



RECEIVED AND FILED
DATE October 26, 2021

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Adkinson

Annexation to the City of Benton Ordinance Number 21-10-02

I certify that I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of Ordinance No. 21-10-02 is a true, correct and complete copy, duly adopted by the City Council at the convened meeting held on Monday, October 18, 2021, 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, Kentucky on this the 20th day of October, 2021.

Bethany Cooper
Bethany Cooper
City Clerk/Treasurer

SEAL

**AN ORDINANCE
ANNEXING UNINCORPORATED TERRITORY
ADJOINING THE CORPORATE LIMITS
OF THE CITY OF THE BENTON, MARSHALL COUNTY, KENTUCKY
FOR PROPERTY OWNED BY NELSON DOUGLAS DOTSON AND RITA C.
DOTSON**

WHEREAS, The City Council of the City of Benton, Kentucky does hereby desire to annex certain unincorporated territory into the City of Benton, Marshall County, Kentucky, more specifically described on Exhibit A attached hereto, the property is owned by Nelson Douglas Dotson and wife, Rita C. Dotson.

WHEREAS, Nelson Douglas Dotson and wife, Rita C. Dotson, as owners of the land, have consented to the annexation in writing, a copy of their consent is on file at the Benton City Hall.

WHEREAS, in June of 2021, the City Council passed Ordinance 21-06-06, annexing the same property however the description used for the annexation ordinance described some property that was currently in the city limits, a new annexation ordinance is needed for only the property being annexed.

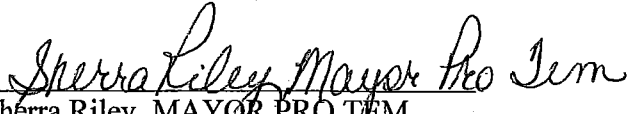
NOW THEREFORE, BE IT ORDAINED by the Counsel for the City of Benton as follows:

1. The property subject of this Ordinance and so annexed into the City of Benton pursuant to the provisions hereof is more particularly described on the attached Exhibit A, the source of title for the property is as follows:

Being a part of Tract II described in the deed from Jason T. Walker and wife, Deborah A. Walker, to Nelson Douglas Dotson and wife, Rita C. Dotson, dated September 28, 2020, of record in Deed Book 480, page 357, in the Marshall County Court Clerk's Office.

2. The property is hereby annexed into and made a part and portion of the City of Benton, Marshall County, Kentucky, the property having been found to have a boundary contiguous to the existing corporate limits of the City and the City having found it to be desirable and in the City's interest for the property to be annexed.
3. This Ordinance shall be published and recorded according to law.
4. This Ordinance is enacted pursuant to the provisions of KRS 81A.412.
5. Any ordinance or part of an Ordinance in conflict with the provisions of this Ordinance is hereby repealed; Ordinance 21-06-06 is hereby repealed.
6. Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of the Ordinance.

Passed at a meeting of the City Council of the City of Benton, Marshall County, Kentucky, on the 18 day of October, 2021.


Sherra Riley, MAYOR PRO TEM

ATTEST:


BETHANY COOPER
CITY CLERK/TREASURER

FIRST READING: 9/20/2021

SECOND READING: 10/18/2021

PUBLICATION: 10/26/2021

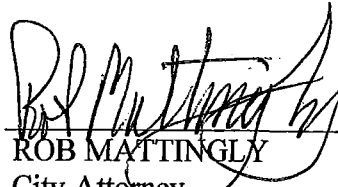
COUNCIL VOTING

	<u>AYE</u>	<u>NAY</u>
Charles Edmonds	<u>✓</u>	<u> </u>
Kevin Farley	<u>✓</u>	<u> </u>
Butch Holland	<u>✓</u>	<u> </u>
Rita Murray	<u>✓</u>	<u> </u>
Ann Riley	<u>✓</u>	<u> </u>
Sherra Riley	<u>✓</u>	<u> </u>

"AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY ADJOINING THE CORPORATE LIMITS OF THE CITY OF BENTON, MARSHALL COUNTY, KENTUCKY, FOR PROPERTY OWNED BY NELSON DOUGLAS DOTSON AND RITA C. DOTSON" This Ordinance is summarized as follows: An ordinance annexing the unincorporated property owned by Nelson Douglas Dotson and Rita C. Dotson into the City Limits of the City of Benton, Kentucky, pursuant to the Consent to Annex granted by the owners of the property. Said property consists of 2.42 acres located on the west side of US Highway 641.

A complete copy of this ordinance is available for viewing at the 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 the 18th day of October, 2021.

A handwritten signature in black ink, appearing to read "Rob Mattingly", is written over a horizontal line.

ROB MATTINGLY
City Attorney
114 Main Street
P.O. Box 450
Benton, KY 42025

ANNEXATION DESCRIPTION

A 2.42 ACRE PARCEL OF LAND AS PER DECEMBER 19, 2020 SURVEY OF DENNIS W. LOOPER, KY LS #3437 AND LOCATED WEST OF US 641 ADJACENT TO THE EXISTING CITY LIMITS OF THE CITY OF BENTON, MARSHALL COUNTY, KENTUCKY;

AND MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF THE PROPERTY HEREIN DESCRIBED, SAID CORNER BEING A EXISTING POINT LOCATED IN THE EXISTING CITY LIMITS LINE AND BEING LOCATED SOUTH 39 DEG. 07 MIN. 09 SEC. WEST-854.63 FEET FROM THE INTERSECTION OF THE CENTERLINE OF US 641 AND THE CENTERLINE OF 24TH STREET;

THENCE N 85°50'42" W A DISTANCE OF 46.45' ALONG THE SOUTH LINE OF THE PROPERTY HEREIN DESCRIBED TO A POINT IN CONCRETE AT THE BASE OF A 4" DIA. STEEL POST;

THENCE N 85°31'28" W A DISTANCE OF 482.99' ALONG THE SOUTH LINE OF THE PROPERTY HEREIN DESCRIBED TO A 5/8" DIA. STEEL PIN WITH CAP #1982 FOUND;

THENCE N 85°19'38" W A DISTANCE OF 63.86' ALONG THE SOUTH LINE OF THE PROPERTY HEREIN DESCRIBED TO A 5" DIA. STEEL POST FOUND, SAID POST BEING THE SOUTHWEST CORNER OF THE PROPERTY HEREIN DESCRIBED;

THENCE N 03°38'29" E A DISTANCE OF 174.79' ALONG THE WEST LINE OF THE PROPERTY HEREIN DESCRIBED TO A 1/2" DIA. X 24" LNG. STEEL PIN WITH CAP #3437 SET AT THE NORTHEAST CORNER OF THE PROPERTY HEREIN DESCRIBED;

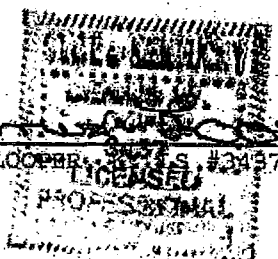
THENCE S 86°16'47" E A DISTANCE OF 311.78' ALONG THE NORTH LINE OF THE PROPERTY HEREIN DESCRIBED AND A COMMON LINE WITH THE EXISTING CITY LIMITS OF THE CITY OF BENTON TO A EXISTING 1.5" DIA. STEEL PIPE FOUND;

THENCE S 85°36'50" E A DISTANCE OF 278.76' ALONG THE NORTH LINE OF THE PROPERTY HEREIN DESCRIBED AND A COMMON LINE WITH THE EXISTING CITY LIMITS OF THE CITY OF BENTON TO A 1/2" DIA. X 24" LNG. STEEL PIN WITH CAP #3437 SET;

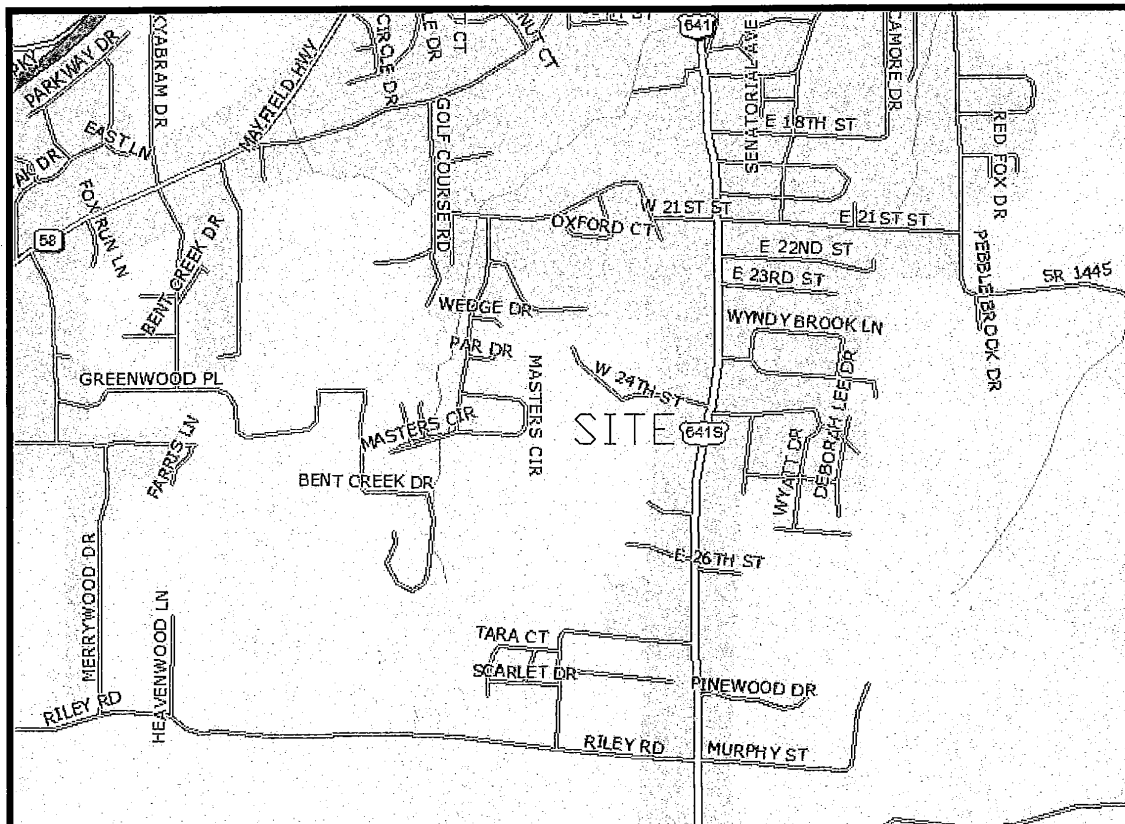
THENCE S 02°46'28" W A DISTANCE OF 179.35' ALONG THE EAST LINE OF THE PROPERTY HEREIN DESCRIBED AND A COMMON LINE WITH THE EXISTING CITY LIMITS OF THE CITY OF BENTON TO THE POINT OF BEGINNING.

AND BEING A PORTION OF THE PROPERTY AS DESCRIBED IN DEED BOOK 480, PAGE 357 TRACT II OF THE MARSHALL COUNTY COURT CLERK'S OFFICE.

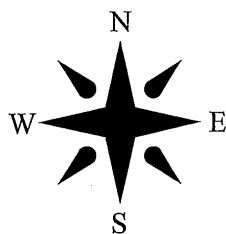
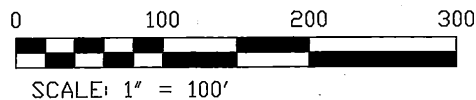
PREPARED BY:


Dennis W. Looper, S.E., #3437
LICENSED
PROFESSIONAL
ENGINEER
STATE OF KENTUCKY

8/25/21
DATE



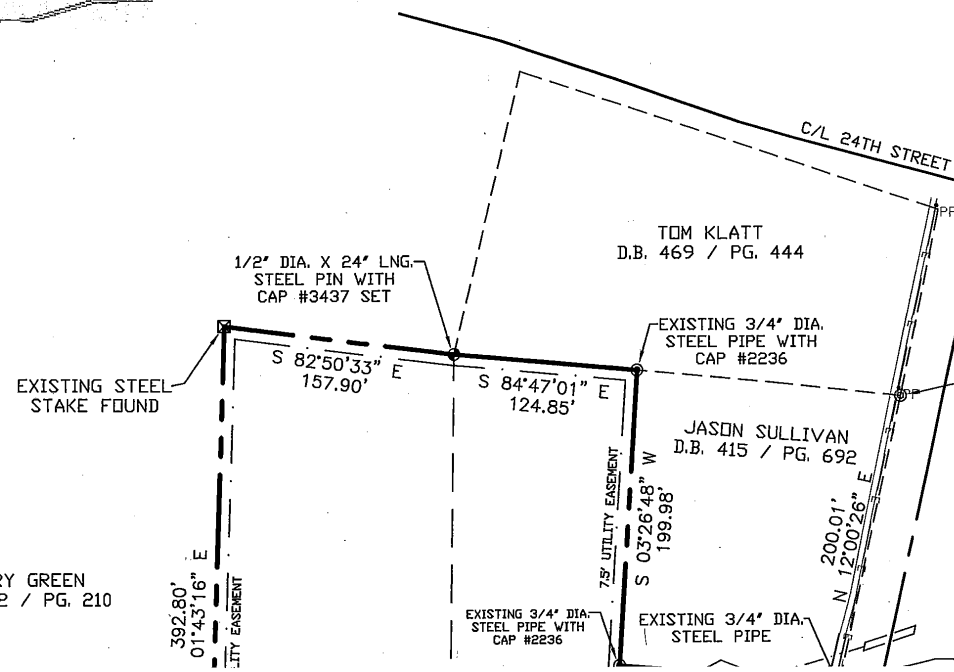
VICINITY MAP NOT TO SCALE



EQUITY TRUST COMPANY FBO
JERRY SELLS
D.B. 349 / PG. 665

JERRY GREEN
D.B. 242 / PG. 210

MINOR SUBDIVISION PLAT FOR DOUG DOTSON PROPERTY MAIN STREET BENTON, KY 42025 D.B. 480 / PG. 357



MINOR SUBDIVISION PLAT
FOR
DOUG DOTSON PROPERTY
MAIN STREET
BENTON, KY 42025
D.B. 480 / PG. 357

NOTES:

1. SOURCE OF TITLE: DOUGLAS DOTSON AND WIFE RITA
DEED BOOK 480, PAGE 357
2. NO VISIBLE EASEMENTS OR CLAIMS OF EASEMENTS WERE FOUND THROUGH PHYSICAL INSPECTION OF THE PROPERTY OTHER THAN THOSE SHOWN HEREON.
3. A GRID NORTH READING WAS OBSERVED THE DAY OF THE SURVEY AND ALL DATA SHOWN COINCIDES WITH SAID READING.
4. THE FIELD DATA WAS COLLECTED 12-19-20.
5. THE PROPERTY SHOWN HEREON IS CONSIDERED A URBAN SURVEY.
6. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL PREVIOUSLY CONVEYED EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD AND NOT OF RECORD IF ANY, SPECIFICALLY PREVAILING RIGHTS OF WAY OF ANY PUBLIC ROADS.
7. NO TITLE SEARCH WAS PROVIDED AND THIS SURVEY IS SUBJECT TO THE FINDINGS OF SUCH.
8. THIS SURVEY WAS PERFORMED USING A TOPCON HIPER V GPS SYSTEM WITH DUAL FREQUENCY RECEIVERS UTILIZING REAL TIME KINEMATICS (RTK). A REDUNDANCY OF MEASUREMENTS WERE TAKEN TO INSURE CORRECT POSITIONS OF ALL DATA POINTS. THE RELATIVE POSITIONAL ACCURACY EXCEEDS THE ACCURACY STANDARDS FOR A RURAL SURVEY AS ESTABLISHED BY THE COMMONWEALTH OF KENTUCKY STANDARDS OF PRACTICE (+/- 0.05' + 100 PPM). THE BEARINGS AND DISTANCES SHOWN HAVE NOT BEEN ADJUSTED. EQUIPMENT USED WAS A TOPCON HIPER V DUAL FREQUENCY RECEIVER / ROVER AND BASE, WGS84 DATUM, GEOID 2012, VERTICAL DATUM : NAVD88.
9. THIS PROPERTY IS SUBJECT TO PLANNING AND ZONING REGULATIONS AS SET FORTH BY THE CITY OF BENTON.
10. THERE WERE NO CEMETERIES OBSERVED ON THE PROPERTY WHEN THE FIELD DATA WAS COLLECTED PER 201 KAR 18:150 (7)(3)(i)
11. THERE ARE NO ENCROACHMENTS ONTO THIS PROPERTY AND NO IMPROVEMENTS ENCROACH ON TO OTHERS.
12. THIS PLAT REPRESENTS A BOUNDARY SURVEY THAT WAS PERFORMED IN ACCORDANCE WITH 201 KAR 18:150.
13. PORTION OF THIS PROPERTY ARE LOCATED IN A ZONE "AE" FLOOD ZONE PER FIRM 21157C0153E, DATED 6-2-2011.

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE MINOR SUBDIVISION PLAT SHOWN HEREON HAS BEEN BOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR CITY OF BENTON, MARSHALL COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT IS THE RECOMMENDATION OF THIS COMMISSION THAT FINAL APPROVAL BE GIVEN.

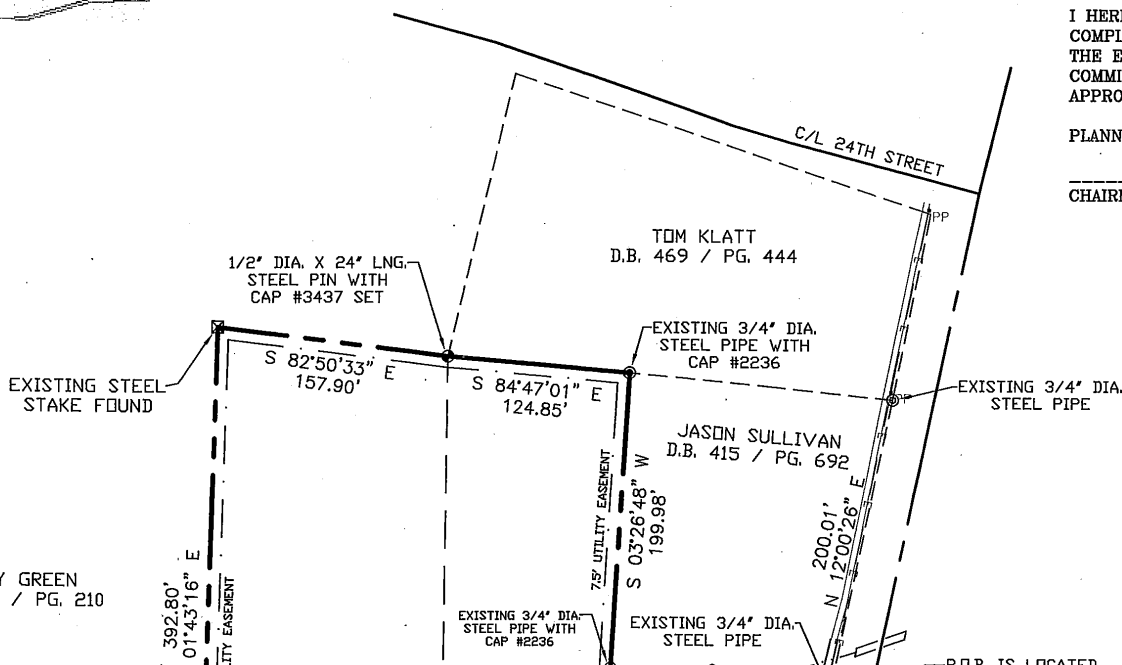
PLANNING COMMISSION MEETING HELD 4-12, 2021

CHAIRMAN, BENTON CITY, MARSHALL COUNTY PLANNING COMMISSION

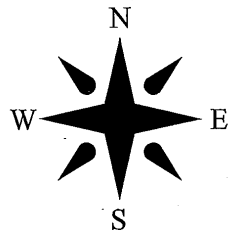
MAYOR CERTIFICATE OF APPROVAL

UNDER AUTHORITY PROVIDED BY CHAPTER 100 OF THE KENTUCKY REVISED STATUTES, I RITA DOTSON ON BEHALF OF THE CITY OF BENTON DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON, HAS BEEN PRESENTED TO THE CITY COMMISSION AND IS HEREBY ACCEPTED FOR INCLUSION INTO THE CITY OF BENTON. PLAT SHOWN HEREON IS APPROVED ON June 21, 2021 UNDER ORDINANCE # 21-016-016

Shirley Riley Pro Jim
MAYOR OF THE CITY OF BENTON



SCALE: 1" = 100'



EQUITY TRUST COMPANY FBO
JERRY SELLS
D.B. 349 / PG. 665

JERRY GREEN
D.B. 242 / PG. 210

TOM KLATT
D.B. 469 / PG. 444

JASON SULLIVAN
D.B. 415 / PG. 692

1/2" DIA. X 24" LNG.
STEEL PIN WITH
CAP #3437 SET

EXISTING STEEL
STAKE FOUND

EXISTING 3/4" DIA.
STEEL PIPE WITH
CAP #2236

EXISTING 3/4" DIA.
STEEL PIPE WITH
CAP #2236

EXISTING 3/4" DIA.
STEEL PIPE

P.O.B. IS LOCATED
S 16°37'14" W
FROM C/L OF
C/L OF MA

ZONE
SE
FROM
SIDE
REAL

EXISTING CITY
LIMITS OF BENTON
PER CITY MAP

1/2" DIA. X 24" LNG.
STEEL PIN WITH
CAP #3437 SET
AT DISTURBED PIN

311.78'
S 86°16'47" E

278.76'
S 85°36'50" E

1.5" DIA. STEEL
PIPE FOUND
IN FENCE LINE

PARCEL TO BE ANNEXED

SUBJECT PROPERTY

TOTAL ACREAGE: 6.98 Acres

ANNEXATION ACREAGE: 2.42 ACRES

N 85°19'38" W
63.86'

482.99'
N 85°31'28" W

5/8" DIA. STEEL PIN
WITH CAP #1982
FOUND

AARON LYLES
D.B. 394 / PG. 247

EXISTING 5" DIA.
STEEL POST
FOUND

PROPERTY NOT
WITHIN CITY LIMITS

PROPERTY NOT
WITHIN CITY LIMITS

DUSTIN KEITH
D.B. 427 / PG. 49

PROPERTY NOT
WITHIN CITY LIMITS

1/2" DIA. X 24" LNG.
STEEL PIN WITH
CAP #3437 SET

BOUNDARY LINE
FOR ANNEXATION
PLAT

POINT IN CONCRETE
AT BASE OF EXISTING
4" DIA. STEEL POST

ANNEXATION
POINT OF BEGINNING

N 85°50'42" W
46.45'

MICHAEL NORTHCOFF
D.B. 219 / PG. 189

C/L CREEK

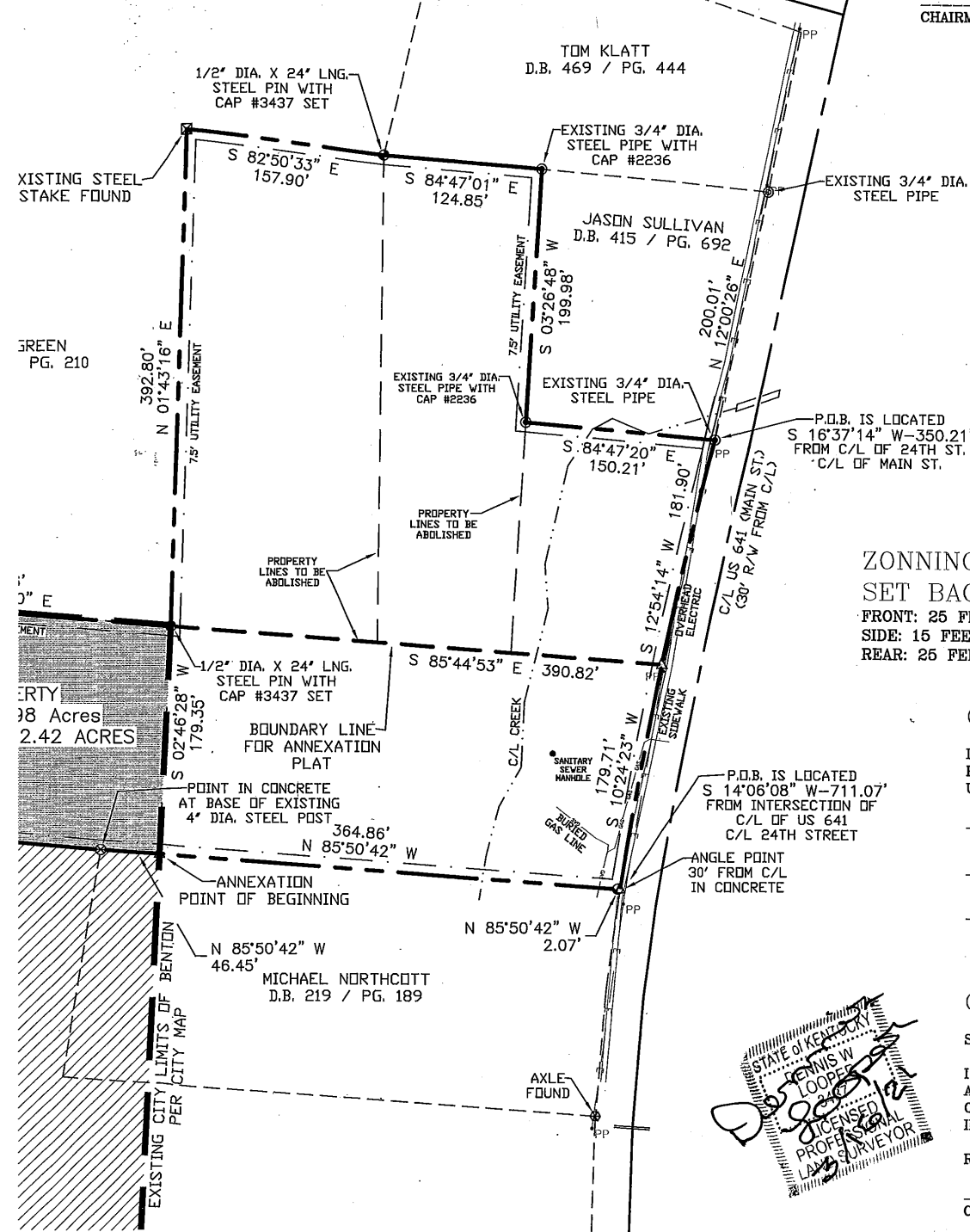
SANITARY
SEWER
MANHOLE

AXLE
FOUND

P.O.B. IS LOCATED
S 14°06'08" W-711.07'
FROM INTERSECTION OF
C/L OF US 641
C/L 24TH STREET

ANGLE POINT
30' FROM C/L
IN CONCRETE





MAYOR CERTIFICATE OF APPROVAL

UNDER AUTHORITY PROVIDED BY CHAPTER 100 OF THE KENTUCKY REVISED STATUTES, I RITA DOTSON ON BEHALF OF THE CITY OF BENTON DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON, HAS BEEN PRESENTED TO THE CITY COMMISSION AND IS HEREBY ACCEPTED FOR INCLUSION INTO THE CITY OF BENTON. PLAT SHOWN HEREON IS APPROVED ON June 21, 2021 UNDER ORDINANCE # 21-06-01

Shirley Kiley MAYOR OF THE CITY OF BENTON
Bethany Cooper BENTON CITY CLERK

ZONNING: R-1
 SET BACKS:
 FRONT: 25 FEET
 SIDE: 15 FEET
 REAR: 25 FEET

SUBDIVISION NOTES:

1. INTENT OF SUBDIVISION IS TO ABOLISH THE INTERIOR LOT LINES.
2. INTENT OF SUBDIVISION IS ESTABLISH UTILITY EASEMENTS.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE SUBDIVISION SHOWN HEREON AND DEDICATE TO THE PUBLIC USE OF THE STREETS AND \ OR LANDS SHOWN HEREON

Rita Dotson

CERTIFICATE OF RECORDING

STATE OF KENTUCKY, COUNTY OF MARSHALL

I Bethany Cooper, CLERK OF THE COURT FOR THE STATE AND COUNTY AFORESAID DO HEREBY CERTIFY THAT THIS PLAT OF SUBDIVISION WAS THIS DAY LOGGED IN MY OFFICE FOR RECORD, AND I HAVE RECORDED SAME WITH THIS AND THE FOREGOING CERTIFICATE IN MY OFFICE, GIVEN MY HAND AND SEAL THIS THE 21 DAY OF JUNE 2020

RECORDED IN PLAT SECTION _____, PAGE _____

CLERK _____

