

Mayor
Rita Dotson

City Clerk
Michele Edwards

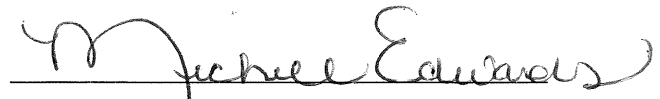
City Treasurer
Bethany Cooper

Police Chief
Tracy Watwood

Resolution to the City of Benton No. 16-11-01

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of the Resolution No. 16-11-01 is true, correct and complete copy, duly adopted by the City Council at a convened meeting held on November 21, 2016 all as appears in the official records of the same City of Benton, Kentucky.

WITNESS, MY HAND AND THE SEAL OF the City of Benton, this the
2 day of December, 2016.


Michele Edwards, City Clerk

RECEIVED AND FILED
DATE December 13, 2016

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

RESOLUTION
NO. 16-11-01

A RESOLUTION
CONFIRMING THE ADOPTION OF AN
ACCURATE LEGAL DESCRIPTION OF
PROPERTY PREVIOUSLY ANNEXED
AND RESCINDING PRIOR RESOLUTIONS

WHEREAS, the City of Benton has enacted numerous ordinances annexing property into the corporate limits of the City; and

WHEREAS, the each individual annexation contains a prior survey or written description prepared by now unknown individuals and further references documentation that is no longer in existence; and

WHEREAS, the City of Benton passed one such Annexation Ordinance on June 22, 1982 containing legal descriptions of five tracts of property; and

WHEREAS, the City wishes comply with the requirements of Amended KRS 81A.470 by adopting and confirming an accurate, modern legal description of the property annexed on June 22, 1982; and

WHEREAS, in attempting to comply with the Kentucky Statutes and to adopt modern and accurate legal descriptions of the property annexed on June 22, 1982, the City adopted Resolutions Nos. 09-10-02, 15-08-02 and 15-10-01; and

WHEREAS, the City of Benton passed Resolution No. 16-06-01 to provide a modern, accurate, easily identifiable legal description for all five tracts annexed by Ordinance passed June 22, 1982, which new description reflected bearings and coordinates based upon the state plan coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation; and

WHEREAS, the City passed Resolution 16-08-01, which rescinded resolutions 09-10-02 and 15-08-02, confirmed resolution 16-06-01, but contained erroneous and incorrect recitals regarding certain Kentucky Statutes;

WHEREAS, at the request of the Secretary of State's Office, the City now intends to rescind all incorrect resolutions and confirm the correct resolution with the proper, modern and accurate legal description of certain property previously annexed by the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Benton, Kentucky as follows:

Section I: The City Council of the City of Benton, Kentucky hereby states and confirms that the descriptions and depictions of the property described in Resolution 16-06-01 provides a modern, accurate, easily identifiable legal description. Licensed Professional Land Surveyors prepared the descriptions and plats included in Resolution 16-06-01, and the City Council hereby confirms the adoption of the new legal description and plat in said Resolution.

Section II: The Legal Description of Tract 4 is stated on Resolution 16-06-01 as follows:

Tract 4 of the Annexation of June 22, 1982 describes the area between Bee Creek and the Lynn Nelson Road north and south of Kentucky Highway 408.

This area was partially annexed by the Ordinance of Annexation of March 3, 1980, and updated with the Clarification Resolution of 09-08-01 of August 17, 2009.

The portion not covered by the aforementioned ordinance and resolution was annexed by Tract "B" of the Ordinance of Annexation of November 17, 1986, and updated with Tract "B" of the Clarification Resolution 09-09-01 of September 21, 2009.

This resolution confirms the legal descriptions in the relevant parts of Resolutions 09-08-01 and 09-09-01, as stated above.

Section III: The following resolutions are hereby rescinded and nullified and shall have no force or effect:

Resolution 09-10-02
Resolution 15-08-02
Resolution 15-10-01
Resolution 16-08-01

Section IV: This Resolution shall be filed with the Office of the Secretary of State to clarify and confirm the correct legal descriptions of the property described in Resolution No. 16-06-01. Resolution 16-06-01 shall also be filed with the Office of the Secretary of State along with the legal descriptions and plats, as certified by a licensed professional land surveyor.

Adopted unanimously upon proper motion, seconded and vote on this date:

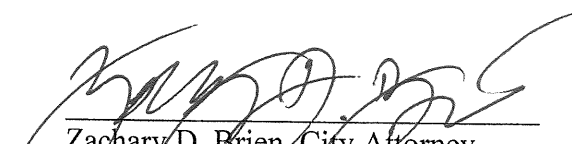
November 21, 2016


Rita Dotson, Mayor

Attest:


Michelle Edwards, City Clerk

Approved as to Form and Legality:


Zachary D. Brien, City Attorney
P.O. Box 466
Benton, KY 42025