



Annexation to the City of Benton Ordinance Number 22-12-01

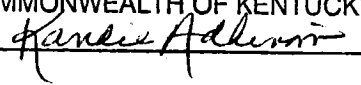
I certify that I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of Ordinance No. 22-12-01 is a true, correct and complete copy, duly adopted by the City Council at the convened meeting held on December 19, 2022, all as appears in the official records of the said City of Benton, Kentucky.

Witness, my hand and the Seal of the City of Benton, Kentucky on this the 21st day of December, 2022.


Bethany Cooper
City Clerk/Treasurer

SEAL

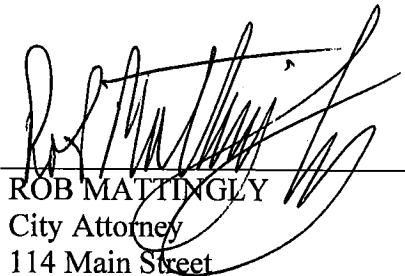
RECEIVED AND FILED
DATE December 28, 2022

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 

“AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY ADJOINING THE CORPORATE LIMITS OF THE CITY OF BENTON, MARSHALL COUNTY, KENTUCKY, FOR PROPERTY LOCATED ON BENT CREEK DRIVE” This Ordinance is summarized as follows: An ordinance annexing the unincorporated property owned by Thomas Stephen Jezik,, Jennifer Brook Jezik, Adam Shane David, and Kristen Thomas David, 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 22.19 acres and is located on Bent Creek Drive.

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 19 day of Dec, 2022.



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

ORDINANCE NO. 22- 12-01

**AN ORDINANCE
ANNEXING UNINCORPORATED TERRITORY
ADJOINING THE CORPORATE LIMITS
OF THE CITY OF THE BENTON, MARSHALL COUNTY, KENTUCKY
FOR PROPERTY LOCATED ON BENT CREEK DRIVE
CONSISTING OF 22.19 ACRES**

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 Thomas Stephen Jezik,, Jennifer Brook Jezik, Adam Shane David, and Kristen Thomas David, and consist of 22.19 acres;

WHEREAS, Thomas Stephen Jezik,, Jennifer Brook Jezik, Adam Shane David, and Kristen Thomas David, 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;

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 the property described in the deed to Thomas Stephen Jezik,, Jennifer Brook Jezik, Adam Shane David, and Kristen Thomas David, from Patricia Ann Machnee, Trustee, et. al., dated July 21, 2016, of record in Deed Book 444, page 566, 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.
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.
7. Pursuant to KRS 83A.060(9), a summary of the ordinance may be published, the full text of the ordinance may be viewed at Benton City Hall during regular office hours.

Passed at a meeting of the City Council of the City of Benton, Marshall County, Kentucky, on the 19 day of December, 2022.


Rita Dotson, MAYOR

ATTEST:


BETHANY COOPER
CITY CLERK/TREASURER

FIRST READING: 12/7/2022

SECOND READING: 12/19/2022

PUBLICATION: 12/22/2022

COUNCIL VOTING

	<u>AYE</u>	<u>NAY</u>
Charles Edmonds	<u>✓</u>	<u> </u> Absent
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> Absent

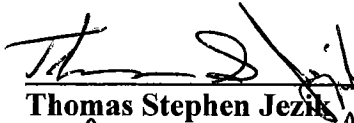
CONSENT TO ANNEXATION

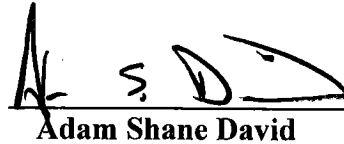
The undersigned, Thomas Stephen Jezik,, Jennifer Brook Jezik, Adam Shane David, and Kristen Thomas David, as owners, consent and agree to the following described property being annexed into and made a part of, the corporate limits of the City of Benton, Kentucky, and consent to a copy of this Consent being filed with the City Clerk of the City of Benton, Kentucky, and relied upon by the City in any annexation of that property:

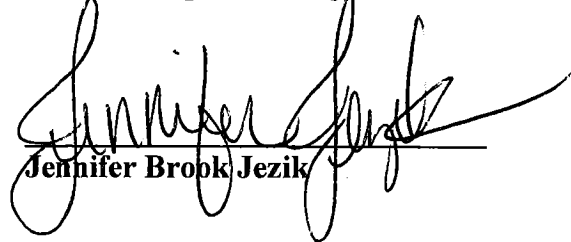
See Property Description Attached as Exhibit A

Being a part of the property described in the deed to Thomas Stephen Jezik,, Jennifer Brook Jezik, Adam Shane David, and Kristen Thomas David, from Patricia Ann Machnee, Trustee, et. al., dated July 21, 2016, of record in Deed Book 440, page 566, in the Marshall County Court Clerk's Office.

This the 28 day of November, 2022.


Thomas Stephen Jezik


Adam Shane David


Jennifer Brook Jezik


Kristen Thomas David

STATE OF KENTUCKY
COUNTY OF MARSHALL

The foregoing instrument was subscribed, sworn to and acknowledged before me on this the 28 day of November, 2022, by Thomas Stephen Jezik, and wife, Jennifer Brook Jezik.

My commission expires: 7-5-26


NOTARY PUBLIC

STATE OF KENTUCKY
COUNTY OF MARSHALL

The foregoing instrument was subscribed, sworn to and acknowledged before me on this
the 25 day of November, 2022, by Adam Shane David, and Kristen Thomas
David.


NOTARY PUBLIC

My commission expires: _____



LEGAL DESCRIPTION OF 22.19 ACRES FOR ANNEXATION

Lying on the westerly side of Bent Creek Drive in Marshall County, Kentucky and being all the Adam Shane & Kristen Thomas David & Thomas Stephen & Jennifer Brook Jezik property recorded in Deed Book 444, Page 566 in the Marshall County Court Clerk's office, and more particularly described as follows:

Beginning at a 1/2 inch rebar with cap No. 3732 located in the westerly right-of-way line of Bent Creek Drive, 25 feet from the center thereof, and also being the southwest corner of the Richard Allen & Jordan Leigh Reed property recorded in Deed Book 495, Page 195;

THENCE FROM SAID POINT OF BEGINNING, and with said right-of-way, S 01°55'21" W a distance of 50.00 feet to a 1/2 inch rebar with cap No. 3732, said point also being the northwest corner of the William D. Sr. & Sheila Gold property recorded in Deed Book 494, Page 567;

thence with the westerly line of said Gold property, S 01°38'30" W a distance of 223.79 feet to a 1/2 inch rebar with cap No. 3732, the southwest corner of said Gold property;

thence with the southerly line of said Gold property, S 87°37'46" E a distance of 194.66 feet to a 1/2 inch rebar with cap No. 3732, said point being the southeast corner of Gold and lying in the westerly line of the Matt Isaac Maxfield & Zandra Bristol Farley property recorded in Deed Book 474, Page 694;

thence with said westerly line, S 01°42'24" W a distance of 176.37 feet to a 1/2 inch rebar with illegible cap, the northeast corner of the Danny E. & Beverly A. Davis property recorded in Deed Book 433, Page 651;

thence with the westerly line of said Davis property, S 01°35'55" W a distance of 286.65 feet to a 1/2 inch rebar with cap No. 1933, the southwest corner of said Davis property and the southeast corner of the herein described tract and also lying in the northerly line of the Angie Umbarger property recorded in Deed Book 395, Page 97;

thence with said northerly Umbarger line, N 88°25'17" W a distance of 300.01 feet to a 1/2 inch rebar with illegible cap, the northwest corner of said Umbarger property and the northeast corner of the Nelson D. & Rita Dotson property recorded in Deed Book 400, page 347;

thence with said Dotson property, N 88°28'23" W a distance of 340.45 feet to a 1/2 inch rebar, the northwest corner of Dotson and the northeast corner of the James Luke & Tanya Riley property recorded in Deed Book 337, Page 467;

thence with said Dotson property, N 88°27'18" W a distance of 611.61 feet to a 1/2 inch rebar with illegible cap and lying in the center of a creek and also being the southwest corner of the James L., William Clay, David Mark & Mary Dell Riley property recorded in Deed Book 246, Page 352;

thence in a meandering northerly direction with the centerline of said creek and the easterly line of said Riley property for the following 26 calls:

N 47°38'10" E a distance of 27.30 feet to a point,

N 05°39'17" W a distance of 41.36 feet to a point,

Exhibit A

N 38°37'34" W a distance of 33.58 feet to a point,
N 16°45'09" E a distance of 69.04 feet to a point,
N 49°12'51" W a distance of 31.54 feet to a point,
N 43°06'57" E a distance of 62.88 feet to a point,
N 85°21'34" E a distance of 36.84 feet to a point,
N 29°46'04" E a distance of 93.77 feet to a point,
N 27°27'38" W a distance of 14.52 feet to a point,
S 79°51'08" W a distance of 34.02 feet to a point,
N 51°25'38" W a distance of 36.64 feet to a point,
N 20°28'53" E a distance of 15.05 feet to a point,
S 83°07'25" E a distance of 54.94 feet to a point,
N 08°05'20" W a distance of 32.02 feet to a point,
N 48°10'52" W a distance of 34.98 feet to a point,
N 25°16'42" E a distance of 67.14 feet to a point,
N 58°06'12" E a distance of 45.86 feet to a point,
N 00°35'18" W a distance of 203.53 feet to a point,
N 51°09'56" E a distance of 148.59 feet to a point,
S 25°41'43" E a distance of 23.25 feet to a point,
N 43°06'57" E a distance of 48.79 feet to a 1/2 inch rebar with cap No. 3585,
S 80°45'49" E a distance of 48.96 feet to a point,
N 06°10'42" W a distance of 57.39 feet to a point,
N 27°36'07" E a distance of 60.10 feet to a point,
N 80°16'09" E a distance of 85.41 feet to a point, and

N 44°33'53" W a distance of 39.11 feet to a 1/2 inch rebar with cap No. 3585, the northeast corner of said Riley property and also being a point in the southerly line of the Joe Richard & Johnnie Riley Davis & James Luke, David Mark, William Clay & Delia Beth Riley property recorded in Deed Book 294, Page 285;

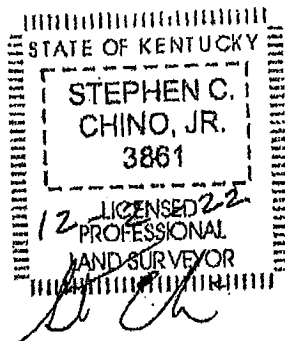
thence with said Riley line, N 89°10'12" E a distance of 23.95 feet to a 1/2 inch rebar with illegible cap, the southeast corner of Riley and the southwest corner of the Darin S. Austin & Lee Ann Wyatt property recorded in Deed Book 420, Page 52;

thence with said Austin & Wyatt line, S 87°38'46" E a distance of 278.72 feet to a 1/2 inch rebar with cap No. 3268, the southeast corner of Austin & Wyatt and the southwest corner of James Joshua & Janie Owens property recorded in Deed Book 385, Page 126;

thence with said Owens property, S 87°41'29" E a distance of 136.16 feet to a 1/2 inch rebar with cap No. 3732, the northeast corner of the herein described tract and also being the northwest corner of the aforesaid Reed property;

thence with said Reed property, S 01°55'22" W a distance of 200.16 feet to a 1/2 inch rebar with cap No. 3732, the southwest corner of said Reed property;

thence with the southerly line of Reed, S 87°41'29" E a distance of 217.63 feet to a 1/2 inch rebar with cap No. 3732; which is the point of beginning, having a total area of 22.19 Acres per survey performed by Siteworx Survey & Design.



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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