

Misc 21 pg 104

RESOLUTION
11-09-12-04
EXHIBIT A

City of Kuttawa
Ordinance No. 02-2-4-1
ORDINANCE OF ANNEXATION
and

ESTABLISHMENT OF ZONING CLASSIFICATION

RECEIVED AND FILED
DATE: February 21, 2012

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:

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY: *Handwritten Signature*

a. 43.141 acres, 31.8025 acres and 4.651 acres owned by T.I.C., Inc. as described in the attached Exhibit "A" consisting of six (6) pages and as shown on the attached plat;

b. That certain highway corridor along and including the now existing and future rights-of-way of U.S. Hwy. 62 extending from the present Kuttawa City limits to State Route 810 South, and including the now existing and future rights-of-way of State Route 810 South from its intersection with Highway 62, and extending to the subject property described in the attached Exhibit "A."

WHEREAS, the foregoing property is contiguous to the City of Kuttawa's boundaries and was so contiguous at the time this annexation proceeding was begun; and

WHEREAS, an ordinance stating the City of Kuttawa's intention to annex the foregoing property was passed on November 5, 2001 and published on December 5, 2001; and

WHEREAS, at least sixty (60) days have elapsed since said publication and no petition has been presented to the mayor of the City of Kuttawa in opposition to said annexation; and

WHEREAS, all other legal requirements have been met and all required notices have been given; and



STATE OF KENTUCKY, COUNTY OF LYON, SCT:

I Sarah DeFew, Lyon County Clerk, do certify that the foregoing record shows a true and correct copy of Ordinance as said record appears in this office in Misc Book 21 Pg 104 Given under my hand and seal of office this 23 day of August 2011, at Eddyville, Lyon County, Kentucky.

SARAH DEFEW, LYON COUNTY CLERK
BY: *Handwritten Signature* D.C.

WHEREAS, it appears in the best interest of the City of Kuttawa, Kentucky and in keeping with its overall planning scheme to add the aforementioned territory into its corporate limits;

NOW THEREFORE, BE IT ORDAINED that the hereinabove described unincorporated properties is annexed into the City of Kuttawa.

BE IT FURTHER ORDAINED that the Zoning Classification of said property shall be Planned Unit #1 as previously adopted by the Lyon County Planning Commission.

This ordinance shall become effective upon passage and publication.

1st Reading 02/04/02

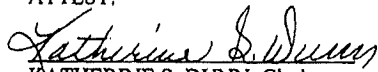
2nd Reading 03/04/02

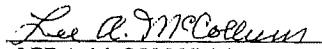
Consideration 03/04/02

Passage 03/04/02

Publication 03/20/02

ATTEST:


KATHERINE S. DUNN, Clerk
City of Kuttawa, Kentucky


LEE A. McCOLLUM, Mayor
City of Kuttawa, Kentucky

**Annexation Description
Tract I Moon Bay Harbor
Owned by Tarryon Inc.
D.B. 64, PG. 132
Revised November, 2001**

A certain tract of land contiguous to Lake Barkley (Ascending Left Bank Cumberland River M.P. 37.6) in Lyon County, Kentucky approximately 2.55 miles SE of the community of Suwanee, more particularly described as follows:

Beginning at an existing iron pin located at the intersection of the west line of a 40 feet wide access easement D.B. 47, PG. 552 and the south line of the Donald F. and Ruby R. Copple property D.B. 98, PG. 615, said point being located S 40°29'22" E, 791.22 feet from the intersection of said west line of access easement and the south right of way line of KY 810; thence, S 21° 40' 50" E, 206.23 feet to a point, thence N 68° 19' 10" E, 40.00 feet to an iron pin set this survey in the east line of said access easement and the west line of property owned by Jewell Devillez as recorded in D.B. 47, PG. 552 and D.B. 63, PG. 699; thence, along the said west line of the Devillez property S 21° 30' 13" E, 60.06 feet to an existing iron pin at the southwest corner of said Devillez property; thence, N 73° 50' 52" E, 179.85 feet along the said Devillez south line to an iron pin set this survey in the west line of the Raymond Lazaretti and Margaret Lazaretti property as described in D.B. 87, PG. 679; thence, S 15°54'59" E, 974.50 feet along the west line of the Lazaretti property to a concrete monument located in the eastern boundary line of the Barkley Lake property owned by the U.S. Govt. Dept. of the Army, as described on Barkley Lake Segment Map 4 on file with the U.S. Army Corps of Engineer Nashville District Engineer's office; thence along the eastern boundary of the said Barkley Lake property:

N 62°06'55" W, 112.97 feet to an existing iron pin;
N 47°23'45" W, 168.98 feet to an existing iron pin;
S 59°29'52" W, 176.09 feet to an existing iron pin;
S 30°12'46" W, 297.44 feet to an existing iron pin;
S 58°39'31" E, 163.83 feet to an existing iron pin;
S 44°00'24" E, 329.74 feet to an existing iron pin;
S 4°34'16" W, 146.42 feet to an existing iron pin;

thence, leaving the said boundary of Barkley Lake N 63° 31' 37" W, 187.65 feet to an iron pin set this survey in the interior right of way of the looped portion of Moon Bay Drive; thence, following the said interior right of way:

S 17° 16' 46" W, 55.07 feet to an iron pin set this survey;
S 38° 49' 02" W, 237.08 feet to an iron pin set this survey;
S 46° 09' 52" W, 121.49 feet to an iron pin set this survey;
S 53° 30' 42" W, 88.89 feet to an iron pin set this survey;
S 74° 12' 12" W, 84.80 feet to an iron pin set this survey;
N 65° 20' 53" W, 81.13 feet to an iron pin set this survey;
N 25° 32' 10" W, 82.30 feet to an iron pin set this survey;
N 3° 30' 29" E, 53.74 feet to a concrete monument set this survey;

thence N 83° 52' 31" W, 50.00 feet to a concrete monument set this survey in the exterior right of way of the looped portion of Moon Bay Drive; thence, S 69° 21' 37" W, 212.06 feet to a concrete monument set this survey in the Eastern boundary line of the Barkley Lake property owned by the U.S. Govt. Dept. of the Army; thence, with the said lake boundary:

N 26° 37' 53" W, 105.49 feet to an existing iron pin;
N 85° 47' 12" W, 190.98 feet to a point;
N 2° 13' 26" W, 223.23 feet to an existing iron pin;
N 13° 39' 07" E, 181.04 feet to an existing iron pin;
N 38° 57' 27" E, 106.12 feet to an existing iron pin;
N 72° 09' 16" E, 70.47 feet to an existing iron pin;
N 46° 53' 54" E, 206.06 feet to an existing iron pin;
N 13° 39' 39" E, 229.98 feet to an existing iron pin;
N 28° 47' 11" W, 189.25 feet to a point;
S 38° 49' 03" W, 131.63 feet to an existing iron pin;
S 64° 40' 58" W, 169.69 feet to an existing iron pin;
N 87° 38' 16" W, 115.05 feet to an existing iron pin;
N 65° 11' 50" W, 135.65 feet to an existing iron pin;
N 25° 27' 09" W, 88.68 feet; to an existing iron pin;
N 34° 41' 23" W, 227.26 feet to an existing iron pin;
N 4° 08' 59" W, 123.89 feet to an existing iron pin located in the south line of the Donald F. and Ruby Copple property D.B. 98, PG 615;

Thence, leaving the east boundary of Barkley Lake S 84° 58' 01" E, 289.01 feet along the Copple south line to an iron pin and cap set this survey; thence, N 35° 51' 52" E, 342.82 feet along the Copple south line to an iron pin and cap set this survey; thence, continuing along the Copple south line N 63° 32' 48" E, 713.24 feet to the point of beginning.

The above described tract contains 43.141 acres and is subject to the U.S. Army Corps of Engineers flowage easement from the 378 contour line to the U.S. Govt. Dept. of the Army boundary line. The above description was prepared by Roger L. Colburn, P.E., L.S. (KLS 3236) of Florence & Hutcheson, Inc. 2550 Irvin Cobb Drive, Paducah, Kentucky.

Annexation Description
Tract 2 Moon Bay Harbor
Former Tarry-On-Too Tract
Owned by Tarryon Inc.
D.B. 116, PG. 146
D.B. 96, PG. 365

A certain tract of land contiguous to Lake Barkley (Ascending Left Bank Cumberland River M.P. 37.5) in Lyon County, Kentucky approximately 2.84 miles south of the community of Suwanee, more particularly described as follows:

Beginning at a railroad spike set this survey at the intersection of the centerline of former KY 810 and the centerline of Tarry-On-Too Drive, said spike located 230' right of centerline station 62+42 of KY 810 Relocated as shown on Kentucky Dept. of Highways Plans for Project No. SP 72-271-4 on file with the District One Engineer's Office in Paducah, Kentucky; thence, N 41°46'01" E a distance of 425.40 feet to an iron pin with cap; thence, S 17°45'39" E a distance of 43.92 feet to a concrete monument located at the intersection of the south ROW of the former location of KY 810 and the east boundary of Barkley Lake owned by the United States Government, Department of the Army, said east boundary depicted on the Department of the Army, Office of the District Engineer, Segment Map 4; thence along the said east boundary of the U.S. Govt. Barkley Lake Property as follows:

- S 28°52'51" W a distance of 204.23 feet to an existing iron pin;
- S 45°14'49" W a distance of 170.92 feet to an existing iron pin;
- S 10°43'07" E a distance of 185.97 feet to an existing iron pin;
- S 09°49'30" E a distance of 358.99 feet to an existing iron pin;
- S 28°34'14" E a distance of 186.96 feet to an existing iron pipe;
- S 16°43'19" E a distance of 169.03 feet to an existing iron pin;
- S 20°01'13" W a distance of 260.44 feet to an existing iron pin;
- S 35°28'03" W a distance of 216.30 feet to an existing iron pin;
- S 03°58'43" W a distance of 277.83 feet to an existing iron pin;
- S 24°58'29" W a distance of 191.29 feet to an existing iron pin;
- S 45°08'41" W a distance of 146.12 feet to an existing iron pin;
- S 30°20'53" W a distance of 185.62 feet to an existing iron pin;
- S 33°09'23" E a distance of 153.62 feet to an existing iron pin;
- S 85°09'03" E a distance of 194.76 feet to an existing iron pin;
- S 43°09'22" E a distance of 77.00 feet to an existing iron pin;
- N 89°27'46" E a distance of 194.79 feet to an existing iron pin;
- S 18°57'29" E a distance of 123.51 feet to an existing iron pin;
- S 82°27'25" E a distance of 117.06 feet to an existing iron pin;
- S 53°44'39" E a distance of 101.19 feet to an existing iron pin;
- S 10°25'56" E a distance of 110.11 feet to an existing iron pin;
- S 22°44'24" W a distance of 104.44 feet to an existing iron pin;
- S 40°11'43" W a distance of 67.00 feet to a point;
- S 56°00'46" W a distance of 189.49 feet to a point;
- S 64°58'07" W a distance of 148.19 feet to a point;
- S 54°11'25" W a distance of 126.56 feet to a point;
- N 85°00'28" W a distance of 84.16 feet to a point;

N 70°48'48" W a distance of 133.75 feet to a point;
 N 16°45'28" W a distance of 293.00 feet to an existing iron pin;
 N 18°40'13" W a distance of 341.21 feet to an existing concrete monument;
 N 07°09'58" W a distance of 1,564.98 feet to an existing iron pipe located in the south line
 of the Marvin and Joetta Sanders Property as recorded in D.B. 110, PG. 143:

thence, leaving the east boundary of Barkley Lake and following the said south line of the
 Sanders property, N 80° 34' 56" E a distance of 179.28 feet to an existing Iron pin; thence, along
 Sander's east line, N 04°05'03" W a distance of 152.00 feet to an iron pin set this survey; thence N
 89°34'57" E a distance of 25.05 feet to an iron pin set this survey; thence, N 04°05'03" W a
 distance of 143.00 feet to an iron pin set this survey; thence, along the south boundary of the
 Marvin and Joetta Sanders Property as recorded in D.B. 94 , PG. 667, N 87°46'00" E a distance of
 179.73 feet to an existing iron pin embedded in concrete; thence S 07°07'37" W a distance of
 24.91 feet to an existing iron pin embedded in concrete; thence, S 89°32'40" E a distance of
 147.78 feet to an iron pin set this survey in the west boundary of a 40' right of way, said point
 being the southeast corner of the said Sander's property recorded in D.B. 94 PG. 667; thence
 along the said westerly right of way N 02°54'08" E a distance of 222.69 feet to an existing iron
 stob; thence, continuing with the westerly boundary of said right of way N 06°58'52" W a
 distance of 177.00 feet to the point of beginning.

The above described parcel contains 31.8025 acres more or less and is subject to the U.S. Army
 Corps of Engineers flowage easement from the 378 contour line to the U.S. Govt. Dept. of the
 Army boundary line.

The above description developed from a survey performed by Florence & Hutcheson Inc., on April
 15, 1998 under the supervision of Jeffrey K. Clark, Kentucky Licensed Professional Land Surveyor
 No. 3117.

**Annexation Description
Tract 3 Moon Bay Harbor
D.B. 64, PG. 132
Revised November, 2001**

Beginning at a concrete monument set this survey located in the exterior right of way of the looped portion of Moon Bay Drive., said concrete monument located 25 feet left of station 24+10.42 of said Moon Bay Drive, said station being located approximately 2,839.63 feet from the intersection of KY 810 and said Moon Bay Drive as measured along the centerline of said road; thence South 83° 52' 31" East, 50.00 feet to a concrete monument set this survey in the interior right of way of the said Moon Bay Drive; thence along the interior right of way:

South 3° 30' 29" West, 53.74 feet to a concrete monument set this survey;
 South 25° 32' 10" East, 82.30 feet to an iron pin set this survey;
 South 65° 20' 53" East, 81.13 feet to an iron pin set this survey;
 North 74° 12' 12" East, 84.80 feet to an iron pin set this survey;
 North 53° 30' 42" East, 88.89 feet to an iron pin set this survey;
 North 46° 09' 52" East, 121.49 feet to an iron pin set this survey;
 North 38° 49' 02" East, 237.08 feet to an iron pin set this survey;
 thence North 17° 16' 46" East, 55.07 feet to an iron pin set this survey;

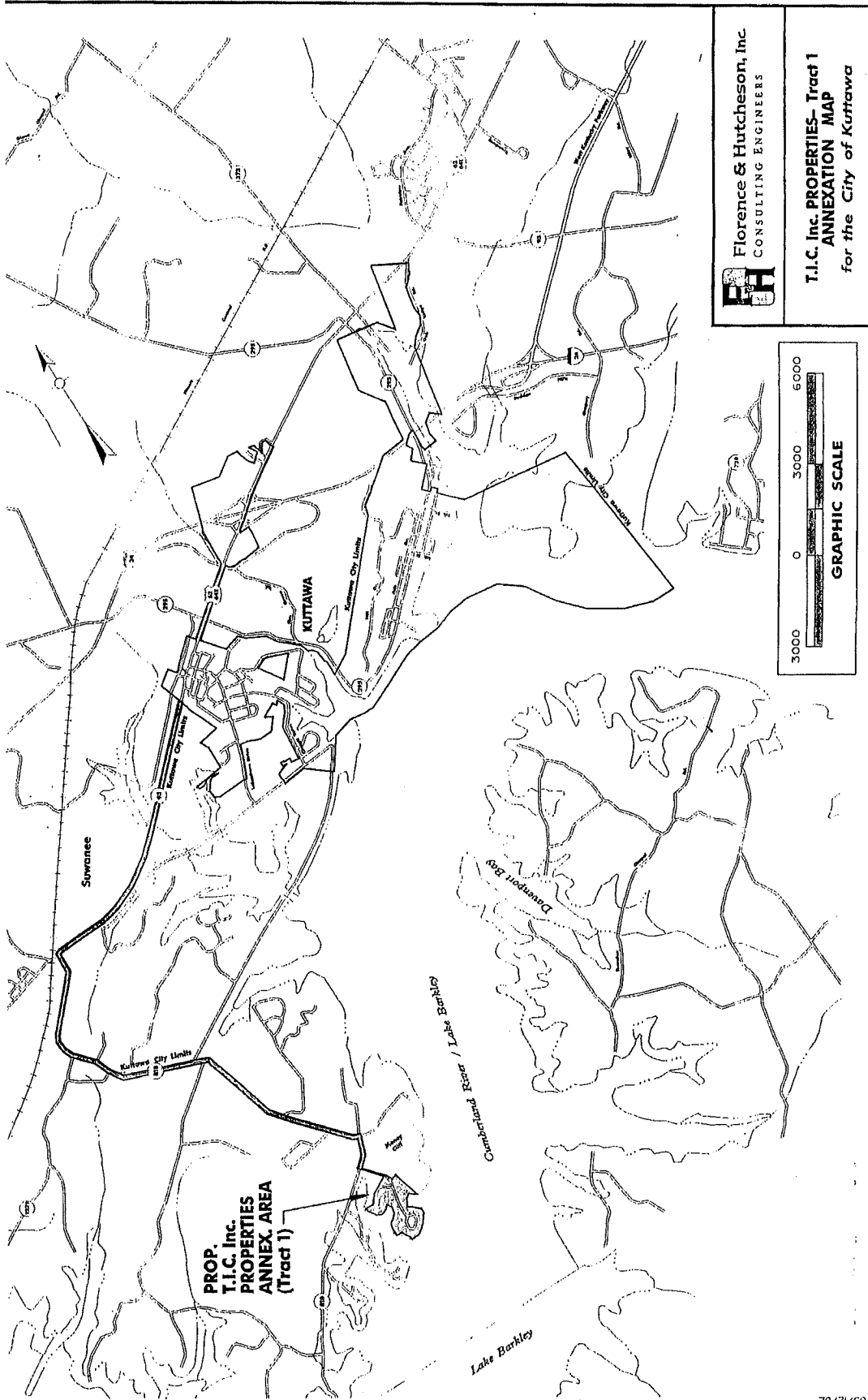
thence, leaving said interior right of way of said Moon Bay Drive, South 63° 31' 37" East, 187.65 feet to an existing iron pin located on the east boundary of the Barkley Lake property owned by the U.S. Govt. Dept. of the Army, as described on Barkley Lake Segment Map 4 on file with the U.S. Army Corps of Engineer Nashville District Engineer's office; thence along the eastern boundary of the said Barkley Lake property:

thence South 38° 23' 35" West, 362.03 feet to an existing iron pin;
 thence South 50° 45' 11" West, 295.24 feet to an existing iron pin;
 thence South 66° 19' 36" West, 106.81 feet to an existing iron pin;
 thence North 88° 18' 44" West, 258.54 feet to an existing iron pin;
 thence North 10° 11' 53" West, 77.78 feet to an existing iron pin;
 thence North 26° 37' 53" West, 82.00 feet to an existing concrete monument;
 thence North 26° 37' 53" West, 150.51 feet to an existing concrete monument;
 thence North 69° 21' 37" East, 212.06 feet to the point of beginning.

The above described tract contains 4.651 acres and is subject to the U.S. Army Corps of Engineers flowage easement from the 378 contour line to the U.S. Govt. Dept. of the Army boundary line. The above description was prepared by Roger L. Colburn, P.E., L.S. (KLS 3236) of Florence & Hutcheson, Inc. 2550 Irvin Cobb Drive, Paducah, Kentucky.

Each of the foregoing 3 tracts is a part of the same property conveyed to Tarryon, Inc. by Deed dated December 15, 1970 from Kenneth C. DeVillez and his wife, Jewell DeVillez, recorded in Deed Book 64, page 134 in the Lyon County Clerk's Office. See Deed of Correction by and between Jewell DeVillez, a widow and Tarryon, Inc., dated July 25, 1997 and recorded in Deed Book 116, page 146 in the Lyon County Clerk's Office. Tarryon, Inc. changed its corporate name to T.I.C., Incorporated by an Amendment to Articles of Incorporation appearing of record in Miscellaneous Book 15, page 75 in the Lyon County Clerk's Office.

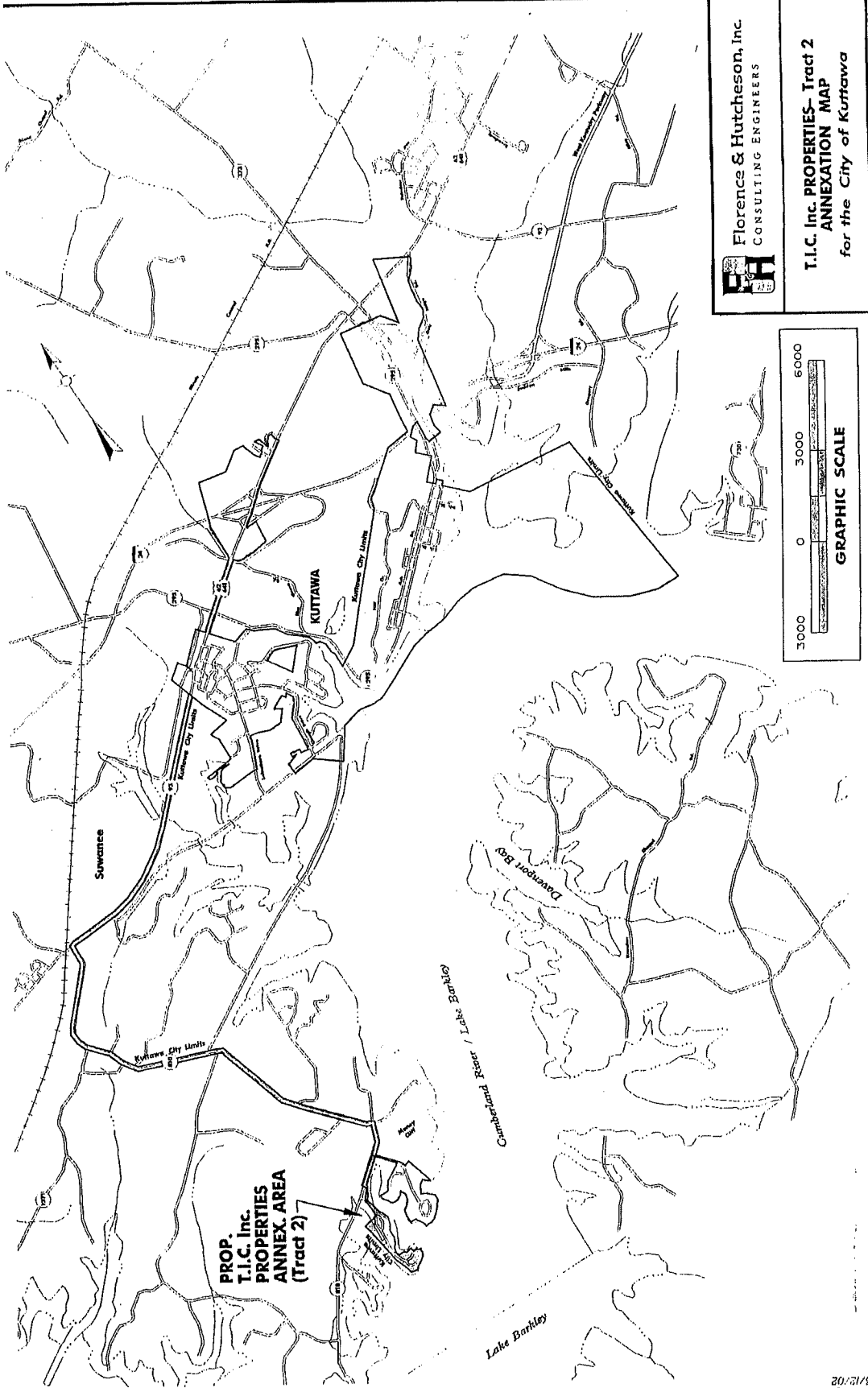
STATE OF KENTUCKY, COUNTY OF LYON.
I, SARAH DEFEW, Clerk of Lyon County do certify that the foregoing instrument was on the day 15 of May 2005 at 10:24 A.M. lodged in my office for record, and that it has been duly recorded in my said office together with this and the certificate thereon endorsed. Given under my hand this 15 day of May 20 05.
SARAH DEFEW, Lyon Co. Clerk By J. Jones D.C.
mae BK 18 p 128



Florence & Hutcheson, Inc.
CONSULTING ENGINEERS

T.I.C. Inc. PROPERTIES- Tract 1
ANNEXATION MAP
for the City of Kuttawa

03/12/02



Florence & Hutcheson, Inc.
CONSULTING ENGINEERS

T.I.C. Inc. PROPERTIES- Tract 2
ANNEXATION MAP
for the City of Kuitawa

03/12/02
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