RECEIVED

AUG 09 1983

SECRETARY OF STATE
COMMONWEALTH OF KY.

NO. 83-CI-154

KNOTT CIRCUIT COURT

IN RE: THE PROPOSED SIXTH CLASS CITY OF PIPPA PASSES, KENTUCKY

08/05/83 FILED
ATTEST Carlos Huff CLERK
BY Judy Collins D. C.

I hereby certify this to be a true and correct copy
Witness My Hand and Seal
This 5th day of Aug 1983
Carlos Huff, Clerk Circuit & District Courts, Knott County, Ky.
By Judy Collins D.C.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT

SUMMONS BY

* * * * *

This matter came before the Court on August 1, 1983, on the Petition to Incorporate an unincorporated area as a Sixth Class City in Knott County, Kentucky, to be known as "The City of Pippa Passes".

The Court having considered the Petition, its supporting exhibits, and the testimony of all interested parties, including objectors, makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

The Court finds as a matter of law that the following standards have been met:

(a) There are approximately four hundred (400) permanent residents in the territory sought to be incorporated;

(b) Incorporation constitutes a reasonable way of providing the public services sought by the property owners of the territory, and there is no other reasonable way of providing the services. The most urgent and essential need of

the Petitioners is for full-time police protection which the Court finds to be sufficient justification for incorporation in and of itself. The Court further finds that there is no other reasonable way of providing the police protection required. The Court further finds that there is a need for street lighting which cannot be met under the existing situation;

(c) The territory sought to be incorporated is contiguous and is predominantly an urban area;

(d) The proposed territory for incorporation will be able to provide necessary city services to its residents within a reasonable period after its incorporation;

(e) The interest of other areas in adjacent local governments is not unreasonably prejudiced by the incorporation; and,

(f) The Petition was docketed for hearing not less than twenty (20) days from the date of filing of the Petition and notice of filing of the Petition and its object was given by publication pursuant to KRS Chapter 424 by means of publication in the Troublesome Creek Times, which is the newspaper published in Knott County, Kentucky, meeting the qualifications of KRS 424.120, on Wednesday, July 20, 1983, such date being not less than seven (7) nor more than twenty-one (21) days prior to the hearing date of August 1, 1983.

CONCLUSIONS OF LAW

The Court concludes, as a matter of law, that all standards and conditions for incorporation of the proposed City of Pippa Passes, Knott County, Kentucky, as set out in KRS 81.050 through 81.060, both inclusive, have been met, and further concludes that the publication requirements of KRS Chapter 424 have been met.

JUDGMENT

In consideration of the above it is hereby ordered that:

I. There is hereby incorporated and established in Knott County, Kentucky, the City of Pippa Passes.

II. The meets and bounds description of the boundaries of the City of Pippa Passes is as follows:

> A certain tract of land lying on the waters of Caney Fork, a tributary of Left Fork of Beaver Creek, located at Pippa Passes, Knott County, Kentucky more particularly described as follows:
>
> BEGINNING at a Power Pole (Pole #207-2), located approximately four hundred feet (400') southwest of the intersection of Kentucky Highway 1697 and Kentucky Highway 899 on the south side of Highway 899 opposite the Country store; thence crossing KY Highway 899 and running with the common line of the Country store up the hill to the top of the point; thence going in a northerly direction to the outermost edge of the first switchback, along KY Highway 1697, from the intersection of KY Highway 899; thence running in a northeasterly direction, crossing KY Highway 1697, northwest of the second switchback from the intersection of KY Highway 899, to the top of the point, leading to the dividing ridge between KY Highway 1697 and Buzzard (or

"Bugger") Branch; thence up the center line of said point in a northwest direction to a high knob on the dividing ridge between KY Highway 1697 and Buzzard (or "Bugger") Branch; thence continuing along the center line of said ridge in a northerly direction to the forks of said ridge; thence an easterly direction along the center of said ridge to a high knob; thence in a northerly direction along the center of said ridge for approximately 900.00 feet to a point; thence leaving said dividing ridge in a southeasterly direction and following the center of a point down the hill for approximately 1600.00 feet to a point; thence in a southeasterly direction down the center of the point, being the point opposite the southern property line of the C. Slone property, to a point on the westerly edge of KY Highway 899; thence crossing said KY Highway 899 and following the southern property line of C. Slone to the center of Caney Fork; thence a northeast direction along the common property line of C. Slone and down the meanders of Caney Fork to the corner of C. Slone; thence leaving said Caney Fork and up center of point to the high knob on the dividing ridge between Hollybush Creek and Caney Creek; thence following the center of said ridge in a southeast direction to a high knob on the dividing ridge between Oldhouse Branch of Hollybush Creek and Caney Fork; thence continuing with said ridge in a westerly direction to the forks of the ridge at the head of the first right hand drain of Oldhouse Branch of Hollybush Creek; thence a northwesterly direction with the center of the right hand ridge to the top of the point; thence following the center of the point back to the BEGINNING.

III. The population contained in the City of Pippa Passes is four hundred (400) and by reason of its population the City of Pippa Passes shall be and is hereby assigned to the Sixth Class of Cities.

IV. The City of Pippa Passes shall operate under the Mayor-Council form of government, and the following persons be, and they are hereby appointed to hold the following offices, until the next regular election at which city officers may be elected, at which time officers shall be elected by residents of the City:

NAME	ADDRESS	OFFICE
Dr. June Buchanan	Pippa Passes, Kentucky	Mayor
Jerry C. Davis	Pippa Passes, Kentucky	Councilmember
James Bergman	Pippa Passes, Kentucky	Councilmember
Jerry Slone	Pippa Passes, Kentucky	Councilmember
James Reynolds	Pippa Passes, Kentucky	Councilmember
Edward Madden	Pippa Passes, Kentucky	Councilmember
Taubee Jacobs	Pippa Passes, Kentucky	Councilmember

V. The Clerk of Knott Circuit is hereby ORDERED, within ten (10) days from the date of entry of this Judgment, to certify a copy of this Judgment to the Secretary of State of the Commonwealth of Kentucky, whose duty it shall be to properly index and file this Judgment as a permanent record in his office, all in accordance with KRS 81.060(5).

This is a final Judgment, and there is no just reason for delay.

John Chris Cornett

JUDGE, KNOTT CIRCUIT COURT

DATE: 8/5/83