



Annexation to the City of Benton Ordinance Number 23-05-03

I certify that I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of Ordinance No. 23-05-03 is a true, correct and complete copy, duly adopted by the City Council at the convened meeting held on May 23, 2023, 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 7th day of June, 2023.


Bethany Cooper
City Clerk/Treasurer

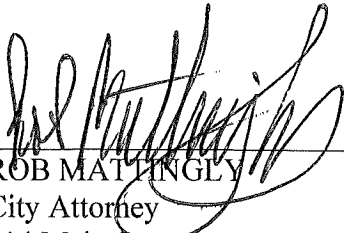
SEAL

**“AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY ADJOINING
THE CORPORATE LIMITS OF THE CITY OF BENTON, MARSHALL
COUNTY, KENTUCKY, FOR PROPERTY ADJACENT TO RIVERSIDE DRIVE”**

This Ordinance is summarized as follows: The City of Benton has passed an ordinance annexing the unincorporated property located adjacent to Riverside Drive, into the city limits of the City of Benton, Kentucky, pursuant to the Consent to Annex and Intent to Annexation Ordinance passed November 21, 2022. Said property consists of 7.938 acres.

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 May 23 day of May, 2023.



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

ORDINANCE NO. 23- 05-03

**AN ORDINANCE
ANNEXING UNINCORPORATED TERRITORY
ADJOINING THE CORPORATE LIMITS
OF THE CITY OF THE BENTON, MARSHALL COUNTY, KENTUCKY
FOR PROPERTY LOCATED ADJACENT TO
RIVERSIDE DRIVE**

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 Seaford Holdings, LLC, Crystal McClain, Robert and Jill Parker, James and Tammy Parker, Janssen Lain Lindsey, The Reed Agency, LLC, Gerald Chambers, Douglas and Vicki Wynn, all of whom have signed a consent to annexation in October, November and December of 2022 (a copy of their consent is on file at the Benton City Hall).

WHEREAS, Rachan Investments, LLC, also owns property described in Exhibit A and subject to annexation herein and did not sign a consent to annexation.

WHEREAS, pursuant to KRS 81A.420, the City of Benton passed an Intent to Annex Ordinance on November 21, 2022 regarding the subject property; all statutory procedures of KRS 81A.420 were followed, no objection to the annexation was made and the proposed annexation is now ready to be finalized.

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 sources of titles for the property to be annexed are as follows:

- A. Being the same property conveyed to Seaford Holdings, LLC, from Brian Seaford and wife, Heather R. Seaford, by virtue of a deed dated April 5, 2013, of record in Deed Book 426 page 18, in the Marshall County Court Clerk's Office.
- B. Being the same property conveyed to Seaford Holdings, LLC, from Teddy Wynn and wife, Teresa Wynn, by virtue of a deed dated February 8, 2013, of record in Deed Book 418 page 331 in the Marshall County Court Clerk's Office.
- C. Being part of the same property conveyed to Crystal D. McClain, from Brian K. McClain, single, by virtue of a deed dated November 9, 2020, of record in Deed Book 481 page 471, in the Marshall County Court Clerk's Office.
- D. Being the same property conveyed to Robert Parker and wife, Jill Parker, James Parker and wife, Tammy Parker, from Gerald Chambers and wife, Pamela Parker, by virtue of a deed dated April 6, 1999, of record in Deed Book 309 page 538, in the Marshall County Court Clerk's Office.
- E. Being the same property conveyed to Janssen Laine Northington, n/k/a Janssen Laine Lindsey, from Joseph Paul Northington by virtue of a deed dated June 16, 2017, of record in Deed Book 452 page 356, in the Marshall County Court Clerk's Office
- F. Being the same property conveyed to The Reed Agency, LLC from Gerald D. Chambers, single, by virtue of a deed dated February 5, 2018, of record in Deed Book 457 page 620, in the Marshall County Court Clerk's Office.
- G. Being the same property conveyed to Rachan Investments, LLC from Lloyd T. Brown and wife, Cathy J. Brown, by virtue of a deed dated July 31, 2017, of record in Deed Book 453 page 356, in the Marshall County Court Clerk's Office.
- H. Being the same property conveyed to M. Douglas Wynn and wife, Vicki Wynn, from Jerry C. Wynn and wife, Luella Sue Wynn, by virtue of a deed dated September 29, 2004, of record in Deed Book 352 page 641, in the Marshall County Court Clerk's Office.
- I. Being part of the same property conveyed to Gerald Chambers and wife, Pamela Chambers, by virtue of a deed from Bobby K. English et. al. dated February 22, 1990, of record in Deed Book 242 page 120, 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 and KRS 81A.420.
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 23rd day of May, 2023.


Rita Dotson, MAYOR

ATTEST:

Bethany Cooper
BETHANY COOPER
CITY CLERK/TREASURER

FIRST READING: 05/15/2023

SECOND READING: 05/23/2023

PUBLICATION: 05/25/2023

COUNCIL MEMBERS VOTING

	<u>AYE</u>	<u>NAY</u>
ANN RILEY	<u>✓</u>	_____
KEVIN FARLEY	<u>✓</u>	_____
RITA MURRAY	<u>✓</u>	_____
BUTCH HOLLAND	<u>✓</u>	_____
LAURA CRAYNON	<u>✓</u>	_____
GUY HENTON	<u>✓</u>	_____

**Annexation to the City of Benton, Marshall County, Kentucky
North City Limits**

A parcel of land, north on the south side of Clarks River, west of Riverside Drive and US 641 (Main Street), as shown on the plat of record in Cabinet D Slide 123, Cabinet C Slide 299, Cabinet F Slide 168 and Cabinet D Slide 306 of the records of the Marshall County Court Clerk, and being more particularly described as follows:

Beginning at a point in the west right of way of US 641 and the east right of way of Riverside Drive, as per Ordinance dated June 4, 1956, said point having Kentucky State Plane South Zone coordinates of North 1,848,303.24 and East 881,260.70;

Thence, from the point of beginning, North 67° 23' 23" West a distance of 380.00 feet to a found ½" rebar;

Thence, North 22° 05' 44" East a distance of 350.00 feet to a point;

Thence, South 67° 19' 45" East a distance of 100.84 feet to a point;

Thence, North 21° 33' 29" East a distance of 21.28 feet to a point;

Thence, North 67° 19' 45" West a distance of 140.00 feet to a point;

Thence, North 21° 33' 29" East a distance of 160.00 feet to a point;

Thence, North 67° 19' 45" West a distance of 50.00 feet to a point;

Thence, North 39° 03' 03" West a distance of 206.56 feet to a point;

Thence, North 21° 33' 29" East a distance of 130.00 feet to a point;

Thence, South 67° 19' 45" East a distance of 653.00 feet to a point in the east right of way of Riverside Drive;

Thence, South 22° 05' 44" West a distance of 758.70 feet to the point of beginning.

The above-described parcel contains 7.938 acres more or less.

As shown on a plat labeled "Annexation to the City of Benton Kentucky North City Limits" dated April 26, 2023.

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 April 26, 2023.

Note: the purpose of this description is to provide information for the annexation of the 7.938 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:

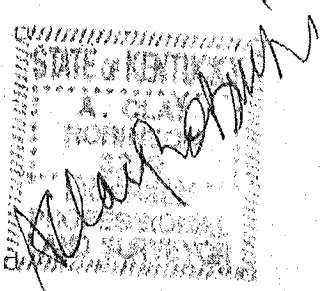
A. Clay Robinson
Ky. Licensed Prof. Surveyor 3219
ACR Land Surveying, PLLC
PO Box 7375
Paducah, Ky. 42002



A Clay Robinson, PLS

5/08/2023

Date



STAMP

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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