

BALLARD CIRCUIT COURT
Civil Action No. 508



KIMMEL H. FINLEY ET AT. }

PETITION EX PARTE

PETITIONER }

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND JUDGMENT

This cause coming on for trial and having been submitted for judgment upon the pleadings and exhibits on file herein, and the Court being sufficiently advised, does hereby make and file the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The petition in this action was filed on the 13th day of December, 1962.
2. That petitioners in this action are citizens, residents and eligible voters of the City of Bandana, County of Ballard and State of Kentucky.
3. That the City of Bandana, Kentucky, is a municipal incorporation within the State of Kentucky and that its charter as such has not been dissolved and that the actual date and manner of incorporation is unknown.
4. That there are One Hundred Sixty Nine (169) voters and Two Hundred Eighteen (218) inhabitants residing within the described boundries of said City of Bandana.
5. That there has been no City government by election or appointment of City officers nor the leyeying and collection of taxes for the maintenance of the streets and alleys of the City of Bandana, Kentucky, for more than one (1) year preceeding the commencement of this action.
6. That a majority of the voters within the City of Bandana have petitioned this Court requesting dissolution of the Municipal Charter of Incorporation of the City of Bandana, County of Ballard and State of Kentucky.

7. The petition in this action sets out the metes and bounds of the City of Bandana, Kentucky.

8. That the petition signed by each petitioner to dissolve the Municipal Charter of Incorporation of the City of Bandana, Kentucky was filed in the Ballard Circuit Court Clerk's office not less than twenty (20) days prior to the commencement of this regular term of court.

9. That the notice of the filing of this action and the objectives thereof were published in two issues of the Advance-Yeoman, a newspaper of general circulation and maintaining a distribution area including Ballard County.

CONCLUSIONS OF LAW

1. That the Court has jurisdiction of the parties and subject matter hereto.

2. That by and under the applicable provisions of the statutes, the petitioners have the right to maintain this action for an absolute dissolution of the municipal charter of incorporation of the City of Bandana, Kentucky.

3. That it would be for the best interests of the City of Bandana and of all concerned to dissolve the Municipal Charter of Incorporation.

JUDGMENT

IT IS THEREFORE ORDERED AND ADJUDGED BY THE COURT:

1. That the Municipal Charter of Incorporation of the City of Bandana, County of Ballard and State of Kentucky, is hereby dissolved.

2. The Clerk of this Court is hereby directed to certify a copy of this judgment to the Secretary of State, Frankfort, Kentucky, not later than ten (10) days from date of this judgment.

And this cause is now continued for such further orders as may be required herein,

Given under my hand as Judge of the Circuit Court of Ballard County, Kentucky, this the 7th day of January, 1963.

s/s ELVIS J. STAHR
JUDGE, BALLARD CIRCUIT COURT

STATE OF KENTUCKY:

SCT.

COUNTY OF BALLARD:

I, Hazel Peal Graves, Clerk of Ballard Circuit Court, hereby certify that the foregoing is a true and correct copy of the Finding of Fact, Conclusions of Law and Judgment in the above styled ExParte Petition, as recorded in Civil Order Book No. 2, page 314-15, records of Ballard Circuit Court.
Given under my official hand and seal, as Clerk of Ballard Circuit Court.

This January 7th, 1963.

Hazel Peal Graves
Clerk Ballard Circuit Court