

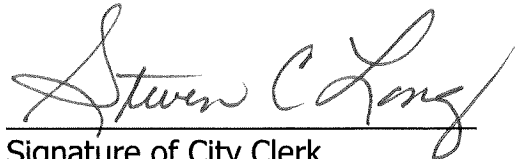
City of Kuttawa

P.O. Box 400
Kuttawa, Kentucky 42055
270-388-7151

CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Kuttawa, Kentucky and the foregoing 4 pages of Ordinance No. 10-01-11-01 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on February 8, 2010, all as appears in the official records of said City:

WITNESS, my hand and (Seal or the Seal of said City), this 11th day of March, 2010.



Signature of City Clerk

Seal(Notarial or City Seal)

RECEIVED AND FILED
DATE March 16, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkins

City of Kuttawa
Ordinance No. 10-01-11-01

ORDINANCE OF ANNEXATION
(Amending Ordinance 08-06-09-03)

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:

~~Being a tract of land lying between Old Kuttawa and New Kuttawa on the northeast side of Hwy. 295 in Lyon County, Kentucky, more particularly described as beginning at 1/2" rebar (set) in the Corps of Engineers line on the northeast side of Hwy. 295 approximately 567 feet southeast of the centerline intersection of Hwy. 295 and Elm Grove Church Road, the southeast corner of the property herein described; thence with the Corps of Engineers line marked by existing Corps pins as follows: North 46 degrees 44 minutes 00 seconds West 184.87 feet; North 43 degrees 10 minutes 12 seconds East 20.00 feet; North 46 degrees 00 minutes 27 seconds West 126.54 feet; North 25 degrees 14 minutes 12 seconds West 116.95 feet; North 02 degrees 18 minutes 41 seconds West 223.14 feet; North 17 degrees 05 minutes 31 seconds East 208.83 feet to an existing Corps of Engineers concrete marker, corner to Campbell and Calhoun; thence South 28 degrees 41 minutes 17 seconds east 739.81 feet to an existing Corps of Engineers concrete marker (disturbed), corner to Campbell and Calhoun; thence South 53 degrees 18 minutes 43 seconds West 181.67 feet to the point of beginning and containing 3.32 acres.~~

~~A portion of the above property (1.02 acres) is presently owned by John Bebout and Linda Bebout, his wife, (Deed Book 139, Page 160) Lyon County Court Clerk's Office, dated November 28, 2005, and a portion of the above property (2.30 acres) is owned by David H. Meyers, a single person, (Deed Book 112, Page 56), Lyon County Court Clerk's Office, dated December 26, 1995.~~

~~**ALSO**, a portion of Kentucky Highway 295 in Lyon County, Kentucky, beginning at mile point 0.575 (Elm Grove Road) to mile point 0.822.~~

PARCEL I

A parcel of land bounded on the west by Highway 295 and the Army Corp of Engineers, bounded on the north by Elm Grove Church Road and bounded on the east and south by Charles and Pamela Morris and being located in Lyon County, Kentucky and being more particularly described as follows:

Commencing at the intersection of Elm Grove Church Road and Kentucky Highway 295 (a 60' right of way), said point having Kentucky State Plane Coordinates as follows: Northing 1914317.67, Easting 947598.39 (Kentucky South Zone, NAD83); Thence with the centerline of Elm Grove Church Road, N 40°54'51" E a distance of 30.40 feet to a point; Thence, with the easterly right of way line of Highway 295, S 46°32'48" E a distance of 404.80 feet to an Army Corp of Engineers T-Bar, said point being the true **Point of Beginning** of the herein described parcel, said point having Kentucky State Plane Coordinates as follows: Northing 1914062.24, Easting 947912.16 (Kentucky South Zone, NAD83); Thence, from said **Point of Beginning** and with lines of the Army Corp of Engineers, the following five (5) courses: (1) Thence, N 42°50'45" E a distance of 19.98 feet to a Army Corp of Engineers T-Bar; (2) Thence, N 46°13'27" W a distance of 126.54 feet to a Army Corp of Engineers T-Bar; (3) Thence, N 25°27'12" W a distance of 116.95 feet to a Army Corp of Engineers T-Bar; (4) Thence, N 02°29'13" W a distance of 223.09 feet to a Army Corp of Engineers T-Bar; (5) Thence, N 16°51'36" E a distance of 208.83 feet to a Army Corp of Engineers concrete monument, said point also being a common corner to Charles and Pamela Morris, as described in deed book 124, page 449; Thence, with the lines of Morris, S 28°54'17" E a distance of 739.81 feet to a point; Thence, S 53°07'27" W a distance of 181.74 feet to a ½" iron rod and cap stamped "RL GRAY LS 2932, said point being on the easterly right of way line of Highway 295; Thence, with said right of way, N 46°56'43" W a distance of 184.83 feet back to the **Point of Beginning** of the herein described tract.

The above described parcel contains 3.32 acres more or less as surveyed under the supervision of Jacob C. Selph, Kentucky Professional Land Surveyor No. 3810, of Four Rivers Engineering & Surveying on December 23rd, 2009.

Source of Title. Being all of the property presently owned by John and Linda DeBout (1.02 acres ±), as described in deed book 139, page 160 of the records of the Lyon County Court Clerk's Office, by deed dated November 28, 2005 AND ALL OF the property owned by David H Meyers (2.30 acres ±), as described in deed book 112, page 56 of the Lyon County Court Clerk's Office, by deed dated December 26, 1995.

All bearings referred to are based on Global Positioning Systems (GPS), Kentucky South Zone, NAD83, as observed on December 23rd, 2009. Differences in the bearings cited in the above description and those called for in the original deed are due to variations in the amount of magnetic declination present at the time of the survey. All iron pins referred to as set in the above description are 24" long ½" ribbed steel rebar with a 1" plastic cap marked "FRES LS 3810".

PARCEL II

A parcel of land being 60' in width, beginning at the intersection of Elm Grove Church Road and Kentucky Highway 295 at mile marker 0.575 ± and continuing in a southerly direction along Highway 295 to mile marker 0.822 (approximately

1.304 feet) and being located in Lyon County, Kentucky and being more particularly described as follows:

Beginning at the intersection of Elm Grove Church Road and Kentucky Highway 295 (a 60' right of way), said point having Kentucky State Plane Coordinates as follows: Northing 1914317.67, Easting 947598.39 (Kentucky South Zone, NAD83); Thence with the centerline of Elm Grove Church Road, N 40°54'51" E a distance of 30.40 feet to a point; Thence, with the easterly right of way line of Highway 295 the following four (4) courses: (1) Thence, S 46°32'48" E a distance of 404.80 feet to an Army Corp of Engineers T-Bar; (2) Thence, S 46°56'43" E a distance of 184.83 feet to a found ½" iron rod and cap stamped "RL GRAY LS 2932"; (3) Thence, with a curve turning to the right, said curve having an arc length of 173.89 feet, having a radius of 1073.89 feet, a chord bearing of S 40°40'54" E and a chord distance of 173.70 feet to a point; (4) Thence, with a curve turning to the right, said curve having an arc length of 563.63 feet, having a radius of 991.26 feet, a chord bearing of S 19°27'49" E and a chord distance of 556.07 feet to a point on said easterly right of way at approximate mile marker 0.822; Thence, crossing said right of way, S 86°49'32" W a distance of 60.00 feet to a point on the westerly right of way line of Kentucky Highway 295; Thence with the westerly right of way of said road, the following four (4) courses: (1) Thence, with a curve turning to the left, said curve having an arc length of 529.36 feet, having a radius of 931.26 feet, a chord bearing of N 19°27'32" W and a chord distance of 522.26 feet to a point; (2) Thence, with a curve turning to the left, said curve having an arc length of 162.32 feet, having a radius of 1017.90 feet, a chord bearing of N 40°37'44" W and a chord distance of 162.15 feet to a point; (3) Thence, N 46°56'43" W a distance of 184.83 feet to a point; (4) Thence, N 46°32'48" W a distance of 396.94 feet to a found ½" iron rod with no identification, said point being the southeasterly corner of Laverne Sinex and Daniel Jackson, Trustees, as described in deed book 131, page 584; Thence, N 30°16'56" E a distance of 30.43 feet back to the **Point of Beginning** of the herein described tract.

The above described parcel contains 1.79 acres more or less as surveyed under the supervision of Jacob C. Selph, Kentucky Professional Land Surveyor No. 3810, of Four Rivers Engineering & Surveying on December 23rd, 2009.

Source of Title. The above described property is a portion of the property owned by the Commonwealth of Kentucky and being a portion of the right of way for Kentucky Highway 295.

All bearings referred to are based on Global Positioning Systems (GPS), Kentucky South Zone, NAD83, as observed on December 23rd, 2009. Differences in the bearings cited in the above description and those called for in the original deed are due to variations in the amount of magnetic declination present at the time of the survey. All iron pins referred to as set in the above description are 24" long ½" ribbed steel rebar with a 1" plastic cap marked "FRES LS 3810".

WHEREAS, said property sought to be annexed is contiguous to the City's boundaries and is urban in character by reason of its proximity to the area of the City of Kuttawa, Kentucky, with a graphical description of the above surveys attached hereto as Exhibit "A"; and

WHEREAS, the city council of the City of Kuttawa, Kentucky, has established the zoning of the property annexed herein as a R-1, Residential District, as set forth in Section 152.31 of the zoning ordinance of the City of Kuttawa, and

WHEREAS, the owners of record of said land have given prior written consent to the annexation of said property,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUTTAWA, KENTUCKY, in accordance with KRS 81A.410, 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: 1/11/2010

2nd Reading: 02/08/2010

Consideration: 02/08/2010

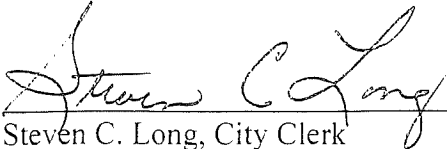
Passage: 02/08/2010

Publication: 02/17/2010



Lee A. McCollum, Mayor
City of Kuttawa, Kentucky

ATTEST:



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

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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