

DATE August 21, 2002

City of Kuttawa
Ordinance No. 02-05-06-1

ORDINANCE OF ANNEXATION

JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY

BY K. Adkins

WHEREAS, there has been a continual development of property in Kuttawa, Lyon County, Kentucky; and

WHEREAS, it is desirable and necessary for the consistent well-ordered growth of the City of Kuttawa, Kentucky, that the following described property be annexed and brought into the City of Kuttawa, to-wit:

A tract or parcel of land lying and being in Lyon County, Kentucky, 2± miles westerly from Kuttawa, Kentucky, in the community of Suwanee, Kentucky, lying on the south side of U.S. Highway 62 and 641, containing the Cumberland House Restaurant, and better described as follows:

Beginning at the northwest corner of 5/8-inch iron pin (found) 50 feet south of center U.S. Highway 62 and 641 and being the northeast corner the original Tackle Box property; thence, from said point of beginning and with the south line of U.S. 62 and 641, N-81-55-00-E 159.25 feet to an existing 5/8 inch iron pin with a steel plate tablet marked LS 2091 (found) 50 feet south of center and being the northwest corner of the Zara property - now or originally Sid's Motel, Deed Book 106, Page 463; thence with the Zara's west line and passing 0.91 feet on the west side of a well, S-6-10-50-E 135.00 feet to a 5/8 inch iron pin (set) in the line of Tract I - 0.5 ± feet under the surface; thence with the north line of Tract I, S 80-59-52-W 155.32 feet to a 5/8-inch iron pin (set) by a disturbed steel fence post - the southeast corner the Tackle Box property; thence with the Tackle Box's east line N-7-51-48-W 137.42 feet to the point of beginning - being all of Tract II and containing 0.4916 acre.

Except and reserved is a 20 foot easement for egress and ingress to Tract 1 - lying on the west side of the above described property, the description of which is set forth in the present owner's deed, which is recorded in Deed Book 114, page 578, Lyon County Court Clerk's Office; and, which is fully incorporated herein.

This is the same property conveyed to James K. Emily, by deed from Patsy Smith and husband, Paul H. Smith, dated January 17, 1997 and recorded in Deed Book 114, page 578, Lyon County Court Clerk's Office.

WHEREAS, said property was contiguous to the city's boundaries at the time this proceeding was begun; and,

WHEREAS, by reason of its commercial use said property is urban in character; and,

WHEREAS, each of the owners of record of said land have given prior consent in writing to the annexation of said property,

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED in accordance to KRS 81A.412 that the hereinabove described property is hereby annexed by the City of Kuttawa, Kentucky.

This ordinance shall become effective upon the publication and passage in accordance to law.

1st Reading 5/6/02

2nd Reading 6/10/02

Consideration 6/10/02

Passage 6/10/02

Publication 6/19/02

Lee A. McCollum
Lee A. McCollum, Mayor
City of Kuttawa, Kentucky

ATTEST:

Steven C. Long
Steven C. Long, City Clerk
City of Kuttawa, Kentucky

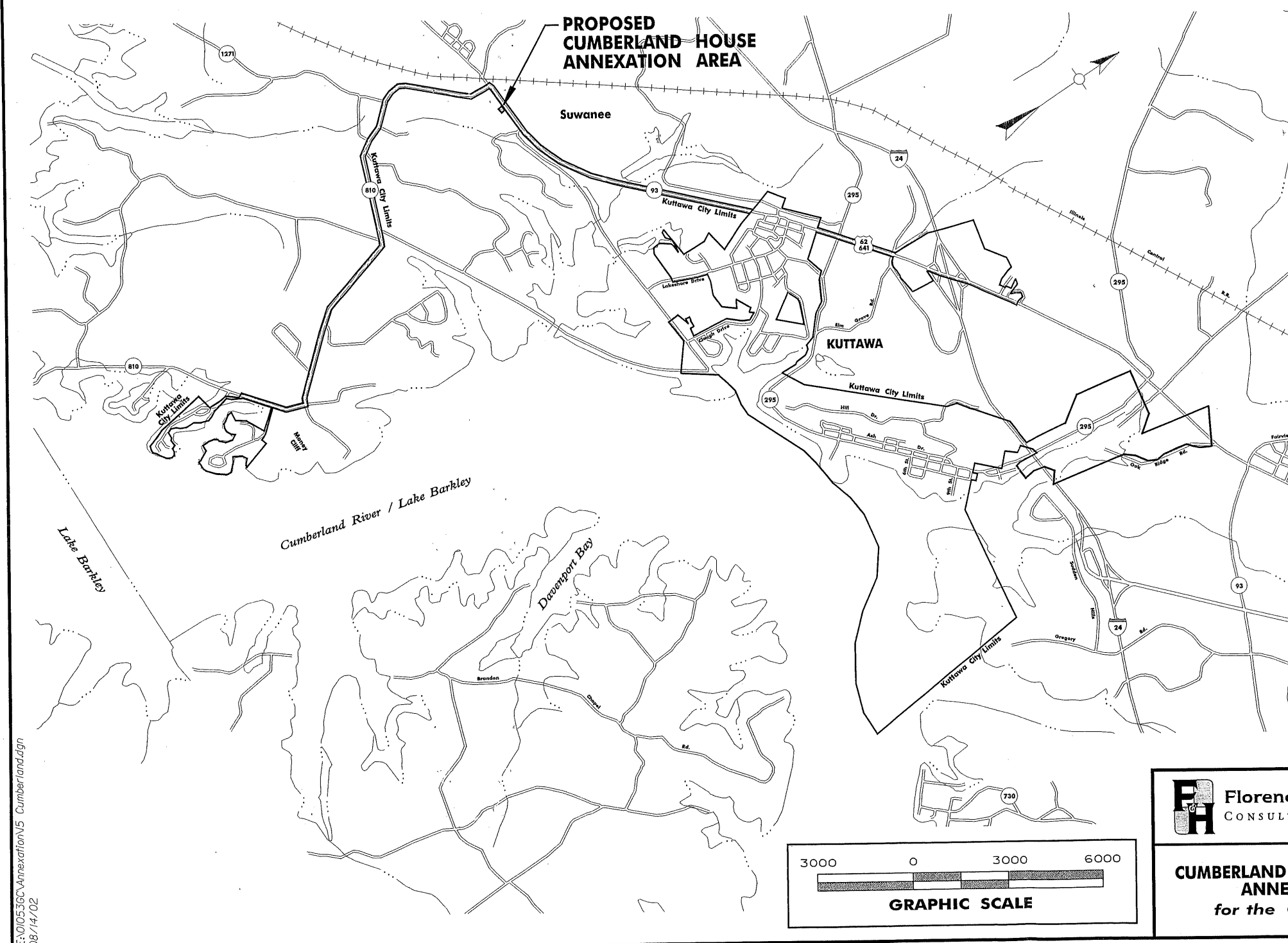
STATE OF KENTUCKY, COUNTY OF LYON

I, SARAH DEFEW, Clerk of Lyon County do certify that the foregoing instrument was on the day 8 of Aug 2002 at 1:30 M. lodged in my office for record, and that it has been duly recorded in my said office together with this and the certificate thereon endorsed. Given under my hand this 8 day of Aug 2002.

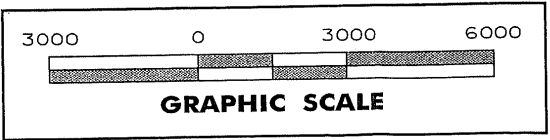
SARAH DeFEW, Lyon Co. Clerk By [Signature] D.C.

misc BK 18 p. 240

**PROPOSED
CUMBERLAND HOUSE
ANNEXATION AREA**



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08/14/02



FH Florenc
CONSULT
**CUMBERLAND
ANNEXATION**
for the C