

RECEIVED AND FILED
DATE Sept. 23, 2016

Ordinance No. 8162016-10142009

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Edmonson

WHEREAS, an Ordinance was enacted on April 14, 2010 by the Board of Commissioners of the City of Booneville; and,

WHEREAS, said ordinance was "an ordinance stating an intention to annex certain unincorporated territory contiguous to the City of Booneville"; and,

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of Booneville it has become necessary to now adopt an ordinance carrying out the stated intention in the said Ordinance dated April 14, 2010 to complete the annexation of the territory as described in the aforesaid ordinance; and,

WHEREAS, more than sixty days have elapsed since the Ordinance dated April 14, 2010 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A. 420.

NOW THEREFORE, be it, and it is hereby ordained by the City Council of the City of Booneville that the territory described in Ordinance 10142009 dated April 14, 2010 be, and it is hereby annexed to, and incorporated in, the territorial boundaries of the City of Booneville; and,

FURTHER, the description of the annexed territory is incorporated herein by reference to the said Ordinance dated April 14, 2010 as if fully copied at length.

This Ordinance shall become effective after passage and publication as required by law.

This Ordinance was sponsored by Commissioner Paul Harvey, introduced and given a first reading and passage at a meeting of the City Council held on August 15, 2016; it received its second reading, passage and became effective at the meeting of the City Council held on the 16th day of August, 2016.

ATTEST:

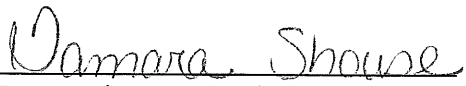
Charles E. Long
Charles E. Long, Mayor

Tamara Shouse
Tamara Shouse, City Clerk

CITY CLERK CERTIFICATION

I, the undersigned, being duly appointed, qualified and acting as the City Clerk of the City of Booneville, Kentucky, hereby certify that the foregoing Ordinance No. 8162016-10142009 is a true, correct and complete copy as duly and lawfully passed and adopted by the Booneville City Council at a duly convened board of Commissioners meeting held on the 16th day of August, 2016 all as appears in the official records of said City.

Witness, my hand and (Notary Seal), this 16th day of August, 2016.


Tamara Shouse, City Clerk

Seal (Notarial or City Seal)

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Annexation Ordinance
October 2009
Page 1 of 1

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Johnson

Ordinance #10142009
Annexation Ordinance
City of Booneville, Kentucky

WHEREAS, the City of Booneville is presently incorporated as a 6th Class city with a population of 111 according to the 2000 U.S. Census with a fixed boundary of approximately 456.0 acres;

AND WHEREAS, the City Board of Commissioners has determined that it is in the best interests of the City and the citizens therein to expand the corporate city limits of Booneville;

AND WHEREAS, the City of Booneville and its duly elected Board of Commissioners are committed to the welfare of its citizens including the health, safety, and independence are aware for the need to expand the city limits of Booneville and hereby adopt the following annexation ordinance to be applicable to all residents who reside both inside the corporate city limits of Booneville and all areas contiguous to its boundaries;

AND WHEREAS, the Kentucky Revised Statutes authorizes cities of the 6th class the power of annexation pursuant to KRS 81A.410;

NOW, THEREFORE, be it **Ordained** by the Board of Commissioners of the City of Booneville, Kentucky:

Section I. Title

- A. This ordinance shall be known as cited as the City of Booneville Annexation Ordinance.

Section II. Purpose and Authority

- A. The purpose of this ordinance is to provide a method of allowing for growth and annexation of property for the benefit of the City of Booneville and the residents residing therein.
- B. This annexation ordinance is enacted under the power vested in the Booneville Board of Commissioners by KRS 81A.410.

Section III. Definitions

- A. The purpose of this chapter is to define that the following words and phrases will have the following meanings.

Annexation – The act of joining, adding, or uniting property outside of, but contiguous to the boundaries of the City of Booneville for the purpose of combining these properties with and therefore extending the corporate city limits of Booneville, Kentucky.

Contiguous – Shall be any property in close proximity adjoining, in actual close contact or that shall be touching any point of the corporate city limits of Booneville, Kentucky either now or in the future.

Section IV. Description of Property to be Annexed.

**Legal Description
SAG HALLOW BOUNDARY**

Being a parcel of land situated in the State of Kentucky, County of Owsley, and being all of the lands of A.H & Cora Baker as recorded in Deed Book 10, Page 561, Deed Book 13 Page 177, Deed Book 14 Page 384, Deed Book 20 Page 106, Deed Book 22 Page 217 all references being to the Owsley County Clerk's Office, Owsley County, Kentucky, and being more particularly described as follows:

Beginning at the Grantor's southwesterly property corner, said point being in the center line of Buck Creek and being a corner to Lorin and Otis Frye Deed Book 19 Page 299;

Thence leaving Center Line of Buck Creek and following said Frye property line the following six courses:

- 1) South 52° 08' 40" West a distance of 22.31 feet to a point;
- 2) South 52° 08' 40" West a distance of 104.69 feet to triple Sycamore and 24" Hemlock Tree;
- 3) South 85° 50' 14" West a distance of 71.83 feet to a 32" Beech Tree;
- 4) South 29° 04' 14" West a distance of 49.23 feet to a the edge of a large Rock;
- 5) North 75° 05' 52" West a distance of 91.59 feet to a Triple Sycamore;
- 6) South 81° 42' 55" West a distance of 34.26 feet to a Fences Post in the center line of Buck Creek;

Thence with center line of Buck Creek and said Frye line the following five calls:

- 1) South 10° 56' 31" West a distance of 76.66 feet to a point;
- 2) South 28° 39' 48" West a distance of 36.44 feet to a Iron Wood Tree;
- 3) South 17° 29' 26" West a distance of 58.33 feet to a point;
- 4) South 06° 50' 55" West a distance of 113.74 feet to a point;
- 5) South 07° 27' 08" East a distance of 79.91 feet to a fence post;

Thence leaving centerline of Buck Creek and continuing with said Frye line the following three calls:

- 1) South 63° 33' 41" West a distance of 25.60 feet to a 12" Walnut Tree;
- 2) South 75° 39' 19" West a distance of 33.44 feet to a 14" Hickory Tree;

3) South 88° 02' 13" West a distance of 74.71 feet to the Right-of-way of Buck Creek Road;

Thence following the Right-of-Way of Buck Creek Road the following Five calls:

- 1) With a curve to the Right North 04° 06' 17" East a distance of 337.42 feet and a Radius of 1076.76 feet to a point;
- 2) With a curve to the Left N 02° 41' 52" West a distance of 229.36 feet and a Radius of 289.97 feet to a point;
- 3) North 32° 15' 28" West a distance of 169.13 feet to a point;
- 4) With a curve to the Left North 45° 16' 24" West a distance of 356.44 a Radius of 766.01 feet to a point;
- 5) With a curve to the Right North 36° 02' 35" West a distance of 99.76 feet a Radius of 155.96' to an Iron Pin set;

Thence leaving the Right-of-Way of Buck Creek Road and following the line of Wendell and Thelma Wilson Deed Book 62 Page 593 the following Twenty Seven calls:

- 1) North 84° 36' 40" East a distance of 65.81 feet to a 24" Hickory Tree;
- 2) North 66° 17' 24" East a distance of 88.59 feet to a 36" Stump;
- 3) North 65° 33' 26" East a distance of 56.47 feet to a 12" Water Birch Tree;
- 4) North 68° 02' 11" East a distance of 54.14 feet to a 12" Hemlock Tree;
- 5) North 61° 59' 40" East a distance of 47.59 feet to a 14" Buckeye Tree;
- 6) South 80° 40' 30" East a distance of 43.47 feet to a 36" Hemlock Tree;
- 7) South 58° 47' 28" East a distance of 50.11 feet to a 8" Maple Tree;
- 8) North 49° 45' 04" East a distance of 59.76 feet to a 8" Water Birch Tree;
- 9) North 43° 10' 45" East a distance of 72.26 feet to a Triple Sycamore Tree;
- 10) North 17° 23' 41" East a distance of 74.19 feet to a 36" Sycamore Tree;
- 11) North 18° 50' 34" East a distance of 77.58 feet to a 10" Buckeye Tree;
- 12) North 23° 35' 22" East a distance of 44.12 feet to a 20" White Oak Tree;
- 13) North 08° 10' 39" East a distance of 49.01 feet to a 12" Snag;

- 14) North 50° 29' 46" East a distance of 48.51 feet to a 18" Oak Tree;
- 15) North 15° 39' 15" West a distance of 56.63 feet to a 10" White Oak Tree;
- 16) North 14° 50' 16" East a distance of 21.63 feet to a 8" Black Oak Tree;
- 17) North 08° 07' 43" West a distance of 29.18 feet to a 10" White Oak Tree;
- 18) North 29° 09' 00" West a distance of 86.20 feet to a 6" Maple Tree;
- 19) North 00° 04' 04" West a distance of 58.86 feet to a Iron Pin at the base of 14" Oak Tree;
- 20) North 15° 27' 23" West a distance of 68.03 feet to a 22" White Oak Tree;
- 21) North 21° 21' 48" West a distance of 81.89 feet to a Iron Pin at the base of a 3" Hickory Tree;
- 22) North 29° 41' 32" West a distance of 109.38 feet to a 10" Hickory Tree;
- 23) North 30° 26' 27" West a distance of 33.35 feet to a Iron Pin at the base of a 6" Hickory Tree;
- 24) North 33° 59' 26" West a distance of 84.68 feet to a 8" White Oak Tree;
- 25) North 28° 42' 38" West a distance of 47.14 feet to a Iron Pin at the base of a 8" Yellow Pine;
- 26) North 32° 55' 01" West a distance of 132.51 feet to a 12" Yellow Pine Tree;
- 27) North 25° 32' 06" West a distance of 27.12 feet to a to an iron pin;

Thence leaving said Wilson line and following Timon & Virgie Hacker Deed Book 33 Page 43, The following Six calls:

- 1) North 51° 47' 45" East a distance of 81.55 feet to a 10" Maple Tree;
- 2) North 55° 13' 51" East a distance of 182.51 feet to a 18" White Oak Tree;
- 3) North 13° 07' 16" East a distance of 260.00 feet to a point;
- 4) North 18° 18' 57" East a distance of 331.35 feet to a point;
- 5) North 07° 45' 55" East a distance of 321.40 feet to a Dead Double Black Oak Tree;
- 6) North 13° 07' 14" West a distance of 115.08 feet to an Iron Pin at the base of a Dead Stump. And also being corner to John Gibson Heirs Deed Book 40 Page 90:

Thence leaving said Hacker line and with said Gibson Heirs line the following Twenty Eight calls:

- 1) North 46° 34' 09" East a distance of 37.03 feet to a Forked White Oak Tree;
- 2) North 42° 27' 57" East a distance of 52.08 feet to a 14" Chestnut Oak;
- 3) North 47° 11' 18" East a distance of 117.25 feet to a 15" Hickory Tree'
- 4) North 42° 28' 47" East a distance of 121.12 feet to a Iron Pin at the base of a 30" Chestnut Oak Tree;
- 5) North 08° 44' 24" East a distance of 33.63 feet to a 24" Double Black Oak Tree;
- 6) North 23° 07' 41" East a distance of 56.33 feet to a 30" Black Oak Tree;
- 7) North 21° 40' 44" East a distance of 42.18 feet to a Fence Post;
- 8) North 31° 48' 38" East a distance of 44.20 feet to a Iron Pin at the base of a 20" Pine Tree;
- 9) North 21° 24' 07" East a distance of 68.14 feet to a 12" Pine Tree;
- 10) North 26° 23' 51" East a distance of 47.45 feet to a point;
- 11) North 29° 42' 38" East a distance of 143.96 feet to an Iron Pin;
- 12) North 75° 40' 01" East a distance of 66.74 feet to a 10" Chestnut Oak Tree;
- 13) North 77° 03' 49" East a distance of 149.73 feet to a 5" Chestnut Oak Tree;
- 14) North 73° 20' 02" East a distance of 353.22 feet to a point;
- 15) North 66° 44' 12" East a distance of 87.46 feet to a 36" Forked Black Oak Tree;
- 16) North 78° 31' 28" East a distance of 66.12 feet to a Iron Pin at the base of a fence post;
- 17) North 65° 07' 07" East a distance of 130.74 feet to a Fence Post;
- 18) North 54° 00' 45" East a distance of 122.77 feet to a Iron Pin at the base of a 28" White Oak Tree;
- 19) North 15° 15' 01" East a distance of 60.05 feet to a 26" Black Oak Tree;
- 20) North 05° 45' 32" East a distance of 37.01 feet to a Iron Pin at the base of a Double Black Oak Tree;
- 21) North 04° 48' 58" East a distance of 75.29 feet to a 26" Black Oak Tree;
- 22) North 09° 51' 10" West a distance of 31.37 feet to a 24" Chestnut Oak Tree;
- 23) North 12° 13' 45" West a distance of 36.37 feet to a Iron Pin at the base of a Triple Maple Tree;

- 24) North 11° 20' 53" West a distance of 27.85 feet to a 12" Hickory Tree;
- 25) North 26° 43' 46" West a distance of 38.58 feet to a 26" White Oak Tree;
- 26) North 04° 14' 40" West a distance of 98.43 feet to a Iron Pin at the base of a 36" Black Oak Tree;
- 27) North 01° 19' 21" West a distance of 173.65 feet to a 14" Chestnut Oak Tree;
- 28) North 07° 15' 03" East a distance of 86.98 feet to a Iron Pin at the base of a 26" Black Oak Tree, also being a common corner to Owsley County Fiscal Court (No Deed Reference Found)

Thence leaving said Gibson line and with the line of the Owsley County Fiscal Court Line the following Twelve calls:

- 1) North 57° 30' 41" East a distance of 41.92 feet to a 12" Hickory Tree;
- 2) North 65° 14' 35" East a distance of 58.35 feet to a 14" Black Oak Tree;
- 3) North 70° 51' 21" East a distance of 237.47 feet to a Iron Pin at the base of a 14" Hickory Tree;
- 4) North 84° 16' 19" East a distance of 189.85 feet to a 16" Poplar Tree;
- 5) North 79° 46' 54" East a distance of 101.63 feet to a Iron Pin at the base of a 10" Maple Tree;
- 6) North 77° 57' 03" East a distance of 105.08 feet to a 26" Black Oak Tree;
- 7) North 74° 47' 18" East a distance of 46.53 feet to a Double Poplar Tree;
- 8) North 59° 36' 20" East a distance of 111.81 feet to a Iron Pin at the base of a 24" Beech Tree;
- 9) North 52° 25' 55" East a distance of 58.51 feet to a 4" Black Oak Tree;
- 10) North 40° 48' 27" East a distance of 87.90 feet to a Iron Pin at the base of a 18" White Oak Tree;
- 11) North 75° 56' 49" East a distance of 185.08 feet to a 14" Black Oak Tree;
- 12) North 68° 47' 56" East a distance of 169.04 feet to an iron pin and common corner to George McIntosh Deed Book 24 Page 407;

Thence leaving Owsley County Fiscal Court Line and with said McIntosh line the following Four calls:

- 1) South 66° 26' 33" East a distance of 110.91 feet to a 10" Pine Tree;
- 2) South 44° 49' 09" East a distance of 111.32 feet to a 16" Double Birch Tree
- 3) South 40° 44' 39" East a distance of 221.66 feet to a 18" Forked Box Elder Tree;

- 4) South $28^{\circ} 48' 24''$ East a distance of 137.59 feet to a Iron Pin at the base of a 4" Locust Tree, and common corner to Ova and Peggy Cornett Deed Book 40 Page 627.

Thence leaving said McIntosh line and with the Cornett line the following Three calls:

- 1) South $36^{\circ} 03' 22''$ East a distance of 229.39 feet to a Iron Pin at the base of a 4" Maple Tree;
- 2) South $45^{\circ} 59' 48''$ East a distance of 135.91 feet to a Iron Pin at the base of a 12" Pine Tree;
- 3) South $07^{\circ} 14' 47''$ East a distance of 180.68 feet to a Iron Pin in a fence line, and being a common corner to Elbert and Clara Mcdaniels Deed Book 23 Page 623:

Thence leaving the McIntosh line and with the McDaniel's line the following Seven calls:

- 1) South $61^{\circ} 53' 40''$ West a distance of 38.50 feet to a 12" White Oak Tree;
- 2) South $60^{\circ} 37' 42''$ West a distance of 110.39 feet to a 14" Black Oak Tree;
- 3) South $55^{\circ} 47' 28''$ West a distance of 150.06 feet to a 14" Pine Tree;
- 4) South $52^{\circ} 20' 14''$ West a distance of 99.26 feet to a 14" White Oak Tree;
- 5) South $51^{\circ} 17' 44''$ West a distance of 127.21 feet to a 16" Walnut Tree;
- 6) South $69^{\circ} 06' 26''$ West a distance of 57.88 feet to a 26" White Oak Tree;
- 7) South $45^{\circ} 50' 08''$ West a distance of 76.09 feet to a 30" Beech Tree, and being a common corner to the Ida Dean Heirs Deed book 60 Page 480;

Thence leaving McDaniel's line and with the Dean Heirs the following Eight calls:

- 1) South $65^{\circ} 05' 43''$ West a distance of 82.87 feet to a 14" White Oak Tree;
- 2) South $55^{\circ} 37' 20''$ West a distance of 61.41 feet to a 10" Black Oak Tree;
- 3) South $56^{\circ} 24' 59''$ West a distance of 85.06 feet to a Iron Pin at the base of a 16" Maple Tree;
- 4) South $37^{\circ} 48' 15''$ West a distance of 82.99 feet to a 10" Hickory Tree;
- 5) South $39^{\circ} 38' 04''$ West a distance of 77.18 feet to a Iron Pin at the base of a 18" White Oak Tree;
- 6) South $29^{\circ} 42' 44''$ West a distance of 264.59 feet to a 16" White Oak Tree;
- 7) South $26^{\circ} 33' 16''$ West a distance of 57.47 feet to a 12" Birch Tree;

- 8) South 27° 31' 45" West a distance of 96.29 feet to a Iron Pin at the base of a 30" White Oak Tree, being a common corner to Mary Dean Deed Book 31 Page 669;

Thence leaving said Dean Heirs and with Mary Dean the following Sixteen calls:

- 1) South 72° 53' 43" West a distance of 124.86 feet to a Iron Pin at the base of a 26" White Oak Tree;
- 2) South 77° 05' 38" West a distance of 414.29 feet to a T-Post;
- 3) South 00° 57' 25" West a distance of 206.19 feet to a T-Post;
- 4) South 40° 29' 31" West a distance of 280.93 feet to a T-Post;
- 5) South 28° 19' 45" West a distance of 159.93 feet to a T-post;
- 6) South 57° 02' 47" East a distance of 321.71 feet to a Point;
- 7) South 80° 00' 21" East a distance of 221.37 feet to a Iron Pin at the base of a 10" Locust Tree;
- 8) North 59° 24' 50" East a distance of 225.40 feet to a 34" Black Oak Tree;
- 9) North 55° 14' 08" East a distance of 88.91 feet to a Point;
- 10) South 52° 56' 33" East a distance of 538.25 feet to a Iron Pin at the base of a Dead Stump;
- 11) North 14° 27' 32" West a distance of 70.15 feet to a Forked White Oak Tree;
- 12) North 01° 20' 44" East a distance of 74.79 feet to a 36" White Oak Tree;
- 13) North 02° 17' 18" East a distance of 197.68 feet to a 34" White Oak Tree;
- 14) North 02° 53' 42" West a distance of 173.09 feet to a 28" White Oak Tree;
- 15) North 18° 24' 19" East a distance of 19.36 feet to a Fence Post;
- 16) South 86° 56' 10" East a distance of 82.49 feet Crossing Dean Road to a point, being common corner to Larry Mason C/O Geneva Mason Deed Book 59 Page 186:

Thence Leaving said Dean Line with the Right-of-Way of Buck Creek Road and Mason North 60° 59' 24" East a distance of 220.28 feet to a point in the center of Buck Creek :

Thence with the center of Buck Creek the following Thirty Five calls:

- 1) South 14° 29' 00" East a distance of 185.82 feet to a point;

- 2) South 29° 16' 33" East a distance of 262.44 feet to a point;
- 3) South 28° 08' 36" East a distance of 145.71 feet to a point;
- 4) South 22° 35' 56" East a distance of 128.87 feet to a point;
- 5) South 03° 08' 36" West a distance of 54.87 feet to a point;
- 6) South 09° 10' 25" West a distance of 43.20 feet to a point;
- 7) South 19° 53' 31" West a distance of 119.80 feet to a point;
- 8) South 26° 10' 28" West a distance of 138.90 feet to a point;
- 9) South 28° 52' 59" West a distance of 181.59 feet to a point;
- 10) South 47° 00' 35" West a distance of 193.57 feet to a point ;
- 11) South 24° 17' 27" West a distance of 132.39 feet to point;
- 12) South 47° 30' 45" West a distance of 133.53 feet to a point;
- 13) South 61° 38' 17" West a distance of 213.74 feet to a point;
- 14) North 89° 54' 04" West a distance of 197.56 feet to a point;
- 15) South 70° 08' 17" West a distance of 233.51 feet to a point;
- 16) South 66° 11' 18" West a distance of 153.82 feet to a point;
- 17) South 62° 24' 26" West a distance of 147.96 feet to a point;
- 18) South 55° 56' 20" West a distance of 105.08 feet to a point;
- 19) South 52° 46' 54" West a distance of 118.62 feet to a point;
- 20) South 62° 06' 30" West a distance of 262.96 feet to a point;
- 21) South 74° 38' 54" West a distance of 251.38 feet to a point;
- 22) South 40° 34' 02" West a distance of 109.63 feet to a point;
- 23) South 39° 13' 49" West a distance of 52.20 feet to a point;
- 24) South 31° 57' 16" West a distance of 199.64 feet to a point;

- 25) South 31° 37' 15" West a distance of 93.08 feet to a point;
- 26) South 48° 40' 59" West a distance of 72.06 feet to a point;
- 27) South 63° 37' 33" West a distance of 180.91 feet to a point;
- 28) South 70° 12' 11" West a distance of 136.63 feet to a point;
- 29) South 77° 43' 41" West a distance of 61.42 feet to a point;
- 30) South 69° 59' 33" West a distance of 86.40 feet to a point;
- 31) South 57° 28' 33" West a distance of 53.57 feet to a point;
- 32) South 53° 39' 59" West a distance of 28.15 feet to a point;
- 33) North 70° 22' 06" West a distance of 64.16 feet to a point;
- 34) North 31° 00' 14" West a distance of 29.69 feet to a point;
- 35) North 12° 34' 39" West a distance of 32.36 feet to the point of beginning.

The above described parcel contains 229.47 Acres. This Legal description prepared by CMW Inc. Was based on a plat prepared by Alchemy Engineering Associates, Inc. It was prepared for The City of Booneville. Subject to all legal easements, rights of way, and use restrictions of record.

Section V. Declaration of Intent and Desirability of Annexation

It shall be the intent of the City of Booneville and its commissioners to annex the above-described property based on the following considerations:

- A. To best serve the Citizens of Booneville, Kentucky and those citizens in the areas of the purposed annexation.
- B. To bring property of an urban nature into the city limits of Booneville that is currently owned by the City of Booneville or is directly effected by the City of Booneville.

- C. To annex only properties currently contiguous to the corporate city limits of Booneville and to which the City of Booneville is currently providing services.
- D. To establish a pattern of growth and sustain the citizenship for the City of Booneville.

Section VI. Notification

- A. Pursuant to KRS 81A.425 notification shall be sent to all owners of property within the purposed area of annexation, not less than 14 days prior to the meeting at which the annexation ordinance is to receive its final reading.

Section VII. Right to Remonstrate

- A. Residents of the area being annexed have the right to remonstrate (make a formal protest against the annexation) within 60 days. Within 60 days of the publication of the first ordinance, residents of the area to be annexed may file with the mayor a petition remonstrating against the annexation effort. To be adequate, the petition shall contain the names of 50% of the resident voters or owners of real property.
- B. If a sufficient petition is received, the question of annexation shall be put to a vote by the residents of the area to be annexed, at the next regular election if the petition is presented to the county and certified as sufficient by the second Tuesday in August proceeding at the regular election. Regular election is defined by KRS 446.010(28) to mean the November election, and not a primary election. The question on the ballot shall read: ARE YOU IN FAVOR OF BEING ANNEXED TO THE CITY OF BOONEVILLE?

Section VIII. Election

- A. The annexation effort shall be voided if 55% or more of those voting oppose annexation. If less than that percentage, the area shall become part of the city.
- B. If the residents fail to vote down the annexation, or if no petition is received during the 60-day period described in section VII, the council may enact the "second ordinance", formally annexing the territory into the city.

Section IX. Severability

If any provision of this Ordinance is deemed by a Court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.

Section X. Conflicting Ordinances Repealed

All other Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

Section XI. Effective Date

This ordinance shall take full force and effect immediately upon publication and the above mentioned time and requirements are met as required by KRS 67.855, KRS 424.130 and KRS 424.140.

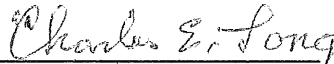
Given the First Reading on the 14th day of October 2009.

Given the Second Reading on the 11th day of November 2009.

Given the Final Passage on 14th of April 2010



**Ronnie Callahan, Jr., City Clerk
Administrator**



**Charles E. Long, Chairman
Mayor**

CITY CLERK CERTIFICATION

I, the undersigned, being duly appointed, qualified and acting as the City Clerk of the City of Booneville, Kentucky, hereby certify that the foregoing Ordinance No. 10142009 is a true, correct and complete copy as duly and lawfully passed and adopted by the Booneville City Council at a duly convened board of Commissioners regular monthly meeting held on the 14th day of April, 2010 all as appears in the official records of said City.

Witness, my hand and (Notary Seal), this 16th day of August, 2016.

Tamara Shouse
Tamara Shouse, City Clerk

Seal (Notarial or City Seal)