

CLEVELAND, TOWN OF
County of Russell.

Incorporated by order of the Circuit Court of Russell County in 1946.

Note: A photocopy of the circuit court order is available in the Legislative Reference Center at the Division of Legislative Services.

IN RE: Incorporation of THE TOWN OF CLEVELAND.

ORDER

This day came Mrs. D. M. Deskins, J. B. Cook, R. D. Arrington, F. H. Price, Utah Counts, Sherman Wallace, Maynard Wallace, W. E. Fraley, W. H. Ferguson, J. E. Purcell, Stewart Campbell, Mrs. W. H. Ferugon, Ira Johnson, E. E. Hubble, W. G. Price, C. B. Jococo, Joe Boothe, Mrs. Carson Fleenor, C. H. Fleenor, and Mrs. J. E. Purcell and presented to the Court a petition praying that the hereinafter described unincorporated town or thickly settled community located in Russell County, Virginia, be incorporated as a town by the name and style of "The Town of Cleveland";

Upon consideration whereof, it appearing to the Court from the testimony of witnesses sworn and examined in open court that the said petitioners, who are twenty in number, are all duly qualified voters residing within the boundaries of the said town of Cleveland as hereinafter set out, and it further appearing to the Court from the certificate of the publisher of the Lebanon News, a weekly newspaper published in the County of Russell, Virginia, that the aforesaid petition has been published in full in the Lebanon News for four successive weeks, beginning with the issue of April 5, 1946, and the Court being satisfied from the evidence presented that it will be to the best interest of the inhabitants of said town; that the said petition is reasonable; that the general good of the said community will be promoted; that the number of inhabitants of said town exceeds two hundred and does not exceed five thousand, and that the area designed to be embraced within the town is not excessive, as is alleged by said petition, it is, therefore, adjudged, ordered, and decreed that that portion of the Cleveland Magisterial District of Russell County, Virginia, bounded as follows, to-wit:

BEGINNING at the T. V. A. River gauge located on the west bank of Clinch River, and thence by a straight line to the northeast corner of the Counts Cemetery, and with the southern bounds of said Cemetery to the southwest corner and thence by a straight line extended from and being parallel with the southeastern boundary of said cemetery southwest to a point on the R. E. Smith - W. Kinder Kiser boundary line, and with this boundary line southeast to the south bank of Clinch River, and with the South bank of Clinch River, to the mouth of Tank Hollow Branch, and with Tank-Hollow Branch, crossing the N & W right-of-way to the Tank Hollow Falls, and thence by a straight line due east to a point 100 feet east of the drain pipe under the Lebanon to Cleveland Highway (said drain pipe being at the mouth of the John Amos hollow) and thence a straight line due north to the northeastern corner of the Towns water reservoir, and continuing due north, again crossing the N. & W. right-of-way at the wagon crossing to the south bank of Clinch River, and with the south bank of Clinch River to the mouth

of Counts Branch (also mouth of towns sewage system) and diagonally across Clinch River to the T.V.A. River gauge which was the BEGINNING.

Be and the same is hereby incorporated as a town by the name and style of "The Town of Cleveland" and that henceforth the inhabitants within such bounds shall be a body politic and corporate, with all of the powers, privileges, and duties conferred upon and appertaining to towns under the general law.

It is further adjudged, ordered, and decreed that one elector of the said town shall be denominated the Mayor and five electors of said town shall be denominated the councilmen of said town and that the Mayor and councilmen shall constitute the Council of said town, and that on the 11th day of July, 1946, at G. Rasnake Garage Building in said town a Mayor and Five councilmen, as aforesaid, shall be elected as provided by law and the Electoral Board of Russell County if hereby directed not less than fifteen days before said election to appoint one registrar and three judges of election, who shall act as commissioners of election and shall conform to the requirements of Section 2925 of the Code of Virginia, and that said election shall be conducted so as to conform in all respects to the requirements of the general law regarding the holding of elections in towns so far as applicable.

The Clerk of this Court is hereby directed to enter this order in the current Common Law Order Book in his office, and the Sheriff of this County is ordered and directed to post a certified copy of this order at the front door of G. Rasnakes Garage Building in the said Town of Cleveland, Russell County Virginia, and the Electoral Board of said County is directed to appoint the necessary Election officials of said Town consisting of a Registrar, three Judges and two Clerks to conduct the Election in said town as herein ordered for the purpose of electing a Mayor and members of the Town Council for said town.