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DATE May 16, 2002

CITY OF KUTTAWA, KENTUCKY
ORDINANCE

JOHN Y. BROOKS, JR.
SECRETARY OF THE
CITY OF KUTTAWA, KENTUCKY

BY K. Adkins

AN ORDINANCE PROPOSING TO ANNEX TO THE CITY OF KUTTAWA, KENTUCKY, THAT CERTAIN UNINCORPORATED TERRITORY, AREA OR BOUNDARY OF LAND IN LYON COUNTY, KENTUCKY, WHICH ADJOINS AND IS ADJACENT TO AND LIES NORTH OF SAID CITY, AND TO EXTEND THE BOUNDARY LINES AND CORPORATE LIMITS OF SAID CITY SO AS TO INCLUDE SAID TERRITORY (LAND), WHICH IS MORE PARTICULARLY DESCRIBED HEREIN.

THE CITY COUNCIL OF THE CITY OF KUTTAWA DOES ORDAIN AS FOLLOWS:

SECTION 1. Due to the construction of Barkley Dam and the creation and forming of Barkley Lake and the expected future growth and development of the City of Kuttawa as a result thereof, etc., it is deemed desirable, and it is hereby proposed, to annex to the City of Kuttawa, and to extend the corporate boundaries of the City of Kuttawa to include that certain unincorporated territory, area or boundary of land in Lyon County, Kentucky, which adjoins and is adjacent to and lies north of said City and is more particularly bounded and described as follows:

Beginning at an iron pipe in the western right of way line of Highway U.S. ~~641~~ 641, also the boundary line of Vista Ridge Park; running thence in an easterly direction crossing said Highway at right angles to a corner fence post, corner of the lands now or formerly owned by J. Philip Glenn and Ruth M. Glenn in the northern right of way line of a road which was formerly the old Eddyville and Dycusburg road and also in the eastern boundary line of said Highway; running thence counter clock wise with the boundary lines of said lands now or formerly owned by said J. Philip Glenn and Ruth M. Glenn and known as the Kuttawa Mineral Springs tract to the junction of said boundary line with the boundary line of the tract of land conveyed to Samuel Glenn by E. D. Marshall and others by deed dated June 11, 1919 and recorded deed book 29, page 400, office County Clerk of Lyon County, Kentucky, and now or formerly owned by J. Philip Glenn; thence running counter clockwise with the boundary lines of and so as to include said Marshall, etc., tract of land to its junction with the boundary line

way to its junction with the boundary line of Vista Ridge Park; thence running counter clockwise with said western right of way line of said Highway, which is also the boundary line of Vista Ridge Park, to the beginning. Said boundary includes the Kuttawa Mineral Springs tract of land containing 165.63 acres, more or less, described in deed from Kuttawa Mineral Springs Company, Incorporated, to J. Philip Glenn and Ruth M. Glenn dated December 29, 1952 and recorded deed book 44, page 73, office County Clerk of Lyon County, Kentucky, and the tract of land containing 53.69 acres, more or less, described in deed from E. D. Marshall and others to Samuel Glenn hereinabove referred to.

There are specifically excepted and excluded from the foregoing boundary and not included in said lands proposed to be annexed the following described two tracts or parcels of land, to wit:

(a) A small parcel of land conveyed by J. Philip Glenn and wife to J. A. Morris by deed dated *October... 15, 1954* and recorded deed book *44*, page *44.5*, same office, it being all that part of said E. D. Marshall, etc., tract which lies east or southeast of Highway U.S. 641; and

(b) So much of said land as the City of Eddyville has an easement or easements or rights to use and occupy for the purpose of obtaining water for its municipal water system, including construction, reconstruction, maintenance, repairing, etc., ^{of} an intake and source of supply at and adjacent to the Kuttawa Mineral Springs Swimming Pool, a filtration plant, pipe lines, rights of way for access, etc., said land subject to said easement or easements and rights being shown on maps or plats prepared by the Corps of Engineers, U. S. Army.

SECTION 2. No daily or weekly newspaper being published in the City of Kuttawa the City Clerk is hereby directed to have this ordinance published in four ~~weekly~~ consecutive weekly issues of the Lyon County Herald, which paper is published weekly in Eddyville, Lyon County, Kentucky, and it being the only newspaper published in Lyon County, and having the largest circulation therein; and said City Clerk will

Attest: *Philip D. Smith*
City Clerk

Philip Tem
Mayor Pro Tem

The foregoing ordinance was introduced and read at ~~8:30 p.m.~~
an adjourned continuation of the regular June meeting of the City
Council of the City of Kuttawa, Kentucky, held Monday night, June
20, 1960, and was again read and duly adopted by said City Council,
approved and signed by the Mayor Pro Tem and attested by the City
Clerk at an adjourned continuation of said regular June meeting
held *Monday*..... night, June *27* 1960.

Philip D. Smith
City Clerk

Within thirty days after enactment of the foregoing ordinance
one or more residents or freeholders of the territory proposed to be
annexed may file a petition in the Circuit Court of Lyon County set-
ting forth the reasons why the territory or any part of it should
not be annexed, or why the limits should not be reduced.

CITY OF KUTTAWA, KENTUCKY

ORDINANCE

AN ORDINANCE ANNEXING TO THE CITY OF KUTTAWA THE TERRITORY FULLY BOUNDED AND DESCRIBED IN ORDINANCE PROPOSING TO ANNEX SAME INTRODUCED AND READ JUNE 20, 1960 AND AGAIN READ AND ADOPTED JUNE 27, 1960.

Whereas, at a regular (continuation) meeting of the City Council of the City of Kuttawa, Kentucky, held June 20, 1960 an ordinance proposing to annex to the City of Kuttawa, Kentucky, certain unincorporated territory which adjoins and is adjacent to and lies north of said City was introduced and given its first reading;

And whereas, at a regular (continuation) meeting of said City Council held on June 27, 1960 said ordinance proposing to annex said territory was given its second reading and was duly passed and adopted by said City Council;

And whereas said ordinance was duly published in four consecutive weekly issues of the Lyon County Herald, viz, on June 30 and July 7, 14 and 21, 1960, and copies of said ordinance were posted for more than ten days in ^{four} five of the most public places in said City;

And whereas no petition protesting or objecting to said proposed annexation of said territory proposed to be annexed was filed by a resident or freeholder of said territory proposed to be annexed in the Lyon Circuit Court within thirty days after the adoption of said ordinance, none of the plaintiffs named in Civil Action No. 221 styled City of Eddyville, Kentucky, James W. Riley and J. I. Moore, Plaintiffs, vs. City of Kuttawa, Kentucky, et al, Defendants, filed in the Lyon Circuit Court July 23, 1960 being a resident or freeholder of said territory proposed to be annexed:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KUTTAWA DOES ORDAIN AS FOLLOWS:

SECTION 1. That certain unincorporated territory which adjoins and is adjacent to and lies north of said City, which said territory was and is fully bounded and described in said ordinance proposing to annex same, and which boundary and description including exceptions is made a part hereof as fully as and to have the same effect as if copied herein, be and same is now and hereby annexed to said City of Kuttawa, and the

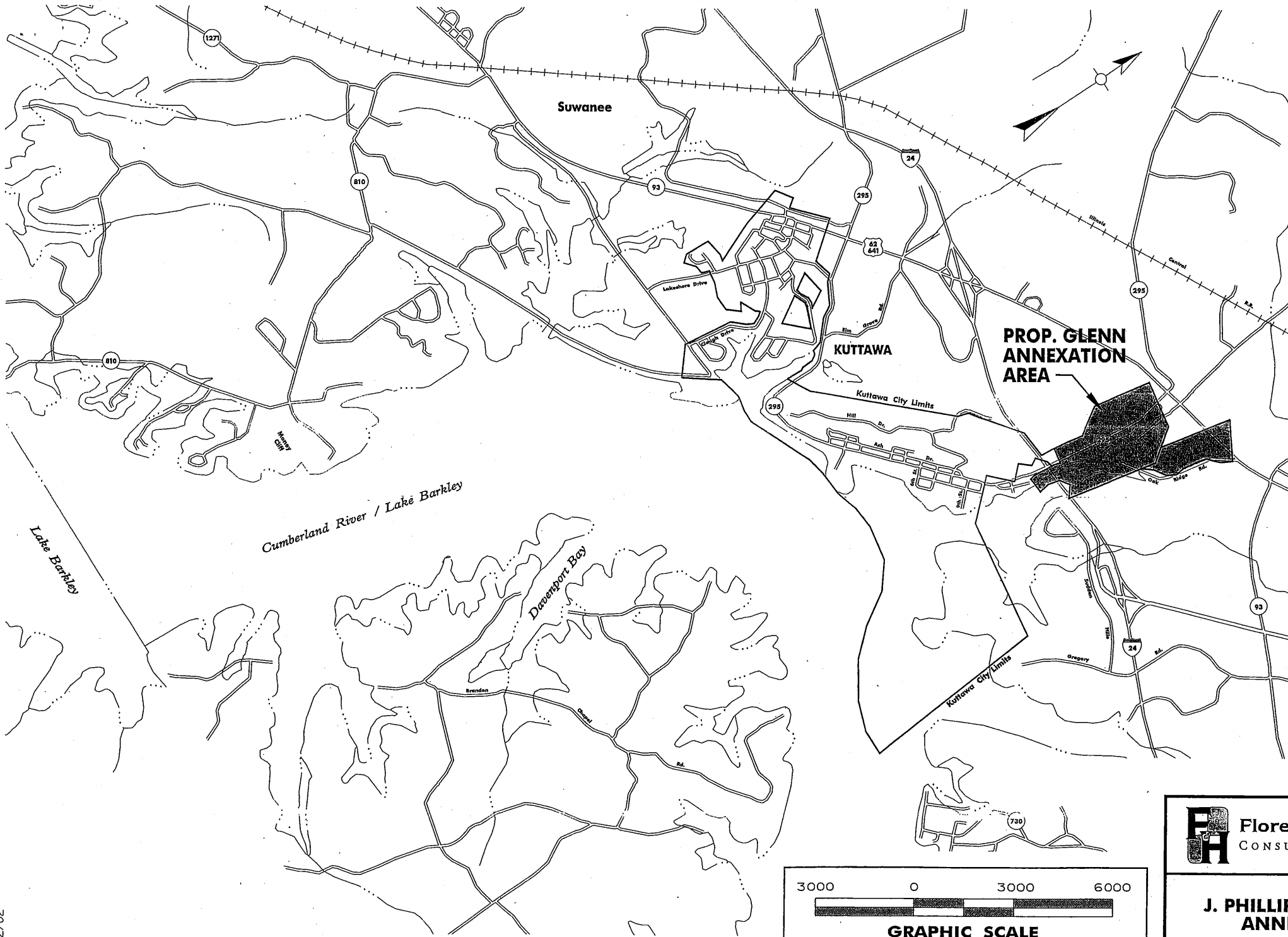
SECTION 2. This ordinance shall be published in one weekly issue of the Lyon County Herald and copies of same shall be posted in four public places in said City.

Philip D. Smith
.....
Mayor Pro Tem.

Attest:
Philip D. Smith
.....
City Clerk

The foregoing ordinance was duly adopted by the City Council of the City of Kuttawa, Kentucky, at a continuation regular meeting held July 28, 1960.

Philip D. Smith
.....
City Clerk



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03/12/02



J. PHILLIP ANN
for the