

RECEIVED AND FILED  
DATE July 16, 2008

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Allen

CERTIFICATION

I, Garnet R. Sexton, Clerk of the City of Whitesburg do hereby certify that, the above Resolution 2008-06 is a true and correct copy as was presented to the City Council of the City of Whitesburg at their regular schedule meeting dated July 8, 2008.

Given under my hand this 8<sup>th</sup> day of July, 2008.

Garnet R. Sexton  
City Clerk

(SEAL)

## **RESOLUTION 2008- 06**

### **AN RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE**

WHEREAS, the City of Whitesburg has enacted numerous ordinances annexing property into the corporate limits of the City of Whitesburg; and

WHEREAS, each individual annexation contains a prior survey oft 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 RESOVED BY THE CITY COUNCIL OF THE CITY OF WHITESBURG, KENTUCKY:

SECTION 1. That the City Council of the City of Whitesburg hereby adopts the following legal description, and a plat attached hereto as prepared by Richard Hall, Licensed Professional Land Surveyor No. 3144 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Whitesburg by Ordinance 347 dated July 13, 1993, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2. This new legal description as prepared by Richard Hall a Licensed Professional Land Surveyor No.3144 is as follows:

DESCRIPTION OF  
ORDINANCE NO. 347  
FOR  
THE CITY OF WHITESBURG  
BY  
ORDINANCE BOOK 1, PAGE 344

Situated in the Commonwealth of the Kentucky, in the County of Letcher on the waters of The North Fork of The Kentucky River and more particularly described with all bearings and distances referenced to the magnetic meridian of the 1983 Kentucky South Coordinate System. All Iron Pins set, mentioned in this description are a minimum of 24 inches in length and 1½ inches in diameter with a plastic cap stamped LS # 3144.

Beginning at a point in the center of the L&N Railroad and the center of Crafts Colly Creek as called for in Ordinance # 347 adopted July 13, 1993 and also a common corner to Ordinance #289 having a Northing of 1,940,027.69 and an Easting of 2,502,363.13 based on the 1983 Kentucky South Coordinate System.

Thence N 72°57'18" W a distance of 615.72' running reverse of Ordinance #289 to a point at the back corner of Hattie Caudill property;

Thence N 09°35'10" E a distance of 296.70' leaving Ordinance #289 running with said Caudill Line to a point in fence line;

Thence N 62°58'23" E a distance of 271.51' down the hill with Caudill line, Crossing Crafts Colly Creek to a point in the East side of Highway 2034;

Thence S 23°01'24" E a distance of 211.54' down Crafts Colly with the East edge of Highway 2034;

Thence S 37°33'05" E a distance of 151.31' to a point in the North side of old Jenkins Road;

Thence N 52°15'52" E a distance of 49.12' with old Jenkins Road to a point in the West right of way of the old L&N Railroad, now owned by Mountain Rail Properties;

Thence N 08°36'50" W a distance of 308.59' running with the West side of Mountain Rail Properties to a point opposite the Northern boundary of Mae Amburgey, said property being on the East side of the North Fork of the Kentucky River;

Thence N 82°01'25" E a distance of 424.67' crossing Mountain Rail Property and The North Fork of the Kentucky River, continuing with the North boundary of Mae Amburgey, to a point on the East side of Highway 119 at 110.00 feet right of center line station 57+08.45;

Thence S 11°59'33" E a distance of 392.12' with the East edge of Highway 119 to a point 147.19 feet right of center line station 53+16.33;

Thence S 12°02'17" E a distance of 166.97' continuing with the East side of Highway 119;

Thence S 28°25'32" W a distance of 135.89' to a point in the East edge of Highway 119 at 80.00 feet right of center line station 50+40.00;

Thence S 88°14'21" W a distance of 272.24' crossing Highway 119 to a point in the intersection of Crafts Colly Creek and center of The North Fork of The Kentucky River which is the Beginning point of Ordinance #315;

Thence S 89°04'21" W a distance of 70.25' which is the point of beginning, having an area of 10.74 acres according to a survey performed by Richard W. Hall in March and April of 2008.

Excepted from this description is that parcel of land containing the Ermine Post Office, which is more particularly described as, Beginning in the center of Crafts Colly Creek and the edge of Highway 2034, having a Northing of 1,940,223.33 And an Easting of 2,502,240.32 based on the 1983 Kentucky South Coordinate System.

Thence S 34°34'47" E a distance of 158.52' down the center of said Crafts Colly Creek;

Thence N 07°55'21" W a distance of 204.79' leaving the center of said Creek to a point in the South Edge of Highway 2034 right-of-way;

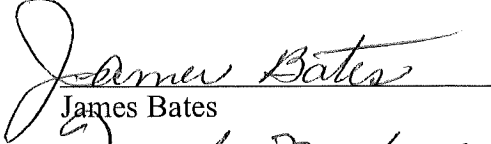
Thence S 40°29'26" W a distance of 95.09' with said right-of-way to the point of beginning, having an area of 0.17 acres according to a survey performed by Richard W. Hall in March and April of 2008.

Being the same land described in Ordinance # 347 adopted on July 13, 1993 and found recorded in the Whitesburg City Clerks office in Ordinance Book 1, Page 344.

<i>Richard Hall</i>	<i>3144</i>	<i>6-9-2008</i>
Surveyor	RLS	Date

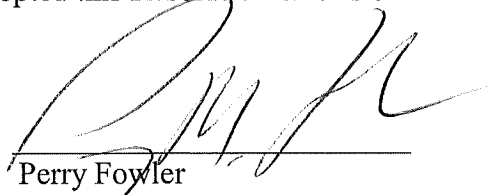


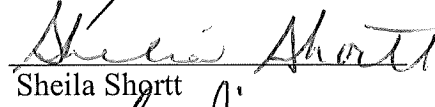
WHEREAS, the Whitesburg City Council has adopted this Resolution on this 8<sup>th</sup> of July, 2008.

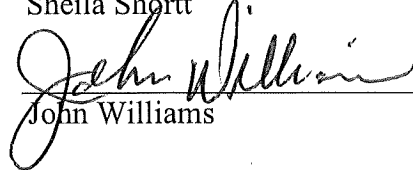
  
James Bates

  
Freda McFall

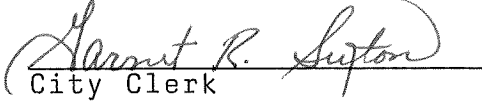
  
Robin Bowen-Watko

  
Perry Fowler

  
Sheila Shortt

  
John Williams

ATTEST:

  
City Clerk

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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