

RECEIVED AND FILED  
DATE February 21, 2012

**CITY OF KUTTAWA  
RESOLUTION #11-09-12-04**

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Gardie Adkinson

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL  
DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY  
ORDINANCE 02-2-4-1**

**WHEREAS**, the City of Kuttawa has enacted numerous ordinances annexing property into the corporate limits of the City of Kuttawa; and

**WHEREAS**, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

**WHEREAS**, the city wishes to comply with the requirements of Amended KRS 81A.470 effective July 13, 2004; and

**WHEREAS**, the City does not intend to amend or replace its prior annexation ordinance but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed under Ordinance 02-2-4-1; and

**WHEREAS**, the City has a certified copy of the original annexation ordinance filed in the Lyon County Clerk's Office in Miscellaneous Book 21, Page 104, which is attached hereto and incorporated fully herein as Exhibit A; and

**WHEREAS**, the annexation Ordinance 02-2-4-1 involved the development commonly referred to as Moon Bay Harbor, which involved three (3) tracts of property, as well as sections of the US 62 and KY 810 right-of-ways that are west of the City of Kuttawa, and sections of Moon Bay and Tarryon-Too Road right-of-ways.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KUTTAWA, KENTUCKY:**

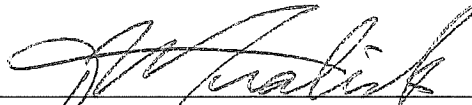
**SECTION 1.** That the City Council of the City of Kuttawa hereby adopts the following legal description, attached hereto and incorporated fully herein as Exhibit B, and a plat attached hereto as prepared by Jacob C. Selph, Licensed Professional Land Surveyor No. 3810, by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Kuttawa by Ordinance 02-2-4-1 dated March 4, 2002. A copy of this new plat is attached hereto and incorporated fully herein as Exhibit C, and the Council hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing the right-of-ways in this prior annexation.

**SECTION 2.** This new legal description, as prepared by Jacob C. Selph, Licensed Professional Land Surveyor No. 3810, begins on the northwestern portion of the existing corporate limits where the corporate limits meet the US 62 right-of-way, then southwestward along a portion of the US 62 right-of-way to the KY 810 intersection, then south on KY 810 to the entrances of Moon Bay Road and Tarryon-Too Road, then southward along the right-of-ways of Moon Bay and Tarryon-Too Roads to the three (3) parcels in the Moon Bay development that are currently in the corporate limit boundaries.

**SECTION 3.** The intent and purpose of this resolution is to provide a new and more accurate legal description of the various right-of-ways involved in Ordinance 02-2-4-1 and not revise the existing and approved legal description of the three (3) properties/tracts that were annexed in the ordinance. The intent of this Resolution is to address the right-of-ways only and maintain the existing descriptions of the three (3) tracts as they are described in the original ordinance.

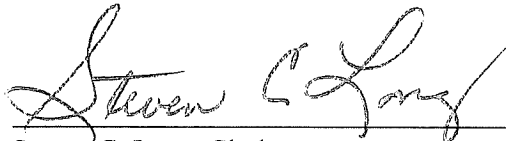
**PASSED AND APPROVED,** by resolution of the Kuttawa City Council on this 10<sup>th</sup> day of October, 2011.

**APPROVED:**



Jeffrey W. Fraick, Mayor pro tem.  
City of Kuttawa

**ATTEST:**



Steven C. Long, Clerk  
City of Kuttawa

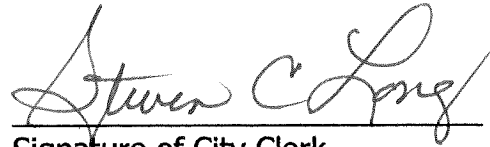
# City of Kuttawa

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

## **CITY CLERK'S CERTIFICATION**

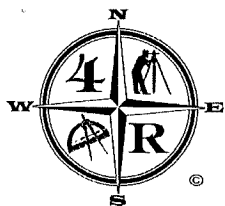
I certify I am the duly qualified City Clerk of the City of Kuttawa, Kentucky and the foregoing 2 pages of Resolution No. 11-09-12-04 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on September 9, 2011, all as appears in the official records of said City:

WITNESS, my hand and (Seal or the Seal of said City), this 17th day of February, 2012.



Signature of City Clerk

Seal(Notarial or City Seal)



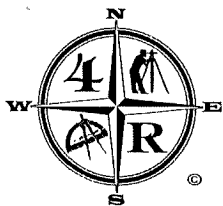
# FOUR RIVERS

## ENGINEERING & SURVEYING

### LEGAL DESCRIPTION ANNEXATION OF A PORTION OF US 62, HWY 810, MOON BAY RD AND TARRYON TOO RD. EXHIBIT 'B'

A tract of land consisting of the rights of ways of a portion of U.S. Highway 62, Highway 810, Moon Bay Drive and Tarryon Too Drive that is intended to an annexation boundary of that portion of said highways that was listed as part of the City of Kuttawa, Kentucky's Annexation Ordinance #02-2-4-1. The intent of this description is to rectify a previous description prepared in a March 4, 2002, City of Kuttawa Annexation Ordinance that did not provide bearings and distances. The above referenced annexation boundary being more particularly described as follows:

**Beginning** at a point lying in the existing City Limits of the City of Kuttawa, said point lying on the northerly right of way line of Highway 62 and having Kentucky South Zone (NAD83) coordinates as follows: North: 1914982.91 and East: 943605.75; Thence, from said Point of beginning and with the northerly right of Highway 62 the following twenty five (25) courses: (1) Thence, S 46°19'11" W a distance of 1507.03 feet; (2) Thence, S 45°48'13" W a distance of 2038.11 feet; (3) Thence, S 45°00'31" W a distance of 1242.60 feet; (4) Thence, S 46°16'15" W a distance of 341.77 feet; (5) Thence, S 47°36'07" W a distance of 168.71 feet; (6) Thence, S 49°35'45" W a distance of 168.52 feet; (7) Thence, S 52°12'35" W a distance of 169.33 feet; (8) Thence, S 54°22'15" W a distance of 170.48 feet; (9) Thence, S 55°51'38" W a distance of 171.45 feet; (10) Thence, S 58°07'45" W a distance of 169.20 feet; (11) Thence, S 60°38'20" W a distance of 167.78 feet; (12) Thence, S 62°41'52" W a distance of 169.33 feet; (13) Thence, S 64°30'31" W a distance of 169.51 feet; (14) Thence, S 66°54'54" W a distance of 169.53 feet; (15) Thence, S 69°01'25" W a distance of 169.71 feet; (16) Thence, S 71°20'45" W a distance of 169.20 feet; (17) Thence, S 73°31'35" W a distance of 169.52 feet; (18) Thence, S 75°12'52" W a distance of 169.47 feet; (19) Thence, S 77°07'43" W a distance of 168.34 feet; (20) Thence, S 79°50'48" W a distance of 167.23 feet; (21) Thence, S 81°56'51" W a distance of 167.72 feet; (22) Thence, S 84°02'57" W a distance of 167.54 feet; (23) Thence, S 86°38'52" W a distance of 336.00 feet; (24) Thence, S 88°46'48" W a distance of 800.57 feet; (25) Thence, S 87°29'49" W a distance of 534.67 feet to a point across from Highway 810; Thence, crossing Highway 62 and with the westerly right of way line of Highway 810 the following eight two courses: (1) Thence, S 04°06'27" E a distance of 354.68 feet; (2) Thence, S 01°12'11" W a distance of 49.82 feet; (3) Thence, S 05°15'21" W a distance of 50.05 feet; (4) Thence, S 09°29'52" W a distance of 50.45 feet; (5) Thence, S 13°33'34" W a distance of 52.16 feet; (6) Thence, S 18°30'48" W a distance of 54.14 feet; (7) Thence, S 21°52'35" W a distance of 54.47 feet; (8) Thence, S 28°36'33" W a distance of 51.85 feet; (9) Thence, S 32°41'53" W a distance of 51.89 feet; (10) Thence, S 36°01'59" W a distance of 51.20 feet; (11) Thence, S 41°38'15" W a distance of 161.91 feet; (12) Thence, S 43°53'09" W a distance of 1793.16 feet; (13) Thence, S 38°50'21" W a distance of 53.58 feet; (14) Thence, S 34°22'01" W a distance of 103.63 feet; (15) Thence, S 25°35'36" W a distance of 57.69 feet; (16) Thence, S 15°42'55" W a distance of 59.31 feet; (17) Thence, S



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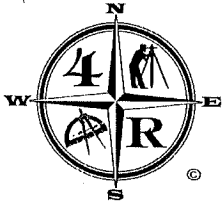
04°41'11" W a distance of 65.57 feet; (18) Thence, S 03°35'26" E a distance of 56.85 feet; (19) Thence, S 09°16'01" E a distance of 171.00 feet; (20) Thence, S 13°38'23" E a distance of 232.11 feet; (21) Thence, S 20°05'23" E a distance of 50.35 feet; (22) Thence, S 25°23'10" E a distance of 83.41 feet; (23) Thence, S 31°26'33" E a distance of 64.83 feet; (24) Thence, S 37°21'07" E a distance of 101.41 feet; (25) Thence, S 42°11'17" E a distance of 163.15 feet; (26) Thence, S 45°28'00" E a distance of 171.03 feet; (27) Thence, S 43°14'17" E a distance of 114.60 feet; (28) Thence, S 38°43'59" E a distance of 109.62 feet; (29) Thence, S 33°33'05" E a distance of 103.21 feet; (30) Thence, S 28°57'58" E a distance of 102.56 feet; (31) Thence, S 24°21'24" E a distance of 395.48 feet; (32) Thence, S 26°50'54" E a distance of 165.46 feet; (33) Thence, S 31°10'13" E a distance of 93.94 feet; (34) Thence, S 35°44'55" E a distance of 95.79 feet; (35) Thence, S 46°21'54" E a distance of 183.15 feet; (36) Thence, S 57°59'42" E a distance of 130.91 feet; (37) Thence, S 62°54'16" E a distance of 162.03 feet; (38) Thence, S 66°51'06" E a distance of 113.10 feet; (39) Thence, S 69°12'49" E a distance of 210.32 feet; (40) Thence, S 68°52'52" E a distance of 1090.93 feet; (41) Thence, S 68°38'07" E a distance of 833.56 feet; (42) Thence, S 66°20'09" E a distance of 104.33 feet; (43) Thence, S 63°06'38" E a distance of 50.45 feet; (44) Thence, S 59°00'07" E a distance of 71.91 feet; (45) Thence, S 51°39'25" E a distance of 83.55 feet; (46) Thence, S 46°25'34" E a distance of 52.21 feet; (47) Thence, S 42°14'30" E a distance of 52.01 feet; (48) Thence, S 38°45'47" E a distance of 50.76 feet; (49) Thence, S 35°20'12" E a distance of 49.73 feet; (50) Thence, S 31°11'35" E a distance of 49.07 feet; (51) Thence, S 27°13'33" E a distance of 49.63 feet; (52) Thence, S 22°47'18" E a distance of 50.73 feet; (53) Thence, S 19°40'06" E a distance of 107.45 feet; (54) Thence, S 17°57'56" E a distance of 839.21 feet; (55) Thence, S 17°18'48" E a distance of 435.56 feet; (56) Thence, S 13°17'18" E a distance of 306.45 feet; (57) Thence, S 12°53'51" E a distance of 505.15 feet; (58) Thence, S 15°42'54" E a distance of 150.87 feet; (59) Thence, S 19°37'50" E a distance of 98.74 feet; (60) Thence, S 25°57'56" E a distance of 98.77 feet; (61) Thence, S 31°00'35" E a distance of 98.66 feet; (62) Thence, S 36°35'16" E a distance of 123.45 feet; (63) Thence, S 38°38'11" E a distance of 68.84 feet; (64) Thence, S 40°42'52" E a distance of 1476.63 feet; (65) Thence, S 40°35'48" E a distance of 569.42 feet; (66) Thence, S 42°25'10" E a distance of 254.55 feet; (67) Thence, S 48°07'40" E a distance of 105.40 feet; (68) Thence, S 57°03'14" E a distance of 50.66 feet; (69) Thence, S 18°48'50" W a distance of 195.31 feet; (70) Thence, S 10°16'14" W a distance of 212.52 feet; (71) Thence, S 13°03'02" W a distance of 149.18 feet; (72) Thence, S 15°37'27" W a distance of 65.19 feet; (73) Thence, S 21°51'11" W a distance of 27.78 feet; (74) Thence, S 26°24'26" W a distance of 33.76 feet; (75) Thence, S 32°47'20" W a distance of 25.54 feet; (76) Thence, S 38°47'46" W a distance of 30.84 feet; (77) Thence, S 50°43'16" W a distance of 207.16 feet; (78) Thence, S 51°39'59" W a distance of 436.61 feet; (79) Thence, S 52°14'09" W a distance of 330.99 feet; (80) Thence, S 51°51'51" W a distance of 359.95 feet; (81) Thence, S 52°03'39" W a distance of 261.36 feet; (82) Thence, S 52°42'54" W a distance of 172.91 feet; Thence, with the westerly right of way line of Tarryon Too Drive the following five courses: (1) Thence, S 39°15'16" E a distance of 60.69 feet; (2) Thence, S 38°15'47" E a distance of 118.22 feet; (3) Thence, S 33°55'27" E a distance of 41.47 feet; (4) Thence, S 26°03'50" E a distance of 40.01 feet; (5) Thence, S 13°05'35" E a distance of 109.78 feet to a point in the existing Kuttawa City Limit Boundary; Thence, with the existing boundary of the City of Kuttawa the following two (2) courses: (1) Thence, N 07°00'08" W a distance of 176.80 feet; (2) Thence, N 41°57'13" E a



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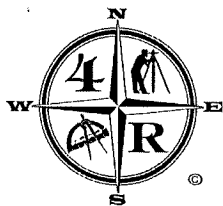
distance of 14.66 feet; Thence, leaving said City Boundary and with the easterly right of way line of Tarryon Too Drive, N 37°24'35" W a distance of 143.79 feet to a point in the southeasterly right of way line of Highway 810; Thence, with said right of way the following five (5) courses: (1) Thence, N 52°30'40" E a distance of 120.95 feet; (2) Thence, N 52°03'40" E a distance of 261.73 feet; (3) Thence, N 51°51'52" E a distance of 360.18 feet; (4) Thence, N 52°14'10" E a distance of 330.84 feet; (5) Thence, N 51°41'54" E a distance of 409.43 feet to a point in the westerly right of way line of Moon Bay Drive; Thence, with the westerly right of way of Moon Bay Drive the following nine (9) courses: (1) Thence, S 33°46'08" E a distance of 250.88 feet; (2) Thence, S 38°02'07" E a distance of 50.69 feet; (3) Thence, S 42°13'49" E a distance of 115.46 feet; (4) Thence, S 43°48'22" E a distance of 275.52 feet; (5) Thence, S 39°50'27" E a distance of 82.85 feet; (6) Thence, S 34°43'12" E a distance of 50.84 feet; (7) Thence, S 28°08'05" E a distance of 34.90 feet; (8) Thence, S 20°37'07" E a distance of 117.59 feet; (9) Thence, S 14°49'08" E a distance of 32.68 feet to a point in the existing Kuttawa City Limit Boundary; Thence, with the existing boundary of the City of Kuttawa the following three (3) courses: (1) Thence, N 68°44'32" E a distance of 22.64 feet; (2) Thence, S 21°06'31" E a distance of 59.75 feet; (3) Thence, N 73°45'02" E a distance of 18.20 feet to a point in the easterly right of way line of Moon Bay Drive; Thence, with the easterly right of way of Moon Bay Drive the following ten (10) courses: (1) Thence, N 13°11'47" W a distance of 92.90 feet; (2) Thence, N 20°43'05" W a distance of 123.77 feet; (3) Thence, N 28°08'05" W a distance of 37.98 feet; (4) Thence, N 34°35'05" W a distance of 57.47 feet; (5) Thence, N 39°49'37" W a distance of 85.65 feet; (6) Thence, N 42°51'36" W a distance of 144.96 feet; (7) Thence, N 44°47'58" W a distance of 133.70 feet; (8) Thence, N 42°13'03" W a distance of 112.85 feet; (9) Thence, N 38°01'54" W a distance of 45.28 feet; (10) Thence, N 33°48'35" W a distance of 254.24 feet to the southerly right of way line of Highway 810; Thence, with the south and easterly right of way lines of said Highway the following seventy nine (79) courses: (1) Thence, N 50°34'56" E a distance of 192.64 feet; (2) Thence, N 39°03'39" E a distance of 38.02 feet; (3) Thence, N 33°05'05" E a distance of 31.93 feet; (4) Thence, N 26°40'25" E a distance of 39.96 feet; (5) Thence, N 22°01'03" E a distance of 32.98 feet; (6) Thence, N 15°46'04" E a distance of 70.75 feet; (7) Thence, N 13°02'24" E a distance of 154.03 feet; (8) Thence, N 10°15'53" E a distance of 210.52 feet; (9) Thence, N 17°49'41" E a distance of 143.01 feet; (10) Thence, N 23°04'43" E a distance of 98.17 feet; (11) Thence, N 64°29'03" W a distance of 50.82 feet; (12) Thence, N 57°24'25" W a distance of 43.88 feet; (13) Thence, N 48°07'22" W a distance of 99.72 feet; (14) Thence, N 42°23'55" W a distance of 250.51 feet; (15) Thence, N 40°35'44" W a distance of 568.39 feet; (16) Thence, N 40°42'52" W a distance of 1475.55 feet; (17) Thence, N 38°37'31" W a distance of 66.96 feet; (18) Thence, N 36°34'44" W a distance of 120.72 feet; (19) Thence, N 30°55'39" W a distance of 91.49 feet; (20) Thence, N 25°57'48" W a distance of 92.47 feet; (21) Thence, N 19°36'30" W a distance of 94.53 feet; (22) Thence, N 15°41'18" W a distance of 147.26 feet; (23) Thence, N 12°53'34" W a distance of 503.55 feet; (24) Thence, N 13°17'27" W a distance of 307.50 feet; (25) Thence, N 17°18'25" W a distance of 439.53 feet; (26) Thence, N 17°57'55" W a distance of 838.80 feet; (27) Thence, N 19°39'26" W a distance of 109.97 feet; (28) Thence, N 22°50'04" W a distance of 56.66 feet; (29) Thence, N 27°18'08" W a distance of 53.91 feet; (30) Thence, N 31°16'38" W a distance of 53.36 feet; (31) Thence, N 35°21'36" W a distance of 52.85 feet; (32) Thence, N 38°45'18" W a distance of 53.23 feet; (33)



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Thence, N 42°15'58" W a distance of 58.02 feet; (34) Thence, N 46°27'05" W a distance of 55.89 feet; (35) Thence, N 51°41'37" W a distance of 90.77 feet; (36) Thence, N 58°58'33" W a distance of 76.35 feet; (37) Thence, N 63°01'46" W a distance of 54.52 feet; (38) Thence, N 66°18'38" W a distance of 107.49 feet; (39) Thence, N 68°38'03" W a distance of 834.16 feet; (40) Thence, N 68°52'53" W a distance of 1094.03 feet; (41) Thence, N 69°13'09" W a distance of 206.99 feet; (42) Thence, N 66°51'35" W a distance of 111.19 feet; (43) Thence, N 62°54'50" W a distance of 156.09 feet; (44) Thence, N 58°10'03" W a distance of 121.96 feet; (45) Thence, N 46°18'11" W a distance of 176.01 feet; (46) Thence, N 35°23'00" W a distance of 82.79 feet; (47) Thence, N 31°10'13" W a distance of 92.39 feet; (48) Thence, N 26°48'42" W a distance of 160.26 feet; (49) Thence, N 24°21'27" W a distance of 395.99 feet; (50) Thence, N 28°55'39" W a distance of 106.40 feet; (51) Thence, N 33°31'57" W a distance of 110.78 feet; (52) Thence, N 38°44'42" W a distance of 114.32 feet; (53) Thence, N 43°13'45" W a distance of 117.13 feet; (54) Thence, N 45°27'33" W a distance of 172.39 feet; (55) Thence, N 42°10'04" W a distance of 158.40 feet; (56) Thence, N 37°19'32" W a distance of 95.41 feet; (57) Thence, N 31°21'51" W a distance of 58.91 feet; (58) Thence, N 25°19'02" W a distance of 77.97 feet; (59) Thence, N 19°56'22" W a distance of 44.89 feet; (60) Thence, N 13°37'55" W a distance of 221.88 feet; (61) Thence, N 09°15'45" W a distance of 170.27 feet; (62) Thence, N 03°27'22" W a distance of 48.41 feet; (63) Thence, N 04°35'12" E a distance of 54.30 feet; (64) Thence, N 15°45'01" E a distance of 49.05 feet; (65) Thence, N 25°50'01" E a distance of 50.27 feet; (66) Thence, N 34°34'32" E a distance of 93.47 feet; (67) Thence, N 38°51'49" E a distance of 50.42 feet; (68) Thence, N 43°53'21" E a distance of 1790.19 feet; (69) Thence, N 41°36'17" E a distance of 167.36 feet; (70) Thence, N 36°02'36" E a distance of 53.95 feet; (71) Thence, N 32°40'21" E a distance of 57.72 feet; (72) Thence, N 28°36'33" E a distance of 54.68 feet; (73) Thence, N 22°04'19" E a distance of 60.63 feet; (74) Thence, N 18°27'23" E a distance of 60.67 feet; (75) Thence, N 13°32'04" E a distance of 55.73 feet; (76) Thence, N 09°30'47" E a distance of 53.54 feet; (77) Thence, N 05°19'49" E a distance of 55.23 feet; (78) Thence, N 01°13'40" E a distance of 53.57 feet; (79) Thence, N 04°00'09" W a distance of 259.66 feet to a point in the south right of way line of U.S. Highway 62; Thence, with the south right of way line of Highway 62 the following twenty six (26) courses: (1) Thence, N 87°48'01" E a distance of 469.67 feet; (2) Thence, N 88°46'49" E a distance of 800.87 feet; (3) Thence, N 86°39'09" E a distance of 341.11 feet; (4) Thence, N 84°02'50" E a distance of 172.81 feet; (5) Thence, N 81°56'10" E a distance of 171.39 feet; (6) Thence, N 79°49'40" E a distance of 171.71 feet; (7) Thence, N 77°07'09" E a distance of 172.03 feet; (8) Thence, N 75°12'52" E a distance of 171.04 feet; (9) Thence, N 73°31'18" E a distance of 174.58 feet; (10) Thence, N 71°19'56" E a distance of 173.19 feet; (11) Thence, N 69°00'44" E a distance of 173.49 feet; (12) Thence, N 66°54'01" E a distance of 173.60 feet; (13) Thence, N 64°30'31" E a distance of 171.35 feet; (14) Thence, N 62°42'22" E a distance of 172.60 feet; (15) Thence, N 60°38'59" E a distance of 171.57 feet; (16) Thence, N 58°08'09" E a distance of 175.12 feet; (17) Thence, N 55°51'39" E a distance of 173.43 feet; (18) Thence, N 54°22'35" E a distance of 173.37 feet; (19) Thence, N 52°13'17" E a distance of 173.30 feet; (20) Thence, N 49°36'47" E a distance of 172.81 feet; (21) Thence, N 47°36'43" E a distance of 171.90 feet; (22) Thence, N 46°16'23" E a distance of 343.82 feet; (23) Thence, N 45°00'34" E a distance of 1244.86 feet; (24) Thence, N 45°48'15" E a distance of 2036.00 feet;



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(25) Thence, N 46°19'47" E a distance of 1464.73 feet; (26) Thence, N 21°04'35" W a distance of 108.60 feet back to the **Point of Beginning** of the herein described Annexation Boundary.

The above described parcel contains 46.77 acres more or less. This description was prepared by Jacob C. Selph, Kentucky Professional Land Surveyor No. 3810, of Four Rivers Engineering & Surveying on August 19, 2011 using a revised annexation map developed by the Pennyriple Area Development District's GIS department. The centerlines of these roads were determined by a PADD GPS project and the various rights of ways boundaries were determined by PADD staff and the district 1, state highway office staff, which researched the right of way widths. This survey was performed (by the PADD office) by method of COGO which extrapolated from the road centerline survey the right of way boundaries. The metes and bounds herein were provided to this firm by the PADD office and were developed using the true north direction (not magnetic) and is based on the Kentucky South Zone coordinate system, NAD83 (2007) datum.

This firm, in no way, takes any responsibility for the accuracy of the measurements and dimensions shown hereon, as they were provided to this firm by the PADD office.

All bearings referred to are based on Global Positioning Systems (GPS), Kentucky South Zone, NAD83. Differences in the bearings cited in the above description and those called for in the original deed are due to variations between Magnetic and Grid North.



OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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