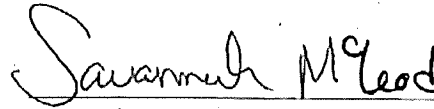


## CERTIFICATION OF CITY CLERK

I certify that I am the duly qualified City Clerk of the City of Kuttawa, Kentucky, and the following five (5) pages (with the new plat and description included) of Resolution No. 18-2024 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on October 14, 2024, all as appears in the official records of the City of Kuttawa, Kentucky.

WITNESS, my hand on this the 23<sup>rd</sup> June day of January, 2025.



Savannah McLeod, City Clerk  
City of Kuttawa, Kentucky

RECEIVED AND FILED  
DATE June 23<sup>rd</sup>

2025  
MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY James Phillips

**CITY OF KUTTAWA, KENTUCKY  
RESOLUTION NO. 18-2024**

251839

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION  
OF TERRITORY PREVIOUSLY ANNEXED BY THE CITY OF KUTTAWA**

**WHEREAS**, the City of Kuttawa enacted Ordinance dated May 14, 2012, and which is recorded in in Miscellaneous Book 24, Page 267 of the Lyon County Clerk's Office annexing property into the corporate limits of the City of Kuttawa; and

**WHEREAS**, the City wishes to provide a modern, accurate, and easily identifiable legal description reflecting bearings and coordinates based upon the state plan 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 June 29, 2021; and

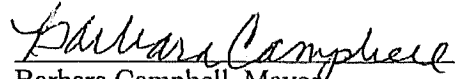
**WHEREAS**, the City does not intend to amend or replace its prior Ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

**NOW THEREFORE, BE IT RESOLVED BY THE KUTTAWA CITY COUNCIL  
AS FOLLOWS:**


1. That the City of Kuttawa hereby adopts the following legal description attached hereto as Exhibit "A" and plat attached hereto as Exhibit "B", both of which were prepared by Jacob C. Selph, Licensed Professional Land Surveyor No. 3810 by new survey as an accurate description of the property previously annexed into the corporate city limits of the City of Kuttawa, by Ordinance dated May 14, 2012 and which is recorded in in Miscellaneous Book 24, Page 267 of the Lyon County Clerk's Office.

2. This resolution shall supersede all prior resolutions adopted by the City of Kuttawa that attempt to define the boundaries of the property previously annexed by Ordinance

dated May 14, 2012 and which is recorded in in Miscellaneous Book 24, Page 267 of the Lyon  
County Clerk's Office for the purpose of complying with the requirements of KRS 81A.470.

  
Barbara Campbell, Mayor  
City of Kuttawa, Kentucky

ATTEST:

  
Savannah McLeod, City Clerk  
City of Kuttawa, Kentucky

Introduced and adopted by the Council, 10/14, 2024.

John Rademaker Property  
65 11<sup>th</sup> Street  
Kuttawa, KY 42055

Being a single lot comprised of lots formerly identified as Lots One (1), Two (2), and Three (3) of Block Forty (40), as recorded in Plat Cabinet 2, Slide 168, in the Office of the Lyon County Clerk, Commonwealth of Kentucky. Said parcel is located in the community of Kuttawa, Lyon County, Kentucky, and is more particularly described as follows:

Beginning at a found ½" Iron pin at the northwesterly corner of the herein-described tract, said point being on the south side of 11th Street and the east side of the original 10th Street (undeveloped);

Thence along the south side of 11th Street, North 47° 48' 51" East, a distance of 74.60 feet to a found ½" iron pin;

Thence continuing along 11th Street, North 48° 51' 24" East, a distance of 73.60 feet to a found iron pin and cap marked LS 3585, being the northwesterly corner of the Bobby Guess property (Deed Book 161, Page 294);

Thence with the Guess property, South 43° 23' 56" East, a distance of 189.37 feet to a found iron pin and cap marked LS 3585, being the southwesterly corner of the Guess property and on the north side of the original Poplar Street (undeveloped);

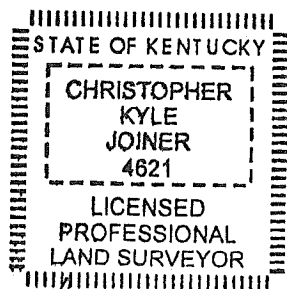
Thence with the south line of the herein-described tract and the north side of the original Poplar Street, South 46° 24' 59" West, a distance of 74.97 feet to a point;

Thence continuing with the south line, South 48° 10' 41" West, a distance of 74.97 feet to a point on the east side of the original 10th Street (undeveloped);

Thence with the east side of the original 10th Street, North 42° 51' 49" West, a distance of 192.03 feet to the point of beginning, containing 0.66 acres, more or less.

As surveyed by Pin Oak Engineering PLLC, C. Kyle Joiner, PLS #4621, on March 27, 2025.

The description is accurate to the best of my knowledge and belief.



A handwritten signature in black ink, appearing to read "Chris Kyle Joiner", written over the bottom portion of the seal.

Bobby Guess Property  
49 11<sup>th</sup> Street  
Kuttawa, KY 42055

Being Lot Four (4) of Block Forty (40), as recorded in Plat Cabinet 2, Slide 168, in the Office of the Lyon County Clerk, Commonwealth of Kentucky. Said parcel is located in the community of Kuttawa, Lyon County, Kentucky, and is more particularly described as follows:

Beginning at a found iron pin and cap marked LS 3585, at the northwesterly corner of the herein-described tract, said point being on the south side of 11th Street and at the northeasterly corner of the John Rademaker property (Deed Book 169, Page 677);

Thence with the south side of 11th Street, North 43° 46' 49" East, a distance of 50.04 feet to a point, said point being in the line of the U.S. Army Corps of Engineers (USACE) property, Tract No. 1040, and 8.01 feet from a USACE boundary marker, also being the northeast corner of the herein-described property;

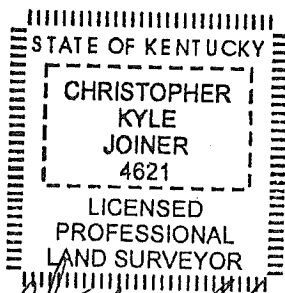
Thence along the USACE property, South 43° 24' 25" East, a distance of 192.18 feet to a found ½" iron pin, said point being the southeast corner of the tract herein described, on the north side of the original Poplar Street (undeveloped), and 40.18 feet from a USACE boundary marker stamped "1040-1";

Thence along the south line of the tract and the north side of the original Poplar Street, South 46° 59' 58" West, a distance of 50.01 feet to a found iron pin and cap marked LS 3585, said point being the southwest corner of the tract herein described, and the southeast corner of the Rademaker property;

Thence along the Rademaker property, North 43° 23' 56" West, a distance of 189.37 feet to the point of beginning of the herein-described tract, containing 0.22 acres, more or less.

As surveyed by Pin Oak Engineering PLLC, C. Kyle Joiner, PLS #4621, on March 27, 2025.

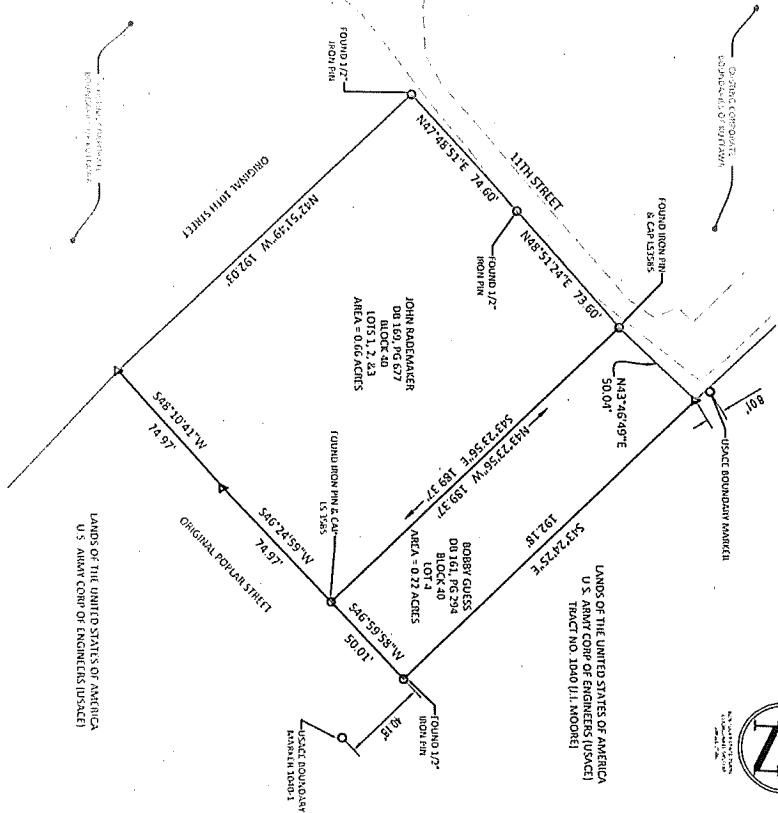
The description is accurate to the best of my knowledge and belief.



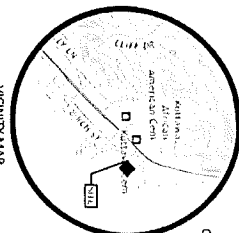
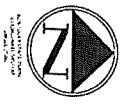
A handwritten signature in black ink, appearing to read "Chris Kyle Joiner", written over the bottom portion of the seal.

**BOUNDARY SURVEY  
LYON COUNTY KY**

**OWNERS**  
 JOHN RADEMAKER  
 65 11TH STREET  
 RUTLAND, KY 42055  
 BOBBY GUESS  
 49 11TH STREET  
 RUTLAND, KY 42055  
**PROPERTY ADDRESSES**  
 65 11TH STREET  
 RUTLAND, KY 42055  
 49 11TH STREET  
 RUTLAND, KY 42055  
**SOURCES OF TITLE**  
 JOHN RADEMAKER'S DEED TO  
 BOBBY GUESS, 11/11/2005  
 OLD BOOK 101, PAGE 294



**PLAT NOTES**  
 1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1978, CHAPTER 180, KRS. THE SURVEY WAS MADE BY THE PIN OAK ENGINEERING & LAND SURVEYING, INC., A PROFESSIONAL CORPORATION, UNDER THE CLOSE PERSONAL SUPERVISION AND CONTROL OF THE SURVEYOR, JOHN RADEMAKER, LICENSE NO. 10001. THE SURVEYOR HAS REVIEWED THE PLAT AND FINDS IT TO BE CORRECT AND ACCURATE.  
 2. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 3. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 4. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 5. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 6. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 7. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 8. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 9. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.  
 10. THE SURVEY WAS MADE ON THE BASIS OF THE DEED TO BOBBY GUESS, 11/11/2005, OLD BOOK 101, PAGE 294, AND THE DEED TO JOHN RADEMAKER, 11/11/2005, OLD BOOK 101, PAGE 294.



**CERTIFICATE OF ACCURACY**  
 I, JOHN RADEMAKER, LICENSE NO. 10001, SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1978, CHAPTER 180, KRS. THE SURVEY WAS MADE BY THE PIN OAK ENGINEERING & LAND SURVEYING, INC., A PROFESSIONAL CORPORATION, UNDER THE CLOSE PERSONAL SUPERVISION AND CONTROL OF THE SURVEYOR, JOHN RADEMAKER, LICENSE NO. 10001. THE SURVEYOR HAS REVIEWED THE PLAT AND FINDS IT TO BE CORRECT AND ACCURATE.  
 JOHN RADEMAKER  
 SURVEYOR  
 11/11/2005

**LEGEND**  
 --- Original Boundary  
 --- Proposed Boundary  
 --- Easement  
 --- Right-of-Way  
 --- Other

**INTENT**  
 THIS SURVEY WAS MADE FOR THE PURPOSE OF ESTABLISHING THE BOUNDARIES OF THE PROPERTIES OWNED BY JOHN RADEMAKER AND BOBBY GUESS. THE SURVEYOR HAS REVIEWED THE PLAT AND FINDS IT TO BE CORRECT AND ACCURATE.

DATE OF SURVEY	11/11/2005
SHEET NO.	1.0

**JOHN RADEMAKER & BOBBY GUESS PROPERTIES**  
 65 11TH STREET & 49 11TH STREET  
 RUTLAND, KY 42055  
 LYON COUNTY

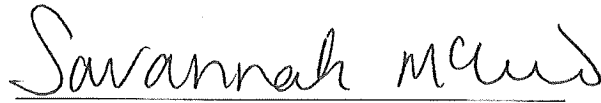
**BOUNDARY SURVEY**

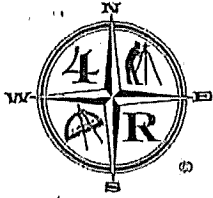
**PIN OAK**  
 ENGINEERING & LAND SURVEYING  
 100 MAIN STREET  
 RUTLAND, KY 42055  
 (606) 251-1111  
 www.pin-oak.com

## CERTIFICATION OF CITY CLERK

I certify that I am the duly qualified City Clerk of the City of Kuttawa, Kentucky, and the following 4 pages of the Annexation Ordinance recorded in Miscellaneous Book 24, Page 267 of the Lyon County Clerk's Office is a true, correct and complete copy of the Ordinance duly adopted by the City Council at a duly convened meeting held on May 14, 2012, all as appears in the official records of said City.

WITNESS, my hand this 14th day of October, 2024.

  
Savannah McCreedy  
(Signature of City Clerk)



# FOUR RIVERS

## ENGINEERING & SURVEYING

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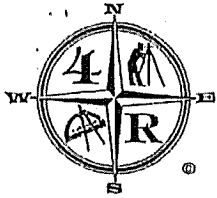
### LEGAL DESCRIPTION

#### City of Kuttawa-1960 Annexation Revised

#### Exhibit "C"

A parcel of land being bounded on the north by Lake Barkley, bounded on the east by the Commonwealth of Kentucky (Department of Parks), Gregory Road and Tract 1106 (Army Corps of Engineers), bounded on the south by Tract 1107 (Army Corps of Engineers)(a.k.a. formerly Mabel Kenady), Tract 1112-4 (Army Corps of Engineers)(a.k.a. formerly The Chicago, St. Louis and New Orleans Railroad Company) and Lake Barkley; and bounded on the west by the Town of Kuttawa, said parcel being in the Community of Kuttawa, Kentucky, being in Lyon County and being more particularly described as follows:

**Beginning** at a point in the eastern corporate boundary line of the Town of Kuttawa, said point also being at the southwesterly corner of Tract 1110 (a.k.a. formerly Nora B. Mason, et al), said point being in the southerly right of way of old Highway 62 at its intersection with the easterly right of way of Hazel Street, said point having a Kentucky State Plane Coordinate (south zone) of N: 1912578.6, E: 953478.4; Thence, from said **Point of Beginning** and along the southerly right of way of said Highway the following eight (8) courses: (1) Thence, S 79°10'14" E a distance of 127.76 feet to a point; (2) Thence, S 77°33'02" E a distance of 1114.51 feet to a point; (3) Thence, S 75°55'00" E passing through a point in Knob Creek (the original Point of Beginning per 1960 Annexation) at a distance of 364.25 feet, continuing a total distance of 729.60 feet to a point; (4) Thence, S 72°23'24" E a distance of 675.10 feet to a point; (5) Thence, S 80°27'53" E a distance of 577.68 feet to a point; (6) Thence, S 80°22'34" E a distance of 577.40 feet to a point; (7) Thence, S 78°13'22" E a distance of 988.01 feet to a point; (8) Thence, S 74°38'30" E a distance of 199.61 feet to a point at the southwesterly corner of Tract 1112-4 (Army Corps of Engineers) (a.k.a. Formerly the Chicago, St. Louis and New Orleans Railroad Company); Thence, along the west line of said Tract, N 08°00'34" E a distance of 510.33 feet to a point at the northwest corner of said Tract; Thence, along the north line of said Tract, S 82°14'26" E a distance of 200.40 feet to a point at the northeast corner of said Tract; Thence, along the east line of said Tract, S 08°00'34" W a distance of 156.50 feet to a point at the northwest corner of Tract 1107 (Army Corps of Engineers) (a.k.a. Formerly Mabel Kenady); Thence, along the north line of said Tract, S 82°14'26" E a distance of 232.00 feet to a point at the northeast corner of said Tract, said point being in the west line of Tract 1106 (Army Corps of Engineers) (a.k.a. the west line of S.M. Martin Estate); Thence, along said west line the following seven (7) courses: (1) Thence, N 08°44'26" W a distance of 80.00 feet to a point; (2) Thence, N 00°45'34" E a distance of 130.00 feet to a point; (3) Thence, N 28°44'26" W a distance of 190.00 feet to a point; (4) Thence, N 36°14'26" W a distance of 215.00 feet to a point; (5) Thence, N 49°29'26" W a distance of 475.00 feet to a point; (6) Thence, N 42°14'26" W a distance of 270.00 feet to a point; (7) Thence, N 43°25'57" E a distance of 695.43 feet to a 6 inch by 6 inch concrete monument found in the center of old road bed, said point being at the westerly corner to S.M. Martin and R.S. Mason Estate; Thence, leaving the center of old road bed, N 47°21'33" E a distance of 387.04 feet to a point in the westerly right of way of Gregory



# FOUR RIVERS

## ENGINEERING & SURVEYING

Road (a 40 foot right of way); Thence, with the westerly right of way of Gregory Road the following five (5) courses: (1) Thence, with a curve turning to the right with an arc length of 301.73 feet, a radius of 1358.81 feet, a chord bearing of N 59°53'57" E, a chord length of 301.11 feet to a point; (2) Thence, N 61°47'27" E a distance of 232.68 feet to a point; (3) Thence, N 10°06'13" E a distance of 277.11 feet to a point; (4) Thence, with a curve turning to the right with an arc length of 198.35 feet, a radius of 545.91 feet, a chord bearing of N 23°14'00" E, a chord length of 197.26 feet to a point; (5) Thence, N 32°27'51" E a distance of 27.17 feet to a ½" iron rod and cap set in the westerly right of way of aforesaid Road, said point also being at the southeasterly corner of the Commonwealth Of Kentucky, as described in deed book 81, page 342 (a.k.a. formerly W.T. Gregory heirs); Thence, along the Commonwealth of Kentucky's southwesterly line the following three (3) courses: (1) Thence, N 48°45'00" W a distance of 872.89 to a found concrete monument stamped "ACE 1109-41"; (2) Thence, N 48°45'00" W a distance of 621.01 feet to a found concrete monument stamped "ACE 1116-1"; (3) Thence, N 47°48'35" W a distance of 580.76 feet to a concrete monument (no identification) found at a common corner to the Commonwealth of Kentucky (a.k.a the westerly corner of aforesaid Gregory heirs); Thence, along the northerly line of Tract 1111 (Army Corps of Engineers) (a.k.a. formerly A.O. Thomson and Heirs), N 88°45'10" W a distance of 2448.27 feet to a point at the northwest corner of aforesaid Tract and also at the intersection of Twelfth Street and Maple Street; Thence, along said Tract's westerly line and along the centerline of Maple Street, S 46°49'03" W a distance of 920.00 feet to a point in the easterly line of Tenth Street, said point being the intersection of Tract 1111 and in the original corporation boundary line of the City of Kuttawa; Thence, along the westerly line of Tract 1111 and with original Corporate Limits the following two (2) courses: (1) Thence, with the easterly right of way of Tenth Street, S 43°10'57" E a distance of 240.00 feet to a point; (2) Thence, along the centerline of an alley, S 46°49'03" W a distance of 1440.00 feet to a point in the easterly right of way line of Seventh Street; Thence, continuing along Corporate Limits and along said Street's easterly line, S 43°10'57" E a distance of 760.00 feet to a point in the southerly line of Hazel Street; Thence, along said Street's southerly line, S 46°49'03" W a distance of 1236.28 feet back to the **Point of Beginning** of the herein described tract.

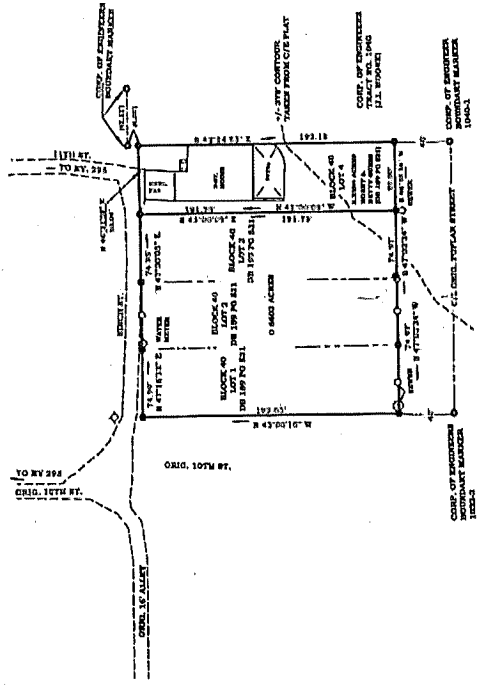
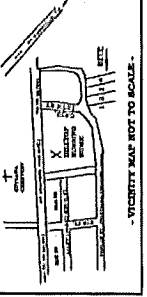
The above described parcel contains 379.79 acres more or less as surveyed under the supervision of Jacob C. Selph, Kentucky Professional Land Surveyor No. 3810, of Four Rivers Engineering & Surveying on April 16, 2012.

**Source of Title.** The above described parcel is a portion of the property conveyed to the Commonwealth of Kentucky, as described in deed book 81, page 342 and recorded in the Lyon County Clerk's Office.

All bearings referred to are based on Global Positioning Systems (GPS), Kentucky South Zone, NAD83 (2007 datum), as observed between May 18, 2010 and December 3, 2011. 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. 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".

PC 2-168

# LYON COUNTY KENTUCKY BLOCK 40 LOTS 1, 2, 3, 4



NOTES: THE PROPERTY IS LOCATED IN AN AREA INTENDED TO BE OUTSIDE THE U.S. AIRMAIL CHANGE ZONE PLATE, AND PORTION OF THE PROPERTY IS LOCATED WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. AN AIRMAIL PLATE SURVIVANCE PLATE MAY BE OBTAINED FROM THE U.S. AIRMAIL PLATE SURVIVANCE PLATE.

THESE ARE NO VEHICLE CONCERNS IN THE AREA OF THE PROPERTY.

THESE ARE NO VEHICLE CONCERNS (RELOC), HOME IMPROVEMENTS ARE AS SHOWN.

NOTE: THE LOTS ARE BEING PLACED IN THE VICINITY OF THE PROPERTY AND OTHER UTILITIES LOCATED WITHIN THE PROPERTY.

INDICATES EXISTING POWER POLE

INDICATES EXISTING 3/4" TRUCK PULTRON

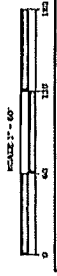
INDICATES 3/4" TRUCK PULTRON, SET

WHERE PLATED OUTSIDE, THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772.

THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772.

WITNESS MY HAND AND SEAL THIS 13th DAY OF FEBRUARY 2014

THE DEED OF THIS PROPERTY BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772.

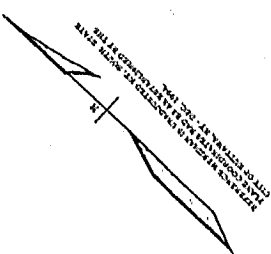


LYON COUNTY KENTUCKY  
CITY OF OLD KUTTAWA, KY  
BLOCK 40  
LOTS 1, 2, 3, 4  
PLAT BOOK P PAGE 179  
THE BOBBY AND BETTY GROSS AND  
KARMA GROSS PROPERTY  
FOR  
BETTY GROSS  
KUTTAWA, KY 42655

DEED BOOK 159 PAGE 331  
BOOK 159 PAGE 331  
LOT 1, LOT 2, AND LOT 3: 0.4603  
LOT 4: 0.2904

FEBRUARY 2014

JAMES L. KNOTA, LAND SURVEYOR  
593 PUGH SCHOOL ROAD  
BETHUN, KENTUCKY 42623  
[jknoback@psa.com]



**CERTIFICATE OF FINAL SUBDIVISION PLAT APPROVAL**

I, JAMES L. KNOTA, LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY GROWN HEREON WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE KENTUCKY SURVEYING ACT AND THE KENTUCKY CONSTITUTION AND THAT THE INFORMATION REPORTED HEREON IS TRUE AND CORRECT.

DATE: 2/13/14

JAMES L. KNOTA, LAND SURVEYOR

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE, THE UNDERSIGNED, THE OWNERS OF THE PROPERTY ABOVE AND DESCRIBED HEREON, DO HEREBY CERTIFY THAT THE PROPERTY ABOVE IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772. THE PROPERTY IS BEING RELOCATED TO BE WITHIN THE AIRMAIL CHANGE ZONE PLATE OF 3772.

DATE: 2-13-14

Bobby M. Gross

Bobby M. Gross

**NOTARY PUBLIC**

STATE OF KENTUCKY

I, JAMES L. KNOTA, LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY GROWN HEREON WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE KENTUCKY SURVEYING ACT AND THE KENTUCKY CONSTITUTION AND THAT THE INFORMATION REPORTED HEREON IS TRUE AND CORRECT.

DATE: 2-13-14

JAMES L. KNOTA, LAND SURVEYOR

**CERTIFICATE OF RECORDING**

I, JAMES L. KNOTA, LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY GROWN HEREON WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE KENTUCKY SURVEYING ACT AND THE KENTUCKY CONSTITUTION AND THAT THE INFORMATION REPORTED HEREON IS TRUE AND CORRECT.

DATE: 2-13-14

JAMES L. KNOTA, LAND SURVEYOR

UTILITIES:  
KENTUCKY UTILITY  
KENTUCKY ELECTRICITY  
KENTUCKY GAS  
KENTUCKY WATER

JAMES L. KNOTA, LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY GROWN HEREON WAS PERFORMED UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE KENTUCKY SURVEYING ACT AND THE KENTUCKY CONSTITUTION AND THAT THE INFORMATION REPORTED HEREON IS TRUE AND CORRECT.

DATE: 2-13-14

JAMES L. KNOTA, LAND SURVEYOR

RECEIVED AND FILED  
DATE July 10, 2012  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handwritten Signature

**CITY OF KUTTAWA  
RESOLUTION NO. 12-5-14-04**

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL  
DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY  
ORDINANCE DATED MARCH 24, 1960 (COMMONLY REFERRED TO AS  
THE MINERAL MOUND PROPERTY), AS WELL AS AMEND KUTTAWA'S  
KRS 81.045 FILING**

WHEREAS, the City of Kuttawa, Kentucky 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 an Annexation Ordinance adopted on March 24, 1960, as reflected by the minutes of the City of Kuttawa, a certified copy of which is attached hereto and incorporated fully herein as Exhibit A; and

WHEREAS, the March 24, 1960 Annexation Ordinance is recorded in Miscellaneous Book 24, page 267, Lyon County Court Clerk's Office, a certified copy of which is attached hereto and incorporated fully herein as Exhibit B; and

WHEREAS, the City of Kuttawa had an error on its KRS 81.045 filing that did not correctly reflect the location of the March 24, 1960 annexation boundary, and this Resolution is intended to correct and amend the KRS 81.045 filing with a modern and accurate legal description relative to the March 24, 1960 annexation boundary.

**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 C, and a

plat, by new survey, as prepared by Jacob C. Selph, Licensed Professional Land Surveyor No. 3810, attached hereto and incorporated fully herein as Exhibit D, as an accurate depiction of the property previously annexed into the corporate city limits of the City of Kuttawa by Ordinance dated March 24, 1960. The Council hereby adopts said new legal description and plat as the official legal description and plat for all purposes when referencing this prior annexation, as well as amending the KRS 81A.470 filing to reflect the correct corporate boundary limits as it pertains to the current Mineral Mound property.

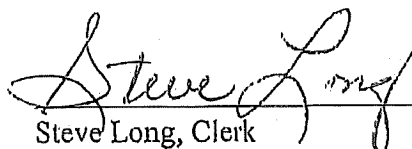
**SECTION 2.** The intent and purpose of this resolution is to provide a new and more accurate legal description of the boundary involved in the March 24, 1960 Annexation Ordinance and the KRS 81.045 filing, which did not correctly reflect the location of the March 24, 1960 annexation boundary.

**PASSED AND APPROVED,** by resolution of the Kuttawa City Council on this 14<sup>th</sup> day of May, 2012.

**APPROVED:**

  
Lee McCollum, Mayor  
City of Kuttawa

**ATTEST:**

  
Steve Long, Clerk  
City of Kuttawa

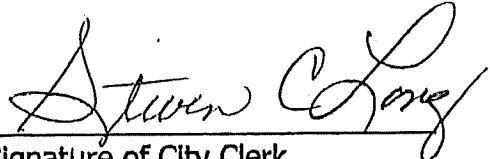
# City of Kuttawa

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

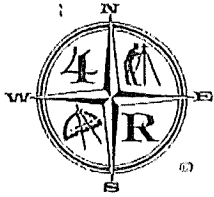
## CITY CLERK'S CERTIFICATION

I certify I am the duly qualified City Clerk of the City of Kuttawa, Kentucky and the foregoing 2 pages of Resolution No. 12-05-14-04 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on May 14, 2012, all as appears in the official records of said City:

WITNESS, my hand and (Seal or the Seal of said City), this 22th day of May, 2012.

  
\_\_\_\_\_  
Signature of City Clerk

Seal(Notarial or City Seal)



# FOUR RIVERS

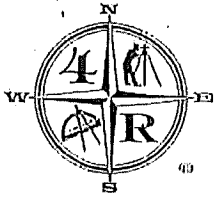
## ENGINEERING & SURVEYING

### LEGAL DESCRIPTION

City of Kuttawa-1960 Annexation Revised  
Exhibit "C"

A parcel of land being bounded on the north by Lake Barkley, bounded on the east by the Commonwealth of Kentucky (Department of Parks), Gregory Road and Tract 1106 (Army Corps of Engineers), bounded on the south by Tract 1107 (Army Corps of Engineers)(a.k.a. formerly Mabel Kenady), Tract 1112-4 (Army Corps of Engineers)(a.k.a. formerly The Chicago, St. Louis and New Orleans Railroad Company) and Lake Barkley; and bounded on the west by the Town of Kuttawa, said parcel being in the Community of Kuttawa, Kentucky, being in Lyon County and being more particularly described as follows:

**Beginning** at a point in the eastern corporate boundary line of the Town of Kuttawa, said point also being at the southwesterly corner of Tract 1110 (a.k.a. formerly Nora B. Mason, et al), said point being in the southerly right of way of old Highway 62 at its intersection with the easterly right of way of Hazel Street, said point having a Kentucky State Plane Coordinate (south zone) of N: 1912578.6, E: 953478.4; Thence, from said **Point of Beginning** and along the southerly right of way of said Highway the following eight (8) courses: (1) Thence, S 79°10'14" E a distance of 127.76 feet to a point; (2) Thence, S 77°33'02" E a distance of 1114.51 feet to a point; (3) Thence, S 75°55'00" E passing through a point in Knob Creek (the original Point of Beginning per 1960 Annexation) at a distance of 364.25 feet, continuing a total distance of 729.60 feet to a point; (4) Thence, S 72°23'24" E a distance of 675.10 feet to a point; (5) Thence, S 80°27'53" E a distance of 577.68 feet to a point; (6) Thence, S 80°22'34" E a distance of 577.40 feet to a point; (7) Thence, S 78°13'22" E a distance of 988.01 feet to a point; (8) Thence, S 74°38'30" E a distance of 199.61 feet to a point at the southwesterly corner of Tract 1112-4 (Army Corps of Engineers) (a.k.a. Formerly the Chicago, St. Louis and New Orleans Railroad Company); Thence, along the west line of said Tract, N 08°00'34" E a distance of 510.33 feet to a point at the northwest corner of said Tract; Thence, along the north line of said Tract, S 82°14'26" E a distance of 200.40 feet to a point at the northeast corner of said Tract; Thence, along the east line of said Tract, S 08°00'34" W a distance of 156.50 feet to a point at the northwest corner of Tract 1107 (Army Corps of Engineers) (a.k.a. Formerly Mabel Kenady); Thence, along the north line of said Tract, S 82°14'26" E a distance of 232.00 feet to a point at the northeast corner of said Tract, said point being in the west line of Tract 1106 (Army Corps of Engineers) (a.k.a. the west line of S.M. Martin Estate); Thence, along said west line the following seven (7) courses: (1) Thence, N 08°44'26" W a distance of 80.00 feet to a point; (2) Thence, N 00°45'34" E a distance of 130.00 feet to a point; (3) Thence, N 28°44'26" W a distance of 190.00 feet to a point; (4) Thence, N 36°14'26" W a distance of 215.00 feet to a point; (5) Thence, N 49°29'26" W a distance of 475.00 feet to a point; (6) Thence, N 42°14'26" W a distance of 270.00 feet to a point; (7) Thence, N 43°25'57" E a distance of 695.43 feet to a 6 inch by 6 inch concrete monument found in the center of old road bed, said point being at the westerly corner to S.M. Martin and R.S. Mason Estate; Thence, leaving the center of old road bed, N 47°21'33" E a distance of 387.04 feet to a point in the westerly right of way of Gregory



# FOUR RIVERS

## ENGINEERING & SURVEYING

Road (a 40 foot right of way); Thence, with the westerly right of way of Gregory Road the following five (5) courses: (1) Thence, with a curve turning to the right with an arc length of 301.73 feet, a radius of 1358.81 feet, a chord bearing of N 59°53'57" E, a chord length of 301.11 feet to a point; (2) Thence, N 61°47'27" E a distance of 232.68 feet to a point; (3) Thence, N 10°06'13" E a distance of 277.11 feet to a point; (4) Thence, with a curve turning to the right with an arc length of 198.35 feet, a radius of 545.91 feet, a chord bearing of N 23°14'00" E, a chord length of 197.26 feet to a point; (5) Thence, N 32°27'51" E a distance of 27.17 feet to a ½" iron rod and cap set in the westerly right of way of aforesaid Road, said point also being at the southeasterly corner of the Commonwealth Of Kentucky, as described in deed book 81, page 342 (a.k.a. formerly W.T. Gregory heirs); Thence, along the Commonwealth of Kentucky's southwesterly line the following three (3) courses: (1) Thence, N 48°45'00" W a distance of 872.89 to a found concrete monument stamped "ACE 1109-41"; (2) Thence, N 48°45'00" W a distance of 621.01 feet to a found concrete monument stamped "ACE 1116-1"; (3) Thence, N 47°48'35" W a distance of 580.76 feet to a concrete monument (no identification) found at a common corner to the Commonwealth of Kentucky (a.k.a the westerly corner of aforesaid Gregory heirs); Thence, along the northerly line of Tract 1111 (Army Corps of Engineers) (a.k.a. formerly A.O. Thomson and Heirs), N 88°45'10" W a distance of 2448.27 feet to a point at the northwest corner of aforesaid Tract and also at the intersection of Twelfth Street and Maple Street; Thence, along said Tract's westerly line and along the centerline of Maple Street, S 46°49'03" W a distance of 920.00 feet to a point in the easterly line of Tenth Street, said point being the intersection of Tract 1111 and in the original corporation boundary line of the City of Kuttawa; Thence, along the westerly line of Tract 1111 and with original Corporate Limits the following two (2) courses: (1) Thence, with the easterly right of way of Tenth Street, S 43°10'57" E a distance of 240.00 feet to a point; (2) Thence, along the centerline of an alley, S 46°49'03" W a distance of 1440.00 feet to a point in the easterly right of way line of Seventh Street; Thence, continuing along Corporate Limits and along said Street's easterly line, S 43°10'57" E a distance of 760.00 feet to a point in the southerly line of Hazel Street; Thence, along said Street's southerly line, S 46°49'03" W a distance of 1236.28 feet back to the **Point of Beginning** of the herein described tract.

The above described parcel contains 379.79 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 April 16, 2012.

**Source of Title.** The above described parcel is a portion of the property conveyed to the Commonwealth of Kentucky, as described in deed book 81, page 342 and recorded in the Lyon County Clerk's Office.

All bearings referred to are based on Global Positioning Systems (GPS), Kentucky South Zone, NAD83 (2007 datum), as observed between May 18, 2010 and December 3, 2011. 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. 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".