way of the aforesaid Airport Drive; thence, leaving the City of Jamestown and the branch and with the right of way of Airport Drive, N 72°37'24" W 43.30 feet to a point; thence N 79°01'53" W 171.15 feet to a point; thence N 83°17'28" W 99.06 feet to the Point of Beginning, containing 14.331 Acres.

This survey is subject to any and all legal easements and rights of ways recorded or unrecorded.

Geodetic North was observed in the field from the Northwest side of the property, N 07°44'34" W 3239.23z feet from the point of beginning along a random baseline on December 5, 2020.

I hereby certify that this survey was done under my direct supervision by the method of GPS Real Time Kinetic (RTK) performed using a Trimble R10-2 Dual Frequency Receiver, having a relative accuracy of 0.015 feet using the Kentucky South Zone 1602 (United States/State Plane 1983). This is an Urban Class Survey and meets the Minimum Standards required by the Commonwealth of Kentucky as defined by 201 KAR 18:150.

 #3897
Robert L. Smith PLS #3897 12/7/2020
Russell County Surveyor



Surveyor's Note:

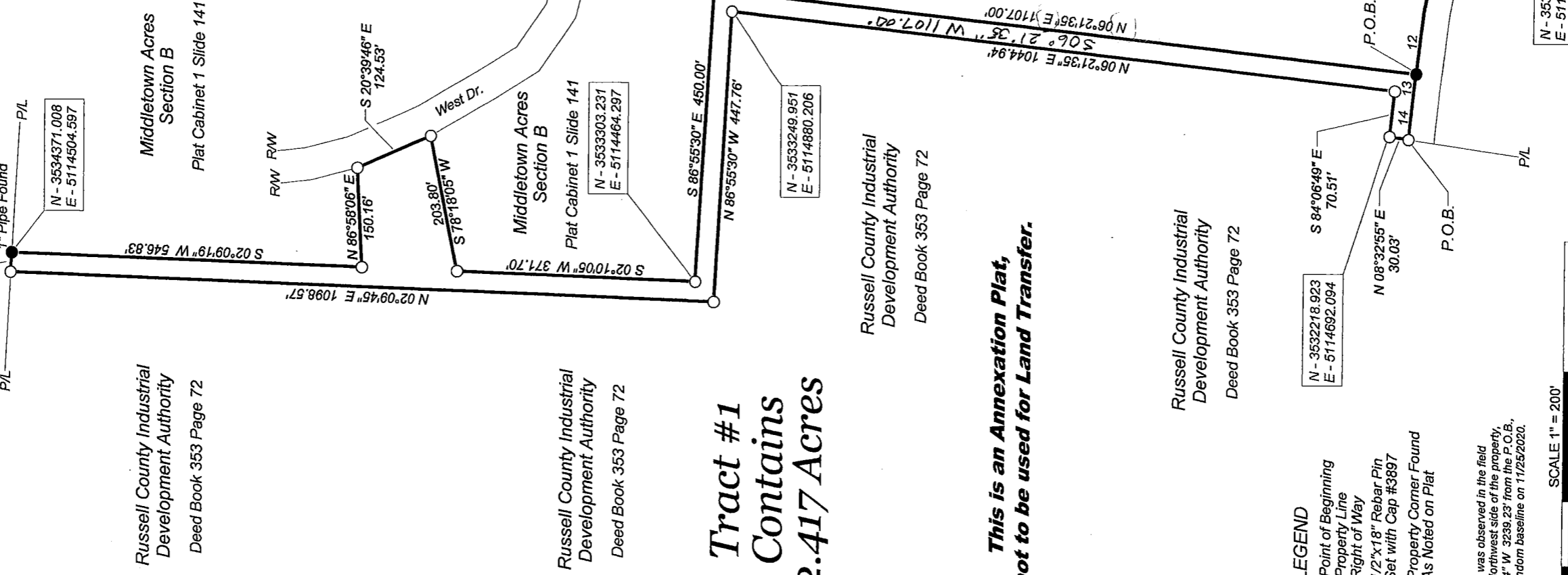
This Survey is referenced to the National Spatial Reference System using KYCORS on 12/05/2020, Latitude N 37°04'13.1538" Longitude W 84°37'05.5059" Elevation 868.61' - Northing 1910720.8645 Easting 1970613.0764, Horizontal Datum NAD83, Vertical Datum Geoid112B. 100 percent of this survey was performed using GPS.

City of Russell Springs Incorporated Property Ordinance #2007-17

Russell County Industrial Development Authority

Deed Book 201 Page 13

December 11, 2020
Grid North

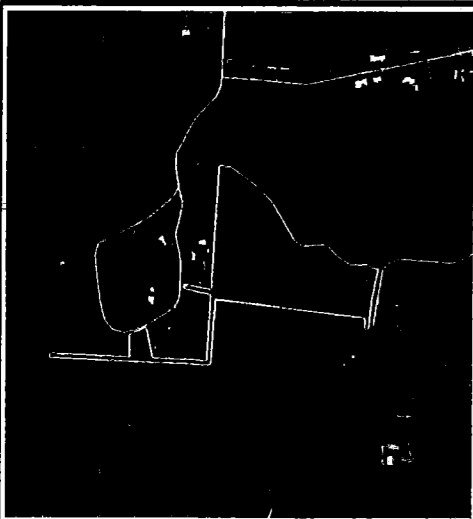


Call Table

1	S 89°16'30" E 30.19'
2	S 04°33'42" W 75.12'
3	S 59°35'38" W 82.61'
4	S 32°16'10" W 73.09'
5	S 05°09'38" E 161.28'
6	S 47°13'22" W 107.84'
7	S 32°31'10" W 116.25'
8	S 01°18'17" E 127.43'
9	S 62°11'13" W 23.25'
10	S 08°07'10" W 55.18'
11	N 72°37'24" W 43.30'
12	N 83°17'28" W 99.06'
13	N 82°34'13" W 20.79'
14	N 84°14'11" W 80.81'

Surveyor's Note:

Field Survey for Tract #1 completed on November 25, 2020.
Field Survey for Tract #2 completed on December 11, 2020.



Vicinity Map

Russell County Industrial Development Authority
Deed Book 353 Page 72

Middletown Acres Section B
Plat Cabinet 1 Slide 141

**This is an Annexation Plat,
not to be used for Land Transfer.**

Russell County Industrial Development Authority
Deed Book 353 Page 72

**Tract #1
Contains
2.417 Acres**

Middletown Acres Section B
Plat Cabinet 1 Slide 141

Middletown Acres Section B
Plat Cabinet 1 Slide 141

Russell County Industrial Development Authority
Deed Book 353 Page 72

**Tract #2
Contains
14.331 Acres**

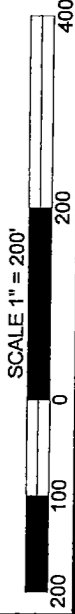
**This is an Annexation Plat,
not to be used for Land Transfer.**

Russell County Industrial Development Authority
Deed Book 353 Page 72

LEGEND

- P.O.B. Point of Beginning
- P/L Property Line
- RW Right of Way
- 1/2"x18" Rebar Pin Set with Cap #3897
- Property Corner Found As Noted on Plat

Grid North was observed in the field from the Northwest side of the property, N 07°44'34" W 3239.23' from the P.O.B., along a random baseline on 11/25/2020.



Surveyor Certification

I hereby certify that the survey depicted by this plat was done under my direct supervision by the method of GPS Real Time Kinetic (RTK), performed using a Trimble R10-2 Dual Frequency Receiver, having a relative positional accuracy of 0.023 feet using the Kentucky Single Zone 1600 (United States/State Plane 1983). This is an Urban Class Survey and meets the Minimum Standards required by the Commonwealth of Kentucky as defined by 201 KAR 18:150.

Robert L. Smith
Robert L. Smith PLS #3897
Russell County Surveyor

12/11/2020

Checked By: *RLS*

Smith Land Surveying & Consulting Forestry
Robert L. Smith - Professional Land Surveyor - 3897
P.O. Box 1534 Russell Springs, KY. 42642 (270)566-0567
KAPS Member - Kentucky Association of Professional Surveyors

Boundary Retracement & New Division Survey For The
City of Russell Springs
387 Main St. Russell Springs, KY. 42642
Portion of Deed Book 353 Page 72
Deed Book 337 Page 501
On The Waters of Perkins Creek, Russell County, Kentucky