

CERTIFICATION PURSUANT TO KRS 81A.470

I CERTIFY THAT I AM THE DULY QUALIFIED CLERK OF THE CITY OF PINEVILLE, KENTUCKY AND CERTIFY THAT THE ANNEXATION ORDINANCE DATED MARCH 8, 1965 IS A TRUE, CORRECT AND COMPLETE COPY DULY ADOPTED BY THE PINEVILLE CITY COUNCIL MARCH 8, 1965 AS IT APPEARS IN THE OFFICIAL RECORDS OF SAID CITY.

WITNESS, BY MY HAND AND SEAL CERTIFICATION OF MARCH 8, 1965.

Imogene Carnes Mills

IMOGENE MILLS, CITY CLERK/TREASURER

RECEIVED AND FILED
DATE October 21, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkins

ORDERS

civil

Bell Circuit

COURT

MAY Term,

1st.

Day,

3rd.

Day of

MAY

1965

FORM 07-7

0 0 0 0 0 0 0 0 0

CITY OF PINEVILLE, KENTUCKY,

PLAINTIFF

VS: 4511-19

J U D G M E N T

THREE ACRES OF LAND: AND
ROBERT MASON COMBS AND ROSE MARY COMBS,

DEFENDANTS

The City of Pineville, Kentucky, a municipal corporation of the fourth class, having, on March 8, 1965, by ordinance duly adopted by its Mayor and City Council directed the annexation of the territory therein described and hereinafter described as a part of such municipality said ordinance being of record in the records of Council Order Book No. 14 pages 266-267; and it appearing that said ordinance was duly published in three consecutive issues, commencing with the issue of March 11, 1965, of The Pineville Sun, a newspaper published in and having a general circulation in said City; and it appearing that said ordinance and newspaper publication or advertisement of same contained notice of this proceeding in Court then proposed; and it further appearing that notice of the filing of plaintiff's complaint in this Court for annexation of said territory has been duly given in the same manner as notice of the passage of said ordinance, by publication thereof in the said newspaper in its consecutive weekly issues published on April 8, 15, and 22, 1965 as shown by affidavit of the published with a true copy of the published notice thereto attached; and it appearing that the defendants, Robert Mason Combs and Rose Mary Combs, are the owners of the territory proposed to be annexed and are the only voters and persons residing thereon, and that they have, by Answer herein, joined with the plaintiff in demanding that said territory be annexed by and this being the first day of the regular May term 1965 of the Bell Circuit Court, and no resident or voter of the territory proposed to be annexed having filed a defense herein objecting to or protesting such annexation of said territory; and

It appearing that all steps and proceedings prescribed in KRS 81.210 providing for the annexation of territory by such municipality, have been fully complied with, and the Court being of the opinion that the annexation of said territory will be for the benefit of said City and will cause no material injury to the owners of real estate in the area proposed to be annexed now, therefore pursuant to the provisions of KRS 81.220,

IT IS ADJUDGED by the Court that the three acres, more or less, of land described in the plaintiff's complaint herein filed be and is hereby annexed to the City of Pineville, Kentucky; as a part thereof, the said land or territory so annexed being situated immediately adjacent to a part of the

CERTIFICATION OF COURT RECORD

I, Colby Slusher, Clerk of the Bell Circuit/District Court,
Do certify that the foregoing are true and correct copy(s)
Of the original document(s) as recorded in my office.
In testimony whereof witness my hand as Clerk aforesaid,

This the 10th day of September 1965

[Signature] Clerk

ORDERS

CIVIL

Bell Circuit COURT

May Term, 1st. Day, 3rd. May 1965

FORM 027

is more particularly described and bounded and so described in the aforesaid ordinance, complaint and published notice of the filing of the Complaint as follows, to-wit:

Beginning at a cross cut on a stone near an iron rod driven in the ground on the south bank of Mile Branch about 340 ft. from the center of U. S. Highway 25E near the mouth of Mile Branch, thence; crossing said branch N 49-45 W 217.15 feet to a concrete monument standing at the south side of a 25 foot driveway; thence running with the south side of said driveway S 57 W 37.3 feet to a stake; thence S 84-22 W 150.9 feet to a stake in a drain thence N 80-54 W 189-34 feet to a concrete monument about 12 inches high 19.6 feet to the left of said drain, a corner of Lot 16, and bearing S 7-10 E from corner; thence running with the line of Lot 17, S 7-10E 352.4 feet to an iron pipe at the rooss of a 30 inch Black Oak standing on the side of the ridge; thence running down the ridge toward Mile Branch S 28-30 E 338 feet to a concrete monument standing near the south side of the present road leading up Mile Branch and in the old bed of said Branch, said concrete marker is Marked Ella Wilson Lot 18 on one side and Lot 17 on the other side; thence running with the old bed of said Branch crossing said road N 14-39 E 44.7 feet to a stake at the edge of a driveway leading to the Jene Felton residence thence continuing with the old bed of said Branch N 52.33 E 72.78 feet to a stake in said Branch; thence continuing with the bed of said old Branch N 64.24 E 60.80 feet to a stake in the presnet flow of said Mile Branch at the termination of the old bed of said branch thence running down the present bed of Mile Branch where it now flows N. 67.24 E 114.76 ft. to a stake in said Branch; thence N. 41-28 E 197-96 ft to a stake in said Branch; thence 9-11 W 67.3 feet to the point of beginning and containing three acres more or less.

In compliance with the provisions of KES 81.220 (2) the Clerk of this Court is hereby ordered and directed to certify this judgment to the City of Council of the City of Pineville, Kentucky which shall enter this judgment on its records and, by ordinance, annex to said City the territory above-described.

This 3rd. day of May, 1965.

W. R. KNUCKLES, JUDGE
BELL CIRCUIT COURT.

0 0 0 0 0 0

NANNIE CRAWFORD,

VS: 4355-18

CITY OF MIDDLESBORO, KENTUCKY,

J U D G M E N T

PLAINTIFF

DEFENDANT

A motion by the defendant, above named, for summary judgment in its favor dismissing the action, having been duly brought on to be heard, and the court having made an order pursuant thereto granting the defendant's motion and directing that judgment be entered herein in the defendant's favor dismissing this action with costs taxed against the plaintiff, it is hereby

ORDERED, ADJUDGED AND DECREED that the Complaint herein be and the same is hereby dismissed and that the defendant have and recover its costs from the plaintiff.

CERTIFICATION OF COURT RECORD

I, Colby Slusher, Clerk of the Bell Circuit/District Court,

Do certify that the foregoing are true and correct copy(s)

Of the original document(s) as recorded in my office.

In testimony whereof witness my hand as Clerk aforesaid,

This the 10th day of September 2014

Colby Slusher

CERTIFICATION PURSUANT TO KRS 81A.470

I CERTIFY THAT I AM THE DULY QUALIFIED CLERK OF THE CITY OF PINEVILLE, KENTUCKY, AND THE FOLLOWING PAGES OF THE RESOLUTION DATED APRIL 22, 2014, ARE TRUE, CORRECT AND COMPLETE COPY DULY ADOPTED BY THE CITY COUNCIL AT A DULY CONVENED MEETING HELD ON APRIL 22, 2014, ALL AS APPEARS IN THE OFFICIAL RECORDS OF THE CITY.

WITNESS, MY HAND AND THE SEAL OF THE CITY, THIS THE 22ND DAY OF APRIL 2014.



Ina L. Robbins

INA L. ROBBINS, CLERK/TREASURER
CITY OF PINEVILLE, KENTUCKY

RECEIVED AND FILED
DATE October 21, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkins

RESOLUTION

A RESOLUTION CORRECTING AN ORIGINAL KRS 81.045 FILING OF PREVIOUSLY REAL PROPERTY ANNEXED BY ORDINANCE WHERE THE ANNEXATION WAS EXCLUDED FROM THE SUBMISSION TO THE SECRETARY OF STATE IN 1981

WHEREAS, the City of Pineville, Kentucky, (hereafter the "City"), annexed a certain area by Ordinance on March 8, 1965; and ,

WHEREAS, the real property is currently vested in fee simple by Mrs. Rosemary Combs, recorded in Deed Book 167, page 525, of the Bell County Court Clerk's Office.

WHEREAS, the City of Pineville, Kentucky, (hereafter the "City"), an area annexed by Ordinance dated March 8, 1965 was not included in the KRS 81.045 boundary statement when the KRS 81.045 filing was submitted to the Secretary of State's Office in 1981; and,

WHEREAS, Ordinance dated March 8, 1965 was not overturned in court or in an election process; and,

WHEREAS, the City further wishes to provide a new legal description and an annexation plat for the purposes of complying the filing requirements of KRS 81A.470 as amended in 2004, same having been prepared by a professional land surveyor for the purposes stated therein; and,

WHEREAS, with respect to the Ordinance dated March 8, 1965, the City does not intend to replace its prior Ordinance annexing, but rather to correct its KRS 81.045 filing; and,

WHEREAS, the City wishes to add the new legal description and plat of the territory previously annexed to its KRS 81.045 filing, thereby correcting same,

NOW THEREFORE, be it resolved by the City of Pineville, Kentucky (the "City") as follows:

1. The City adopts the following legal description and plat attached hereto as prepared by Dempsey Miracle, Jr. Licensed Professional Land Surveyor No. KY 3454 for the purposes stated therein, as a modern description of the property previously annexed into the corporate city limits of the City by Ordinance dated March 8, 1965, a certified copy of which is attached hereto as Exhibit C, and 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 this prior annexation.
2. The new legal description as prepared by Dempsey Miracle, Jr. Licensed Professional Land Surveyor No. KY 3454 for the purposes stated therein, is as follows:

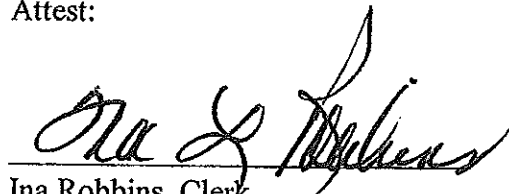
See Attached Exhibit A for said Legal Description
See Attached Exhibit B for said Annexation Plat

3. This resolution and the attached documents shall be filed with the Office of the Secretary of State to correct the City's KRS 81.045 filing.

Adopted unanimously upon proper motion, second and vote on this 22 day of
APRIL, 2014.


Sherwin Rader, Mayor
City of Pineville, Kentucky

Attest:


Ina Robbins, Clerk
City of Pineville, Kentucky

Annexation Description

The Purpose of this description is to describe an area annexed by ordinance on March 8 1965. The following description is based on information derived from the deed plots and highway right of way data. The deeds were found in the records of the Bell County Court Clerk's Office. Field surveys were performed only to the point of establishing state plane values on the features and locating some on the corners on the critical tracts effecting this description, this description is based wholly on the information listed above, this area generally lies west of 25 E and north of the floodwall on Mason Combs Road, commonly known as the Combs property and being more particularly described as follows,

Beginning at the current city limits line which has a Kentucky South Zone state plane Coordinate Value of N 1,802,531.33, E 2,237,366.81 and a Lat 36.76091318, Long 83.7120718;

Thence leaving said line N28°30'0"W, 338.00 feet,

Thence N07°10'0"W, 352.40 feet;

Thence S80°45'0"E, 189.34 feet;

Thence S82°49'0"E, 107.60 feet;

Thence N84°22'0"E, 150.90 feet;

Thence N47°0'0"E, 37.30 feet;

Thence S49°45'0"E, 96.20 feet to a point where the property line matches the existing city limits line, said point has a KY South Zone Coordinate value of N 1,803,112.22, E 2,237,706.08 and a Lat 36.7624881, Long 83.7108711

Thence continuing with the property line and the existing city limits line S2°44'03"W, 65.20 feet

Thence S5°41'51"E, 95.12 feet;

Thence S20°00'05"W, 55.40 feet;

Thence S59°16'37"W, 203.69 feet;

Thence S42°44'44"W, 83.74 feet;

Thence S24°57'21"W, 224.45 feet;

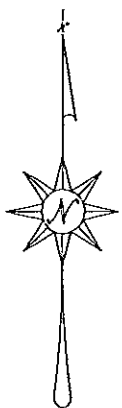
To the point of beginning Containing 4.79 acres



Exhibit A

Dempsey Miracle, Jr.

10-14-14



HUGH C. DELK &
LOLA DELK
DB 216 PG 207

ROBERT MASON COMBS &
ROSEMARY E. COMBS
DB 167 PG 525
4.79 Acres

ROUND TOP ASSOCIATES LLC
DB 319 PG 579

ROUND TOP ASSOCIATES LLC
DB 340 PG 317

Point of Beginning

N 1,802,531.33
E 2,237,366.81



100 50 0 100
SCALE: 1"=100'

Existing City Limits

The following map is based on information derived from the deed plots. The deeds were found in the records of the Bell County Court Clerks Office. Field surveys were performed only to the point of establishing state plane values on the features and locating some on the corners on the critical tracts effecting this display, this map and description is based wholly on the information listed above, this area generally lies west of 25 E and north of the floodwall on Mason Combs Road. This Drawing is for the purpose of illustrating and annexation dated May 3rd, 1965

Dempsey Miracle Jr. PLS 3454

Dempsey Miracle Jr. 9-24-14

Barbourville

US 25 E

Mason Combs Rd.

Existing City Limits

Valley Road

City Of Pineville

REVISIONS	
NO.	DATE

Annexation Correction for the City of Pineville
Kentucky, Bell County
At the Request of the City of Pineville
And the Bell Fiscal Court
Performed January, 2014

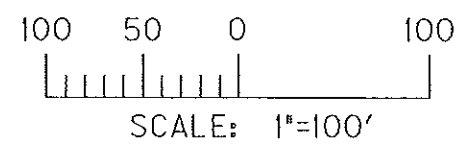
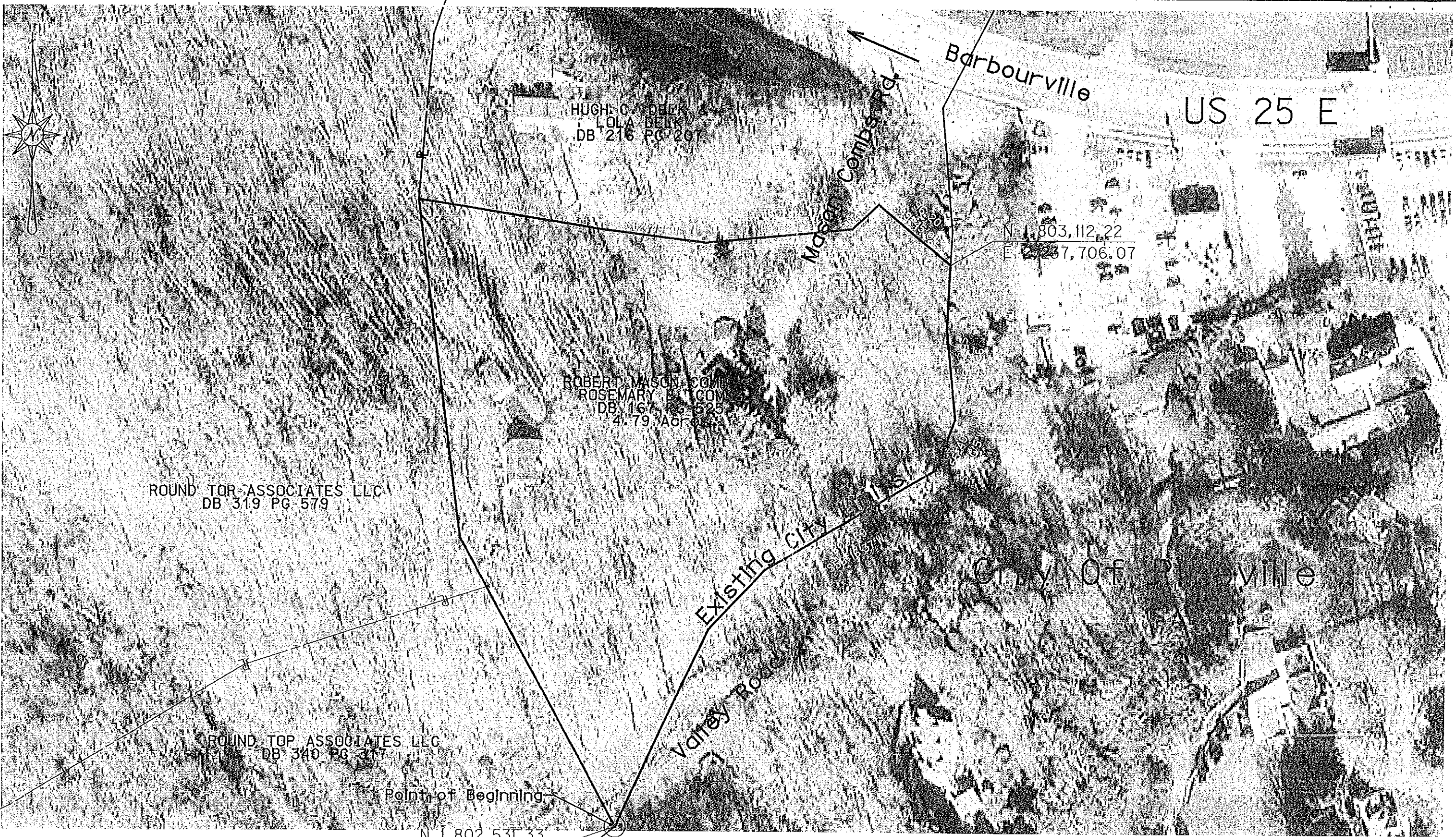


- ☐ Middlesex, Kentucky
606-243-8800
- ☐ Greenville, Tennessee
423-893-0271
- ☐ Asheville, North Carolina
828-253-2728

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DRAWN: djm
CHECKED: djm
JOB NO: 1410-00
SCALE: 1"=100'
DATE: 1-2014
FILE NAME:
DWG. DRAWING NO.
OF 1



Existing City Limits

The following map is based on information derived from the deed plots. The deeds were found in the records of the Bell County Court Clerks Office. Field surveys were performed only to the point of establishing state plane values on the features and locating some on the corners on the critical tracts effecting this display, this map and description is based wholly on the information listed above, this area generally lies west of 25 E and north of the floodwall on Mason Combs Road. This Drawing is for the purpose of illustrating and annexation dated May 3rd, 1965

Dempsey Miracle Jr., PLS 3454

Dempsey Miracle Jr. 9-24-14

REVISIONS	
NO.	DATE



Annexation Correction for the City of Pineville
Kentucky, Bell County
Request of the City of Pineville
And the Bell Fiscal Court
Performed January, 2014

V&M
Virginia & Melton
Madison, Kentucky
606-243-6800
Greenville, Tennessee
423-688-0271
Ash Grove, North Carolina
828-253-2798
www.vamilton.com

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DRAWN: djm
CHECKED: djm
JOB NO: 11410-00
SCALE: 1"=100'
DATE: 1-2014
FILE NAME:
DWG: DRAWING NO:
OF: 1

ADDITIONAL DOCUMENTS
INCLUDED WITH SUBMISSION.

To research the filing, contact the
Office of Secretary of State.