


Certification

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Kuttawa, Kentucky (the "City"), and, as the City Clerk of the City of Kuttawa, Kentucky, I further certify that the foregoing is a true, correct and complete copy of an Ordinance duly adopted by Kuttawa City Council, signed by the Mayor of the City, and now in full force and effect, all as appears from the official records of the City of Kuttawa, Kentucky in my possession and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of September, 2025.


Savannah McLeod, City Clerk
City of Kuttawa, Kentucky

RECEIVED AND FILED
DATE November 4th
2025
MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY James Phillips

CITY OF KUTTAWA, KENTUCKY
ORDINANCE NO. 08-11-25-10

**AN ORDINANCE ANNEXING KUTTAWA HEIGHTS SUBDIVISION #2
INTO THE CITY OF KUTTAWA**

WHEREAS, Kuttawa Heights Subdivision #2 is located within the corporation limits of the City of Kuttawa; and

WHEREAS, a re-platting of the subdivision has been done to resolve boundary conflicts with existing buildings and right-of-way; and

WHEREAS, as part of this re-platting portion of New Circle Road requires a reduction in the right-of-way width from 50 feet to 32 feet for approximately 140 feet; and

WHEREAS, a relocation of the right-of-way of New Circle Road is necessary to move said right-of-way approximately 40 feet to the east; and

WHEREAS, in the re-platting of the subdivision, a new parcel (Lot 2) will be annexed into the City of Kuttawa; and

WHEREAS, no pavement nor buildings will be moved; only the property boundaries to recognize existing conditions; and

WHEREAS, no part of the area to be annexed is included within the boundary of another incorporated city; and

WHEREAS, Narendra Patel and Meenaxi Patel, owners of the real property to be annexed have requested the annexation of the subject property; and

WHEREAS, there is no other property owner or registered voter in the property whose consent would be required to annex the subject property; and

WHEREAS, the City of Kuttawa has not otherwise been challenged in a court of law or any other proceeding with annexing the subject property; and

WHEREAS, in accordance with Kentucky Senate Bill 141, the City of Kuttawa has obtained a written concurrence for the annexation of the subject property from the Judge Executive of Lyon County, Kentucky, and the Mayor of Kuttawa, a courtesy copy of which is attached hereto as "Exhibit D" and is made a part hereof and is incorporated herein by reference.

NOW THEREFORE, be it ordained by the City of Kuttawa, Kentucky as follows:

Section 1. Annexation of New Lot 2. That the subject property, which property is more particularly described in the legal description which is attached hereto as "Exhibit A" (which is incorporated herein by reference and is made a part hereof), is hereby annexed in the City of Kuttawa, Kentucky. This newly annexed area, which area is notated as Lot 2 on the Consolidated Plat attached hereto as "Exhibit B" (which is incorporated herein by reference and is made a part hereof) is initially zoned as R-3.

The property owners, Narendra Patel and Meenaxi Patel, have requested that the aforementioned property be annexed into the corporation limits of the City of Kuttawa. This request and consent has been documented in the Consent to Annexation Agreement which is attached hereto as "Exhibit C", and which is made a part hereof and is incorporated herein by reference.

In accordance with KRS 81A.412, the City of Kuttawa has obtained a written concurrence for the annexation of the subject property from the Lyon County Fiscal Court, a copy of which is attached hereto as "Exhibit D" and is made a part hereof and is incorporated herein by reference

Section 2. Consolidation Plat. The consolidation plat, a copy of which is attached hereto as Exhibit "B", affected existing lots in the following manner:

- Lot 5C will become new Lot 1;
- Lots 31, 17 and a small portion of 16 (deed by Cook to Patel) will become new Lot 2;
- Lot 16 will be reduced by a small amount as described above;
- Lot 4 will be divided and become new Lots 4 and 5;

Section 3. New Circle Road. The Lyon County Fiscal Court has reduced the right-of-way of New Circle Road from 50 feet to 32 feet for the distance of approximately 140 feet from the US 62 right-of-way north, and relocates the new right-of-way approximately 40 feet to the east, to avoid conflict with existing buildings. Lyon County Fiscal Court enacted this change by way of Order No. 02-2025, a copy of which is attached hereto as "Exhibit E", which is made a part hereof and is incorporated herein by reference. This portion of New Circle Road will remain a County road.

1st Reading: 8-11-2025
Consideration: 9-8-2025
Publication: 9-24-2025

2nd Reading: 9-8-2025
Passage: 9-8-2025

Barbara Campbell

Barbara Campbell, Mayor
City of Kuttawa, Kentucky

ATTEST:

Savannah McLeod
Savannah McLeod, City Clerk
City of Kuttawa, Kentucky

CONSENT TO ANNEXATION AGREEMENT

This Consent to Annexation Agreement is made and entered into on this the 8 day of August, 2025, by and between NARENDRA PATEL AND MEENAXI PATEL, (hereinafter collectively referred to as "Property Owner") and the CITY OF KUTTAWA, KENTUCKY, a Kentucky municipal corporation, (hereinafter referred to as "City"):

WHEREAS, Property Owner is the owner of certain real property (consisting of approximately 0.56 acres +/-) lying in Lyon County, Kentucky which is not currently within the municipal boundaries of the City, and is more particularly described in the legal description attached hereto as "Exhibit A" and is made a part hereof; and

WHEREAS, Property Owner has expressed a desire to have the above-described property annexed into the corporate boundaries of the City; and

WHEREAS, City has expressed an interest in having the above-described property annexed into its corporate boundaries pending the approval of annexation ordinance duly passed by the city council for the City; and

WHEREAS, Property Owner desires to give its consent for annexation of the above-described property by the City.

NOW THEREFORE, for and in consideration of the mutual promises and covenants herein contained the parties hereto hereby agree as follows:

(1) That Property Owner hereby consents to have the above-described real property (consisting of approximately 0.56 acres +/- and more particularly described in "Exhibit A," which is attached hereto and made a part hereof) annexed into the City and hereby waives any rights to assert the requirements of KRS Chapters 81A or any other legal requirements for annexation other than what may be required by the City for a consensual annexation.

(2) That Property Owner expressly agrees and understands that the city council for the City will be required to pass and approve a consensual annexation ordinance as required by Kentucky Revised Statutes.

(3) That Property Owner hereby forfeits any rights that it may have to contest annexation.

(4) Property Owner represents and warrants that it is the fee simple owner of the real property described above and that there is no other person, firm, or entity whose consent may be required to annex the above-described property.

(5) It is further understood and agreed by the Property Owner that this Consent to Annexation Agreement is a covenant running with the above-described real property and is binding upon all successors and assigns of Property Owner.

IN WITNESS WHEREOF, the parties execute this agreement on the day and date above written.

**PROPERTY OWNER:
NARENDRA PATEL**

Narendra L. Patel

MEENAKI PATEL

~~MEENAKI PATEL~~ MEENAKI . H. PATEL

**CITY:
CITY OF KUTTAWA, KENTUCKY**

Barbara Campbell
Barbara Campbell; Mayor

STATE OF KENTUCKY

COUNTY OF LYON

Subscribed, sworn to, and acknowledged before me by Narendra Patel on this the 8th
day of August, 2025.

Dee Greene
NOTARY PUBLIC, STATE AT LARGE

Notary ID: 72435

My Commission Expires: 4-13-27

STATE OF KENTUCKY

COUNTY OF LYON

Subscribed, sworn to, and acknowledged before me by Meenaxi Patel on this the
8th day of August, 2025.

Dee Greene
NOTARY PUBLIC, STATE AT LARGE

Notary ID: 72435

My Commission Expires: 4-13-27

STATE OF KENTUCKY

COUNTY OF LYON

Subscribed, sworn to, and acknowledged before me by Barbara Campbell, Mayor, on behalf of the City of Kuttawa, Kentucky, on this the 8th day of August, 2025.

Paop Keene

NOTARY PUBLIC, STATE AT LARGE

Notary ID: 72435

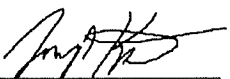
My Commission Expires: 4-13-27

The following legal description was prepared by Joseph R. Kiesel, LS20800145, of Kiesel Wagner Survey LLC, per a survey dated June 16th, 2025. A revised road Right of Way for New Circle Drive, originally platted within the Kuttawa Heights Subdivision, recorded in Plat Cabinet 1, Card 32, Lyon County Kentucky, located north of U.S. highway 641/62, between the cities of Eddyville and Kuttawa Ky and more particularly described as follows:

Commencing at a stone found at the Northern most corner of the originally platted Lot 16 of Kuttawa Heights Subdivision, thence along the Northeastern line of said Lot 16; South 65 degrees 05 minutes 21 seconds East a distance of 45.00 feet to the Point of Beginning of this description, said point being a rebar set with cap stamped "J. KIESEL 4064", hereon described as rebar set; thence South 66 degrees 15 minutes 00 seconds East a distance of 51.74 feet to a rebar set; thence South 35 degrees 03 minutes 58 seconds West a distance of 174.09 feet to a rebar set; thence South 35 degrees 52 minutes 10 seconds West a distance of 62.48 feet to a rebar set; thence South 35 degrees 25 minutes 47 seconds West a distance of 73.66 feet to a mag-nail set with washer stamped "J. KIESEL 4064", hereon described as mag-nail set ; thence along a curve to the left 18.07 feet having a radius of 20.00 feet and subtended by a long chord having a bearing of South 27 degrees 33 minutes 25 seconds West with a chord length of 17.46 feet to a mag-nail set; thence South 19 degrees 19 minutes 29 seconds East a distance of 137.62 feet to a mag-nail set; thence South 59 degrees 27 minutes 02 seconds West a distance of 252.50 feet to a rebar set; thence North 27 degrees 06 minutes 00 seconds West a distance of 35.72 feet to a mag-nail found; thence North 59 degrees 18 minutes 07 seconds East a distance of 224.92 feet to a mag-nail set; thence North 19 degrees 19 minutes 29 seconds West a distance of 130.92 feet to a mag-nail set; thence along a curve to the right 45.16 feet having a radius of 50.00 feet and subtended by a long chord having a bearing of North 06 degrees 33 minutes 09 seconds East with a chord length of 43.64 feet to a rebar set; thence North 32 degrees 25 minutes 47 seconds East a distance of 49.13 feet to a rebar set; thence North 35 degrees 17 minutes 38 seconds East a distance of 76.08 feet to a rebar set; thence North 34 degrees 48 minutes 28 seconds East a distance of 163.94 feet to the Point of Beginning and containing 0.67 acres, more or less.

I, Joseph R. Kiesel, a Professional Land Surveyor in the State of Kentucky, do hereby certify that the above legal description is true and correct and was composed after a field survey of the area.

Witness my hand and seal this 7th day of June 2025.



Joseph R. Kiesel, PS
Kentucky Registration# 4064

