CERTIFICATION OF ORDINANCE

I certify that I am the duly qualified City Clerk of the City of Paintsville, Kentucky, and the foregoing 9 pages of Ordinance of the City of Paintsville, Kentucky, dated March 7, 1972 and officially entitled "the Annexation Ordinance of 1972", is a true, correct and complete copy duly adopted by the City Council of the City of Paintsville, Kentucky at a duly convened meeting held on March 7, 1972, all as appears in the official records of the City of Paintsville, Kentucky.

WITNESS, my hand and Seal of the City of Paintsville, Kentucky, this 12 day of November, 2010.

Virgie Castle

VIRGIE CASTLE

RECEIVED AND FILED
DATE December 29, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randie Adkins

ORDINANCE ANNEXING CERTAIN TERRITORIES
TO THE CITY OF PAINTSVILLE, KENTUCKY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINTSVILLE

SECTION I. TITLE: This ordinance shall be known and cited as the Annexation Ordinance of 1972.

SECTION II. TERMS: The following described territories, adjacent to the East and West boundaries to the City of Paintsville, shall be annexed and made a part of the City of Paintsville, Kentucky:

EAST SIDE

Beginning at a point near the upper or south end of the C & O Railway yard and being on the west edge of Levisa Fork of Big Sandy River, also being a point in the present City Limits; thence in a southern direction and with the West edge of said River, up stream, a distance of 4950' + feet to the mouth of Burnt Cabin Branch; thence crossing the river N 31° 04 E 900'+ feet to a stake on top of point; thence with the center of point N 06° 02 E 450' + feet to a stake; thence N 21° 18E 325 + feet to a stake; thence N52° 42E 550'+ feet to a stake; thence N 21° 37' E 300'+ feet to a stake and center of ridge between River and Davis Branch; thence with the center of ridge N 12° 30' E 575 + feet to a stake in center of knob; thence N 04° 30'W 600' +feet to a stake; thence N 04° 12'E 425' + feet to a stake; thence N 13° 01 E 550' + feet to a stake; thence N 06° 25'W 425' + feet to a stake; thence N 42° 46W 300'+ feet to a stake; thence N 25° 30'W 200'+feet to a stake; thence N 20° 12'E 675 '+ feet to a stake; thence N 64° 30E 800'+ feet to a stake on top of point; thence leaving the point and down the drain S 78° 00' E 1275' feet to the center of hollow; thence up the hill S 52° 24'E 350+ feet to a stake on top of low point; thence down the point S 87° 39' E 350'+ feet to the intersection of the West right-of-way line of Highway 40 and Highway 1270; thence with the West right-of-way of Highway 40, S 39° 00E 375'+ feet to a stake; thence leaving the right-of-way of Highway 40 and crossing river N 61° 06E 825'+ feet to a stake on the northeast edge of Levisa Fork of Big Sandy River, 250' above the bridge to golf course; thence up the river with the northeast edge 8700' + feet to a point in the edge of river, also being a point to the present City Limits. Said point being 650' + north of the mouth of Paint Creek.

EXHIBIT

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WEST SIDE

Beginning on top of point near cemetery on North side of Mill Branch also being a point in the present City Limits thence with the center of point N 76° 00W 250'+ feet to a stake; thence N 50° 28W 200'+ feet to a stake; thence S 85° 38' W 200'+ feet to a stake; thence N 66° 27' W 300' + feet to a stake and center of ridge between Mill Branch and Paint Creek; thence with the center of ridge N 10° 44'W 225'+ feet to a stake; thence N 47° 42' W 250' + feet to a stake; thence N 82° 20'W 400'+ feet to a stake; thence S 66° 20W 175' + feet to a stake; thence N 37° 05'W 475'+ feet to a stake; thence N 12° 00W 150'+ feet to a stake; thence N 11° 39E 575'+ feet to a stake; thence N 37° 56' W 675'+ feet to a stake; thence N 51° 48W 300'+ feet to a stake; thence N 17° 37' W 300'+ feet to a stake; thence N 03° 54 W 100'+ feet to a stake; thence N 49° 30W 500'± feet to a stake; thence N 88° 06W 450'+ feet to a stake; thence leaving the ridge and with the center of point N 45° 30W 400'+ feet to a stake; thence S 86° 02W 575'+ feet to a stake; thence N 24° 48'W 175'+feet to a stake and southeast edge of Paint Creek, stake being 1200 feet below the mouth of Jennys Creek; thence with the southeast edge of Paint Creek in a northeast direction down creek 2800'+ feet to a stake; thence crossing Paint Creek and up the point N 03° 50'W 450'+ feet to a stake on point; thence N 16° 10'E 400'+ feet to a stake and center of ridge; thence with the center of ridge between Turner Branch and Tays Branch, N 50° 00W 175'+ feet to a stake; thence N 10° 45W 700'+ feet to a stake; thence N 05° 06E 1275'+ feet to a stake; thence N 25° 22 W 200'+ feet to a stake on knob; thence N 15° 00E 450'+ feet to a stake; thence N 44° 41E 250'+ feet to a stake in gap; thence N 61° 32 E 275'± feet to a stake on knob; thence leaving the ridge between Turner Branch and Tays branch S 57° 25'E 5075'+ feet to a stake on knob between Tays Branch-Vaughan Branch-Hoss Mill Branch Boyd Branch; thence with the center of ridge between Hoss Mill Branch and Boyd Branch S 77° 38'E 225'+ feet to a stake; thence S 28° 30'E 700'+ feet to a stake; thence S 15° 41 E 300' feet to a stake; thence S 04° 00'E 250'+ feet to a stake; thence S 23° 30 E 450'+ feet to a stake; thence S 60° 55 E 600'+ feet to a stake knob; thence S 02° 28E 500'+ feet to a stake; thence S 06° 30 W 375'+ feet to a stake; thence S 22° 05'W 200'+ feet to a stake on center of knob and present City Limits, about 900 feet Northwest by Radio Tower.

SECTION III. FINDINGS: The Council specifically finds that annexation of the above described territories is necessary for the future management, growth and development of the City of Paintsville, and for the protection, benefit and welfare of all the citizens residing in the present

SECTION IV. EFFECTIVE DATE: This Ordinance shall become effective immediately upon compliance of all applicable provisions of the Kentucky Revised Statutes.

Adopted unanimously this 7TH day of March, 1972.

John E. Chandler

John E. Chandler, Mayor

ATTEST:

Annette D. Justice

Annette Justice, City Clerk

ORDERS } Johnson Circuit Court

JANUARY TERM } 21st day JANUARY 1975

IN RE: ANNEXATION BY THE CITY OF PAINTSVILLE, KY.

AGREED ORDER AND JUDGMENT CR-5026

The City of Paintsville having filed a motion to annex certain property with the consent of the landowners of said property, and that motion having come on for hearing, and the Court being sufficiently advised, the Court finds the following facts:

1. Cynthia Castle and Barbara Pugh, both of Paintsville, Kentucky, own a 76.68 acre tract located on the Levisa Fork of the Big Sandy River adjacent to the city limits of Paintsville, Kentucky;

2. Cynthia Castle and Barbara Pugh have entered into an annexation agreement with the City of Paintsville, Kentucky consenting to annexation by the City;

3. East Kentucky Service Corporation, Inc. owns a 41.89 acre tract of land located near the city limits of Paintsville, Kentucky and adjacent to the 76.68 acre tract of land owned by Cynthia Castle and Barbara Pugh;

4. Island Creek Coal Company has obtained an option on said property and both Island Creek Coal Company and East Kentucky Service Corporation has agreed to the annexation of said tract by the City of Paintsville;

Con'td next page.....

EXHIBIT

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IN RE: ANNEXATION BY THE CITY OF PAINTSVILLE, Con'td.....

5. Said tracts are included in the area sought to be annexed by the City of Paintsville in the above styled action and both tracts are located within the service area covered by a certificate of convenience issued to Paintsville Suburban Water District; and,

6. Both agreements heretofore mentioned have been filed with the Court;

ORDER AND JUDGMENT

The City of Paintsville having heretofore enacted an ordinance agreeing to annexation of the subject property, and in accordance with Ward v. City of Ashland, 476 S. W. 2d 405 (1972) and in accordance with KRS 81.275, it is ORDERED, DECREED and ADJUDGED that the property belonging to Cynthia Castle and Barbara Pugh, heirs of Clarence Castle, as described on a map attached to this Judgment as an exhibit and made a part of this Judgment by incorporation is annexed into the corporate limits of the City of Paintsville and the boundaries of the City of Paintsville shall conform to the boundaries of the subject property and that the property owned by East Kentucky Service Corporation Inc., with option being held thereon by Island Creek Coal Company adjacen to and contiguous with the property owned by Cynthia Castle and Barbara Pugh, consisting of 41.89 acres, is annexed into the corporate limits of the City of Paintsville and said corporate limits shall run with the boundary lines of said property as described and set forth on the attached map heretofore referred to and incorporated hereby by reference.

This ORDER and JUDGMENT pertains only to the above described property and is not a determination as to other lands sought to be annexed by the City's original petition.

Con'td next page....

ORDERS
JANUARY TERM

Johnson Circuit Court
21st day JANUARY 1975

IN RE: ANNEXATION BY THE CITY OF PAINTSVILLE, KY.

Entered this 17 day of Sept., 1974.

Hollie Conley
HOLLIE CONLEY, SPECIAL JUDGE OF THE
JOHNSON CIRCUIT COURT

Stephen N. Frazier
STEPHEN N. FRAZIER
CITY ATTORNEY FOR CITY OF
PAINTSVILLE
Paintsville, Kentucky

B. E. MULLINS
ATTORNEY FOR CYNTHIA CASTLE
and BARBARA PUGH
Paintsville, Kentucky

FRED G. FRANCIS
ATTORNEY FOR ISLAND CREEK
COAL COMPANY
Prestonsburg, Kentucky

Allan Scott Perry
ALLAN SCOTT PERRY
PRESIDENT OF EAST KENTUCKY
SERVICE CORPORATION, INC.
Paintsville, Kentucky

JAN 21 '75 PM

KENNETT WILLIAMS
CLERK JOHNSON CIRCUIT COURT

AGREEMENT

WHEREAS, EAST KENTUCKY SERVICE CORPORATION, INC., owns in fee a 41.89 acre tract of land located near the City limits of Paintsville, Kentucky, adjacent to a 76.68 acre tract of land owned by Cynthia Castle, Paintsville, Kentucky and Barbara Pugh, Paintsville, Kentucky, and;

WHEREAS, the Castle-Pugh property is adjacent to the City of Paintsville, and;

WHEREAS, THE City of Paintsville, Kentucky and Cynthia Castle and Barbara Pugh have entered into an Annexation Agreement whereby the City of Paintsville is annexing the Castle-Pugh property into its corporate limits, and whereas, East Kentucky Service Corporation, Inc. desires that its property, adjacent to the Castle property, but not touching the City limits of Paintsville, Kentucky, desires to have its property annexed into the corporate limits of the City of Paintsville, Kentucky and the City of Paintsville having agreed, the parties now agree as follows:

1. The City of Paintsville, Kentucky and its related agencies agree to furnish utility service, including gas, water, and sewer to the property line of the above mentioned property at a point to be designated by the City of Paintsville as being the most feasible point to bring said services to the property.

2. East Kentucky Service Corporation, Inc. for the consideration set forth in numeral paragraph one of the furnishings of utility services to the property line of East Kentucky Service Corporation agree to the annexation of said property into the corporate limits for the City of Paintsville, Kentucky; and

Con'td next page.....

AGREEMENT...Con'td.....

3. East Kentucky Service Corporation, Inc. and the City of Paintsville, Kentucky, agree to execute any and all documents necessary to effectuate the purposes of this agreement, including but not limited to the signing of Agreed Orders, giving of depositions, or any other actions that may be required by the Hon. Hollie Conley, Judge of the Floyd Circuit Court, sitting as Special Judge in the annexation suit styled: IN RE: ANNEXATION BY THE CITY OF PAINTSVILLE, KENTUCKY, C.R. 5026,

IN WITNESS WHEREOF, the parties have set their hands this the 20th day of August, 1974.

CITY OF PAINTSVILLE,

BY: [signature]
JOHN CHANDLER, MAYOR

ATTEST:

[signature]
CITY CLERK

EAST KENTUCKY SERVICE CORPORATION
INCORPORATED

BY: [signature]
PRESIDENT

ATTEST: [signature]
Secretary

STATE OF KENTUCKY

COUNTY OF JOHNSON

Subscribed and Sworn to before me by Mayor John Chandler this the 20th day of August, 1974.

[signature]
NOTARY PUBLIC

MY COMM. EXPIRES: July 22, 1978

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AGREEMENT....Con'td.....

STATE OF KENTUCKY)
: Sct.
COUNTY OF JOHNSON)

I, Anna R. Rowland, a Notary Public in and for the County and State aforesaid do hereby certify that the foregoing agreement between East Kentucky Service Corp. and the City of Paintsville was this day produced to me by Allan S. Perry, President of East Kentucky Service Corporation on behalf of East Kentucky Service Corporation and acknowledged same to be the act and deed on behalf of said Corporation.

This 12th day of August, 1974.

Anna R. Rowland
NOTARY PUBLIC
State of Kentucky at Large

MY COMM. EXPIRES:
8/30/77

Island Creek

IN RE: ANNEXATION BY THE CITY OF PAINTSVILLE, KY.

C.R. _____

AGREED ORDER AND JUDGMENT

The City of Paintsville having filed a motion to annex certain property with the consent of the landowners of said property, and that motion having come on for hearing, and the Court being sufficiently advised, the Court finds the following facts:

1. Cynthia Castle and Barbara Pugh, both of Paintsville, Kentucky, own a 76.68 acre tract located on the Levisa Fork of the Big Sandy River adjacent to the city limits of Paintsville, Kentucky;

2. Cynthia Castle and Barbara Pugh have entered into an annexation agreement with the City of Paintsville, Kentucky consenting to annexation by the City;

3. East Kentucky Service Corporation, Inc. owns a 41.89 acre tract of land located near the city limits of Paintsville, Kentucky and adjacent to the 76.68 acre tract of land owned by Cynthia Castle and Barbara Pugh;

4. Island Creek Coal Company has obtained an option on said property and both Island Creek Coal Company and East Kentucky Service Corporation has agreed to the annexation of said tract by the City of Paintsville;

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5. Said tracts are included in the area sought to be annexed by the City of Paintsville in the above styled action and both tracts are located within the service area covered by a certificate of convenience issued to Paintsville Suburban Water District; and,

6. Both agreements heretofore mentioned have been filed with the Court;

ORDER AND JUDGMENT

The City of Paintsville having heretofore enacted an ordinance agreeing to annexation of the subject property, and in accordance with Ward v. City of Ashland, 476 S. W. 2d 405 (1972) and in accordance with KRS 81.275, it is ORDERED, DECREED and ADJUDGED that the property belonging to Cynthia Castle and Barbara Pugh, heirs of Clarence Castle, as described on a map attached to this Judgment as an exhibit and made a part of this Judgment by incorporation is annexed into the corporate limits of the City of Paintsville and the boundaries of the City of Paintsville shall conform to the boundaries of the subject property and that the property owned by East Kentucky Service Corporat Inc., with option being held thereon by Island Creek Coal Company adjac to and contiguous with the property owned by Cynthia Castle and Barbara Pugh, consisting of 41.89 acres, is annexed into the corporate limits of the City of Paintsville and said corporate limits shall run with the boundary lines of said property as described and set forth on the attached map heretofore referred to and incorporated hereby by reference.

This ORDER and JUDGMENT pertains only to the above described property and is not a determination as to other lands sought to be annexed by the City's original petition.

Entered this 17 day of Sept., 1974.

Hollie Conley

HOLLIE CONLEY, SPECIAL JUDGE OF THE
JOHNSON CIRCUIT COURT

Stephen N. Frazier

STEPHEN N. FRAZIER
CITY ATTORNEY FOR CITY OF
PAINTSVILLE
Paintsville, Kentucky

B. E. Mullins

B. E. MULLINS
ATTORNEY FOR CYNTHIA CASTLE
and BARBARA PUGH
Paintsville, Kentucky

Fred G. Francis

FRED G. FRANCIS
ATTORNEY FOR ISLAND CREEK
COAL COMPANY
Prestonsburg, Kentucky

Allan Scott Perry

ALLAN SCOTT PERRY
PRESIDENT OF EAST KENTUCKY
SERVICE CORPORATION, INC.
Paintsville, Kentucky

A COPY, ATTEST:

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76-04

ORDINANCE ANNEXING TERRITORY
TO THE CITY OF PAINTSVILLE, KENTUCKY

Whereas, the City Council of the City of Paintsville, on the 2nd day of June, 1976, enacted an ordinance proposing to annex certain described property to the City of Paintsville; and

Whereas, on the 14th day of July, 1976, a petition was filed in the Johnson Circuit Court seeking to annex to the City of Paintsville the same certain property which was more particularly and accurately described therein by metes and bounds; and

Whereas on the 24th day of September, 1976, an order was entered in the Johnson Circuit Court, filed in Civil Order Book No. 53, pages 416-417, styled "Judgment Annexing Territory", annexing the territory described in the petition to the City of Paintsville

Now, therefore, be it ordained by the Council of the City of Paintsville, as follows:

SECTION I : That the following territory, accurately described by metes and bounds, be, and the same is hereby, annexed and made a part of the City of Paintsville, Kentucky:

EAST SIDE RICHMOND VILLAGE

BEGINNING at a point on the western edge of the Levisa Fork of the Big Sandy River, said point being 650 feet N of the mouth of Paint Creek and also being a point on the present city limits boundary of the City of Paintsville; thence along the northeast bank of the Levisa Fork of the Big Sandy River and with the meanders of the river in a northerly direction down stream 8,050, feet to a point in a line with the Doctor John Turner property; thence S 60 deg 34" W 270 feet to a corner of the John Turner property thence S 60 deg 34" W 175 feet to an iron pin and a corner thence S 29 deg 26" E 160 feet to a point; thence S 54 deg 4" W 350 feet to a point thence N 29 deg 26" W 105 feet to a point; thence S 60 deg 34" 300 feet to a point on the southwest right-of-way of Kentucky route 40; thence northwesterly with the said right-of-way, 5,250 feet to the bank of the Levisa Fork of the Big Sandy River; thence northwesterly in a straight line 250 feet across the Levisa Fork of the Big Sandy River to the present city lim boundary of the City of Paintsville and on the W bank of

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the Levisa Fork of the Big Sandy River; thence northwest with the W bank of the Big Sandy River and along the present city boundary 150 feet to the point of beginning.

WEST SIDE North Gate

BEGINNING at a point on the center of the knob in the present city limits boundary of the City of Paintsville, said point being 900 feet N 37 deg 0" W of the radio towers; thence following the ridge line between Hoss Mill Branch and Boyd Branch, N 24 deg o" E 200 feet to a point thence N 4 deg 40" E 400 feet to a point; thence N 4 deg 35" W 500 feet to a point; thence N 62 deg 5" W 600 feet to a point; thence N 23 deg 5" W 550 feet to a point; thence N 9 deg 5" W 450 feet to a point; thence N 30 deg 35" W 750 feet to a point on the knob between Tays Branch Hoss Mill Branch and Boyd Branch; thence along said knob N 86 deg 45" W 250 feet; thence with the ridge S 40 deg 45" W 450 feet to a point; thence S 20 deg 30" W 750 feet to a point; thence S 46 deg 30" W 450 feet to a point; th S 21 deg 45" W 500 feet to a point; thence S 7 deg 30" W 1,330 feet to a point on northeast right-of-way of old US 23-US 460 highway; thence with said right-of-way to the northwest corner of the intersection of the right-of-way of new 23 and US 460, 5,400 feet; thence southwesterly wi the right-of-way across US 23 to the southwest right-of- was to a point opposite the northwest corner; thence with the southwest right-of-way of new US 23 and US 460 and crossing US 460 6.700 feet to the present city limits of the City of Paintsville; thence in a line with the present city limits boundary in a northeasterly direction to the point of beginning.

SECTION II: EFFECTIVE DATE: This Ordinance shall become effective immediately upon its passage.

Adopted this 5 day of October, 1976.

James S. Trimble

JAMES S. TRIMBLE, MAYOR

ATTEST:

Charlene Smith

CHARLENE SMITH, CITY CLERK

850

DB 172 - 850

188734

39. Continued Deed Bk. 173

DEED

This DEED OF CONVEYANCE, made and entered into this the 11th day of July, 1974, by and between Cynthia Castle, Widow, and Barbara Pugh and Danny W. Pugh, her husband, Paintsville, Kentucky, parties of the first part, and East Kentucky Service Corporation, Paintsville, Kentucky, party of the second part.

WITNESSETH: THAT for and in consideration of the sum of Seventy Thousand Dollars ($70,000), cash in hand paid, the receipt whereof is hereby acknowledged, the parties of the first part hereby sell and convey unto the party of the second part, certain property in Johnson County, Kentucky, which property is more particularly described as follows:

Certain property in Johnson County, Kentucky, located on the east side of Big Sandy River, approximately one-half mile South of the city limits of Paintsville, Kentucky, and at the property line of Lige Smith; thence N 14-06-40 E, 282.73 feet; thence S 71-08 E, 136.45 feet; thence S 18-00-30 E, 109.42 feet; thence S 67-29-20 E, 214.56 feet; thence S 80-53-50 E, 69.46 feet; thence S 88-38-40 E, 162.47 feet; thence N 06-21 E, 223.80 feet; thence N 46-35-20 E, 264.56 feet to a locust; thence N 03-24-30 E 225.71 feet; thence N 17 36 E, 588.79 feet to a black oak; thence S 88-40-40 W, 934.71 feet to post; thence S 88-29-10 W, 682.25 feet to poplar, thence continuing in same direction 130.00 feet to top of river bank, thence S 10-84-20 W 231.64 feet; thence S 04-05 E, 308.78 feet, thence S 21 11 E 132.45 feet; thence S 15-53 E, 273.12 feet, thence S 57 15 E 284.00 feet; thence S 66-57-10 E, 135.05 feet, thence S 84 0 40 E 321.39 feet to point of beginning, containing 41.89 acres.

Being part of the same property conveyed to Clarence Castle by deed dated June 26, 1969, from Roxie Smith, et ux, recorded in Deed Book 157, page 374; by deed from Betsy Allen Carter, et vir, dated June 15, 1970, recorded in Deed Book 158, page 74, and by several deeds from Frank Preston, et al, dated September, 1967, recorded in Deed Book 165, pages 81, 87, 93, 97, 100, 104, 107 and 110, all of Records of Johnson County Court Clerk's Office.

By Will of Clarence Castle, dated March 4, 1956, recorded in Deed Book F, page 351, Johnson County Records, the above property was devised to Cynthia Castle, his wife, and his daughter, Barbara Pugh.

In addition, there is conveyed herewith a right of way for highway purposes 60 feet in width, running North from the property herein conveyed over the property retained by grantors herein, and over the property acquired by Clarence Castle by deed from James Ratliff, et ux, dated June 16, 1972, recorded in Deed Book No. 166, page 10, Records of Johnson County Court Clerk's Office. Also, all the right of way granted by James Ratliff, et ux, in the deed immediately referred to above, which was conveyed to Clarence Castle in said deed It is understood that the parties hereto will agree on the centerline of said right of way.

TO HAVE AND TO HOLD the above described property, with all the appurtenances thereunto belonging, unto the party of the second part, its successors and assigns forever, with Covenants of GENERAL WARRANTY.

IN TESTIMONY WHEREOF, the parties of the first part have hereunto subscribed their names, this the day and year first above writte.

Cynthia Castle, Widow

Barbara P.

Danny W. Pugh

COMMONWEALTH OF KENTUCKY)
: Sct.
COUNTY OF JOHNSON)

The foregoing instrument was acknowledged before me this ____ day of July, 1974, by Cynthia Castle, Widow, and Barbara Pugh and Danny W. Pugh, her husband.

My commission expires _____.

NOTARY PUBLIC

This instrument prepared by:

B. E. MULLINS
Attorney at Law
Paintsville, Kentucky 41240

OVERSIZE MAP INCLUDED WITH SUBMISSION.

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