

Mayor
Rita Dotson

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

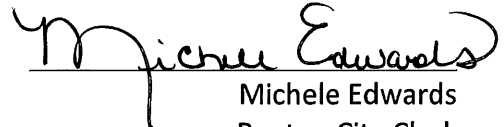
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

Annexation to the City of Benton Ordinance Number 15-10-02

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of the Ordinance Number: 15-10-02 is a true, correct and complete copy, duly adopted by the City Council at a convened meeting held on October 19, 2015, all as appears in the official records of the said City of Benton, Kentucky.

WITNESS, my hand and the Seal of the City of Benton, this the 3 day
of December, 2015.


Michele Edwards
Benton City Clerk

SEAL

RECEIVED AND FILED
DATE March 21, 2016

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandi Allison

“AN ORDINANCE ANNEXING TERRITORY CONTIGUOUS TO THE CITY OF BENTON, KENTUCKY CARRYING OUT THE STATED INTENT OF AN ORDINANCE DATED JUNE 10, 1989, AND ADOPTED A MODERN SURVEY DESCRIPTION OF SAID TERRITORY BEING LOCATED ON HIGHWAY 58 OWNED BY DAVID EDWARDS.” This Ordinance is summarized as follows: The territory described in Ordinance dated June 19, 1989, be and same is annexed into and incorporated in the territorial boundaries of the City of Benton, Kentucky, *Nunc pro tunc*. A complete copy of this Ordinance is available for viewing at Benton City Hall during regular business hours.

I hereby certify that the above is a true and correct summary of an Ordinance adopted by the City of Benton on October 19, 2015.



MARTIN W. JOHNSON
City Attorney
PO Box 450
Benton, KY 42025

ORDINANCE NO. 15-10-02

**AN ORDINANCE ANNEXING TERRITORY
CONTIGUOUS TO THE CITY OF BENTON, KENTUCKY
CARRYING OUT THE STATED INTENT OF AN ORDINANCE
DATED JUNE 19, 1989, AND ADOPTED A MODERN
SURVEY DESCRIPTION OF SAID TERRITORY**

Whereas, an Ordinance was enacted by the Benton City Council on June 19, 1989, to annex property belonging to David Edwards, et ux; and

Whereas, said ordinance was an Ordinance stating an intention to annex certain unincorporated territory contiguous to the City of Benton, Kentucky; and

Whereas, in order to prepare an accurate and complete map of the boundaries of the City of Benton, Kentucky it has become necessary to adopt an Ordinance carrying out the stated intention of that Ordinance dated June 19, 1989, to complete the annexation of the territory described in that Ordinance; and

Whereas, more than sixty (60) days has elapsed since that Ordinance dated June 19, 1989, went into effect and no Petition containing signatures of property owner in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420.

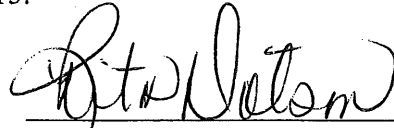
NOW THEREFORE BE AND IT IS ORDAINED by the City Council of the City of Benton, Kentucky, that the territory described in that Ordinance dated June 19, 1989, be and same is hereby annexed to and incorporated in the territorial boundaries of the City of Benton, Kentucky, *Nunc pro tunc*.

Further, the surveyed description of the annexed territory attached hereto and plat prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219, is attached hereto as Exhibits and incorporated by reference and the City adopts said legal description and

plat as the official legal description and plat for all purposes when referencing that intent Ordinance enacted on June 19, 1989.

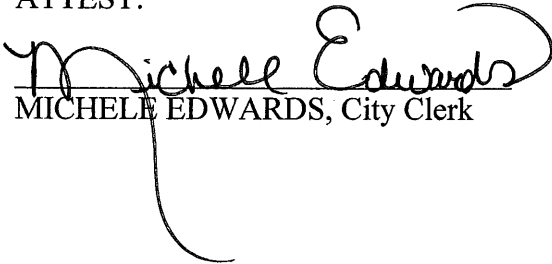
This Ordinance shall become effective after passage and publication as required by law.

Passed this the 19 day of ~~November~~^{October}, 2015.



RITA DOTSON, MAYOR
CITY OF BENTON, KENTUCKY

ATTEST:



MICHELE EDWARDS, City Clerk

VOTE

CHARLES EDMONDS
STANLEY HOLLAND
TIM KING
CHRIS FREELAND
RITA MURRAY
SHERRA RILEY

<u>AYE</u>	<u>NAY</u>
☒	☐
☒	☐
☒ Absent	☐
☒	☐
☒	☐
☒	☐

FIRST READING June 19-1989
SECOND READING Oct 19-2015
PUBLICATION 12-8-2015

Annexation to the City of Benton, Marshall County, Kentucky
Ordinance No. 15-10-02
David Edwards Property

A parcel of land, a portion of which is known as the David and Debra Edwards as shown in Deed Book 221 Page 439 of the records of the Marshall County Court Clerk, lying on the east side of the Kentucky Highway 58 and being more particularly described as follows:

Beginning at a point in the centerline of Kentucky Highway 58, said point being the original ordinance number 94-05-02 point of beginning and the Clarifying Resolution No. 09-11-06 by Florence and Hutcheson Plat #19, said point having Kentucky State Plane South Zone coordinates of North 1,833,551.85 and East 868,852.63;

Thence, from the point of beginning, along the centerline of Kentucky Highway 58, along a curve to the left having a Radius of 1895.50 feet, a curve length of 194.71 feet, and a chord of 194.63 feet on a bearing of North 20° 05' 20" East to a point;

Thence, along the centerline of Kentucky Highway 58, North 17° 10' 09" East a distance of 128.52 feet to a point in the south line of Annexation by Ordinance of November 17, 1986, Tract D;

Thence, leaving the centerline of Kentucky Highway 58 and along the said annexation line, South 72° 49' 51" East a distance of 250.00 feet to a point;

Thence, North 17° 10' 09" East a distance of 8.30 feet to a point;

Thence, leaving the existing city limits, South 53° 25' 16" East a distance of 158.60 feet to a point;

Thence, South 7° 16' 54" West a distance of 251.71 feet to a point to a ½" rebar in the north line of the Elizabeth Vaughn Subdivision;

Thence, North 76° 44' 50" West a distance of 150.29 feet to a point in the existing city limits;

Thence, along the existing city limits, North 76° 40' 24" West a distance of 278.57 feet to a concrete monument;

Thence, North 76° 28' 39" West a distance of 24.89 feet to the point of beginning.

The above described parcel contains 2.911 acres more or less.

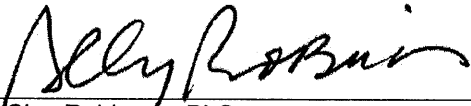
As shown on a plat labeled "Annexation to the City of Benton Kentucky by Ordinance 15-10-02" on Drawing D-1 as prepared by Shawnee Professional Services dated July 14, 2015.

All bearings and coordinates referred to in this description are based on the Kentucky State Plane South Zone coordinate system as derived from GPS observations performed on July 7, 2015.

Note: the purpose of this description is to provide information for the annexation of the 2.911 acres described to the City of Benton, Kentucky. This description or plat does not represent a boundary survey and is not intended for land transfer or to establish ownership lines or a property boundary.

Prepared by and in accordance with a partial survey performed under the supervision of:

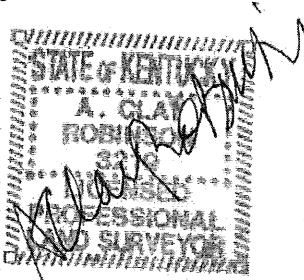
A. Clay Robinson
Ky. Licensed Prof. Surveyor 3219
Shawnee Professional Services
401 Washington Street
Paducah, Ky. 42001



A Clay Robinson, PLS

7-14-15

Date



STAMP

Case 4 Edwards 15-10-02.doc
A Clay Robinson
July 14, 2015

Mayor
Rita Dotson

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

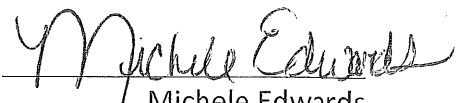
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

**Annexation to the City of Benton
Of
June 19, 1989**

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the foregoing
2 pages of the Ordinance of June 19, 1989 is a true, correct and complete copy, duly
adopted by the City Council at a convened meeting held on June 19, 1989, all as appears in
the official records of the said City of Benton, Kentucky.

WITNESS, my hand and the Seal of the City of Benton, this the 18 day
of August, 2015.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE March 21, 2016

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handwritten Signature

ORDINANCE DECLARING INTENT TO ANNEX
PROPERTIES OF C. DAVID EDWARDS, ET UX

BE IT ORDAINED by the City Council of the City of Benton, Kentucky, as follows:

- (a) The hereafter described properties are adjacent with and contiguous to the corporate boundaries of the City of Benton, Kentucky,
- (b) The said properties by reason of their use and urban characteristics are suitable for development for urban purposes, and
- (c) the owners of hte said properties desire to have same annexed into the annexation ordinance is being enacted at the direction of the owners of the properties proposed to be annexed,
- (e) The property proposed to be annexed is described as follows:

A 2.71 acre tract of land as surveyed by Gammel Engineering of Benton, Kentucky in January, 1987, being generally located 2-1/2 miles Southwest of Benton, on the east side of Highway 58, and being more particularly described as:

Beginning at the southwest corner of the property herein described, said corner being a 1/2 inch rebar iron pin set in the east right-of-way of Highway 58 (30 feet from the centerline), said rebar iron pin being 2.4 feet West of a fence post and 49.2 feet South of a power pole; thence, North 13° 21' 29" East- 306.60 feet, along the east right-of-way of said Highway 58, to a point 3.5 feet East of an existing 5/8 inch rebar iron pin found 26.5 feet East of said Highway 58 centerline and 28.3 feet West of the End of an existing fence line; thence, South 85° 48' 37" East - 212.36 feet generally following an existing fence line and the south boundary of the J.P. Sutton property (Deed Book 180, page 646), to a 1/2 inch rebar iron pin set at a fence corner post on the west side of a gate; thence, South 59° 11' 26" East - 168.87 feet, along a new line made this day and the remaining Robert McCrory property (Deed Book 117, page 431), to a 1/2 inch iron pin set in the root of a 20 inch Oak tree, said iron pin being located approximately 84 feet Southeast of the southwest corner of a barn' thence, South 1° 30' 44" West - 251.71 feet, continuing with a new line and the remaining Robert McCrory property, to a 1/2 inch rebar iron pin set on the west side of a wooden fence post, approximately 3 feet Southwest of an 8 inch Sassafras tree; thence, north 82° 31' 00" West - 424.60 feet, generally following an existing fence line and the north boundary of the Terrell Vaughn property, to the point of beginning.

The above-described property is subject to any easements or right-of-ways previously conveyed or in existence.

Being the same property conveyed to C. David Edwards and wife, Debra Edwards, by deed dated February, 1987, of record in Deed Book 221, page 439, Marshall County Court Clerk's Office.

- (f) This ordinance is adopted pursuant to the provisions of KRS 81A.420 and KRS 81A.510 and if no opposition is made to the proposed annexation within sixty (60) days from this date an ordinance will be enacted annexing the aforesaid property into the Corporate Limits of the City of Benton, Kentucky.

PASSED this the 19 day of June, 1989.


COY CREASON, MAYOR

ATTEST: 
LINDA RIVEY, CITY CLERK

1st Reading 5-15-89

2nd Reading 6-19-89

Publication 6-28-89

REGULAR MEETING OF
BENTON CITY COUNCIL
MAY 15, 1989

A regular meeting of the Benton City Council was held at the regular meeting place of said City Council at City Hall in Benton, Kentucky, at 7:00 P.M.

Mayor Creason presided at the meeting and the following members of the Council were present:

James Wiseman
James Lyles
Harold Beck
Kenton Holland
Joe Carl Wyatt
James Riley

The following were absent: none

Motion was made by Wiseman, seconded by Holland to adjust water bills for James Redden and Harold Collie. All voted aye.

Harold Collie informed the Council that he felt there was a need for additional speed limit signs in the area of Walnut and Golf Course Road.

Grant Coordinator, Gayle Frye presented the C.D.B.G. report as follows-

Deposits- \$ 16,836.07

Expenditures- \$ 16,786.07

Balance- \$ 50.00

CDBG Income- \$ 5,794.14

Benton Industrial Foundation Bank Note- \$ 10,991.93

Mayor Creason informed those present that City Attorney, Johnson, had been negotiating the purchase of approximately 25 acres from Robert McKendree for the purpose of locating future industrial prospects. Motion was made by Holland, seconded by Wyatt to enact an ordinance declaring the City of Benton's intention to annex said property and if no opposition is raised to the annexation within 60 days of passing of this ordinance, an ordinance will be enacted annexing the property which lies on both sides of the Benton By-Pass (641 S.) from Hiett Road turning right to Slick Back Road, coming back and closing off on the other side of the state right-of way.

The state had advised that they did not have a problem with the annexation.

The following bids were received on 200 yards of concrete for Townlift 2 as advertised:

Federal Materials
Long Concrete

39.20 per yard
38.85 per yard

Motion was made by Wiseman, seconded by Wyatt directing the City Attorney to review the city-county agreement being prepared by the Marshall County Fiscal Court and if the terms are fair and favorable to the city authorize him to enter into same. All voted aye.

There was a first reading of an ordinance relating to the 1989-1990 Budget.

Motion was made by Holland, seconded by Lyles to reappoint Pete Gunn III to the

Benton Electric Board. All voted aye.

Motion was made by Holland, seconded by Lyles to accept the low bid of Long

There was a second reading of an ordinance relating to annexation. (Byerley, Mays, Tynes).

There was a first reading of an ordinance relating to annexation, (D. Edwards).

Linda Riley presented the Quarterly Gas Report for the quarter ending 3-31-89.

Motion was made by Wyatt, seconded by Wiseman to approve the payroll for April.

All voted aye.

The Budget Analysis for April was presented.

Motion was made by Wiseman, seconded by Holland to hold an executive session of the Council for the purpose of discussing possible industrial prospects. All voted aye.

Mayor Creason announced the meeting again open to the public.

There being no further business to come before the Council, motion was made and seconded to stand adjourned. All voted aye.

Attest:

Linda Riley

Linda Riley, City Clerk

Coy Creason

Mayor Coy Creason

REGULAR MEETING OF
BENTON CITY COUNCIL
JUNE 19, 1989

A regular meeting of the Benton City Council was held at the regular meeting place of said City Council at City Hall in Benton, AR, at 7:00 p.m.

Mayor Creason presided at the meeting and the following members of the Council were present:

James Wiseman
Joe Carl Wyatt
Kenton Holland
James Riley
Harold Beck
James Lyles

Motion was made by Wyatt, seconded by Wiseman to adjust water bills for Cora Derington, Barbara Thorpe and Theo Gammel. All voted aye.

Gary Watson, General Manager, Falcon Cable, was present to hear citizens voice their concerns on the cable service since Falcon has taken ownership. The main concern is the closing of the Benton office. Mr. Watson told those present to give them 60 days to work out the problems and he would be back to hear comments again at a future meeting.

Motion was made by Wyatt, seconded by Holland to adopt a resolution recognizing former Mayor Louis O'Daniel. All voted aye.

Mayor Creason read a letter from Benton Elementary School complimenting Terry Anderson on the D.A.R.E. Program.

There was a second reading of an ordinance relating to the 1989-1990 General Fund Budget. Motion was made by Lyles, seconded by Wiseman to adopt and publish. Aye-Wiseman, Holland, Lyles, Wyatt, Beck. Nay-Riley.

Motion was made by Riley, seconded by Holland to adopt a resolution recognizing officer Chris Evans for saving the life of Edward Lee. All voted aye.

Mayor Creason announced that effective July 1, Blue Cross Blue Shield was increasing the single rate \$25.02 and the family rate \$65.93. Employee cost would be \$40.91 on the family rate increase. There would be no increase on employee cost for the single rate. Motion was made by Holland, seconded by Wyatt to pay the employee's cost on the family rates this time, but not setting a precedent that the city would pay future increases. All voted aye.

Daniel Lane, Water & Sewer Treatment Operator informed the Council that James Watson, TVA, had determined the problem he had in experiencing at the Wetland Lagoon was due to ammonia nitrogen. Construction of a force main, approximately 1500' at one end of pond, pumping the water back to the upper end, aerating and then turning to the system would reduce the ammonia nitrogen level and increase the oxygen level which should correct the problem. The following bids were received for materials for construction of the

ave:

Water Works Supply \$4758.45

Petter Supply \$4085.75

tion was made by Wiseman, seconded by Wyatt to accept Petter's motion. All voted aye.

Mayor Creason announced that Pioneer Fire Association had made contract payment of \$13,200.00.

Motion was made by wiseman, seconded by Holland to accept the vote of \$1600 from Gammel Engineering to paint the community center. All voted aye.

Mayor Creason announced that ADF movies had been received in the amount of \$8,649.84.

Motion was made by Wyatt, seconded by Holland to allocate Action, C. - \$4000 and Marshall Co. Sr. Citizens - \$1500 as budgeted. All voted aye.

Motion was made by Beck, seconded by Holland amending the zoning ordinance whereas the cost of a building permit will be .08 per square foot of the proposed construction. All voted aye.

There was a second reading of an ordinance relating to annexation (David Edwards). Motion was made by Holland, seconded by Wyatt to adopt. All voted aye.

There was a second reading of an ordinance relating to annexation (Herrywood). Motion was made by Holland, seconded by Wiseman to adopt. All voted aye.

There was a second reading of an ordinance relating to the annexation property purchased by the Benton Industrial Foundation and adjacent to the 641 By-Pass. Motion was made by Wiseman, seconded by Wyatt to adopt. All voted aye.

Motion was made by Wiseman, seconded by Holland approving the city's registration fees for the KML convention to be held Aug. 31-September 2, 1989. All voted aye.

Motion was made by Wiseman, seconded by Wyatt directing the Mayor and City Clerk to execute the deed between Wendell Roberts and the city squaring up the city property by Alucobond Technology.

All voted aye.

Motion was made by Wiseman, seconded by Holland authorizing the payment of \$44.00 to Roto-Rooter for cleaning out a sewer line for James Reeves in Merrywood. All voted aye.

Motion was made by March 20, April 17, May 15, 1989. All voted aye.

There being no further business to come before the Council.

Motion was made and second to stand adjourned. All voted aye.

Cody Creason
Mayor Cody Creason

ATTEST:

Linda Riley
Linda Riley, City Clerk

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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