

CITY OF BENTON

1009 Main Street ~ Benton, Kentucky 42025
(270) 527-8677

Mayor
Steve Cary

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

City Attorney
Martin Johnson

Police Chief
Tracy Watwood

July 30, 2009

Kentucky Secretary of State's Office
Land Office Division
700 Capital Avenue, Suite 80
Frankfort, KY 40601
Attn: Kandie Adkinson

RE: City of Benton, Marshall County
Annexation 09-07-01

Dear Ms. Adkinson:

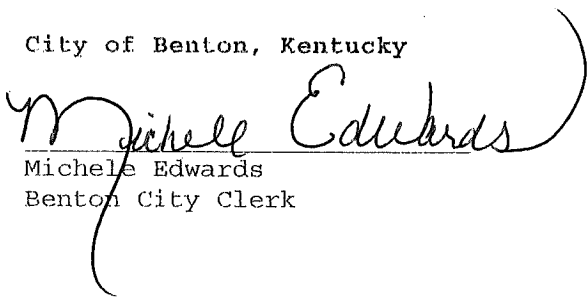
Please find attached a certified copy of the City of Benton Ordinance No. 09-07-01 resulting from the City Council Meeting of July 20, 2009 annexing a 9.7 acre tract of land titled "An Ordinance Annexing Property Owned By Jo Alice Cothran".

In accordance with KRS 81A.470 we have included a plat of this annexation as certified by Roger L. Colburn, Ky. Professional Land Surveyor 3238, on February 15, 2007. This is a copy directly from the records of the Marshall County Kentucky Clerk. The recording information for this plat is Plat Cabinet E Slide 327.

We respectfully request that this annexation be recognized by your office and added to the Kentucky Secretary of State official map delineating the boundaries of the City of Benton, Marshall County, Kentucky.

Sincerely,

City of Benton, Kentucky


Michele Edwards
Benton City Clerk

Mayor
Steve Cary

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

City Attorney
Martin Johnson

Police Chief
Tracy Watwood

Annexation to the City of Benton 09-07-01

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the foregoing 7 pages of Ordinance No. 09-07-01 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on July 20, 2009, 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 28 day of July, 2009.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE July 30, 2009
TREV GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Adkinson

ORDINANCE NO. 09- 07 - 01

**AN ORDINANCE
ANNEXING PROPERTY OWNED BY
JO ALICE COTHRAN**

WHEREAS, the hereinafter described property is now owned by Jo Alice Cothran of 2630 Mayfield Highway, Benton, KY 42025; and

WHEREAS, the Property Owner has requested that same be annexed into and made a part and portion of the City of Benton, Kentucky; and

WHEREAS, the Property Owner has consented to said annexation in accordance with the provisions of KRS 81A.412 et seq. and the City may adopt an Ordinance annexing same into the City without the necessity of giving notice of its intent to do so to any third parties or publication of an Ordinance expressing the City's intent to annex their property; and

WHEREAS, the City intends to annex the said property with a Zoning Classification of R-1.

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

1. The written consent of Jo Alice Cothran having been given for the City to annex that property more particularly described Exhibit A attached hereto and incorporated by reference be and same is hereby annexed into and made a part and portion of the City of Benton, Marshall County, Kentucky same 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 its interest for same to be annexed with a Zoning Classification of R-1.

2. The property subject of this Ordinance and so annexed into the City pursuant to the provisions hereof has been platted and a plat of same shall be filed in the office of the

Marshall County Court Clerk's Office and reference shall be made to the plat for purposes of complying with KRS 81A.470 and KRS 81A.475.

3. This Ordinance shall be effective upon the 1st day of January, 2009.

Passed this the 20th day of July, 2009.


MAYOR STEVE CARY

ATTEST:


MICHELE EDWARDS, CITY CLERK

FIRST READING: 7/20/09
PUBLICATION: 7/28/09

COUNCIL MEMBERS VOTING

	<u>AYE</u>	<u>NAY</u>
GLEN BREWER	<u>✓</u>	<u> </u>
TIM KING	<u>✓</u>	<u> </u>
CHARLES EDMONDS	<u>✓</u>	<u> </u>
CHRIS FREELAND	<u>A</u>	<u> </u>
MICKEY SIRLS	<u>A</u>	<u> </u>
RITA DOTSON	<u>✓</u>	<u> </u>

A Certain tract of land located near the City of Benton, Marshall County, Kentucky, said tract being a 300 feet wide tract of land located South of and contiguous to the city limits of Benton and West of the centerline of Kentucky Highway 58 and more particularly described as follows:

Beginning at the intersection of the West right-of-way line of Kentucky Highway 58 and the South boundary line of a tract of land being owned by Linda Tolbert as recorded in Deed Book 226, Page 228 of the Official Records of the Marshall County Clerks office in Marshall County, Kentucky, said line also being a South line of the existing Benton City Limits, said point having Kentucky State Plane South Zone Coordinates of 1834046.03 N 868985.16 E; Thence, from said **Point of Beginning**, along the South boundary line extended of said Tolbert tract and the existing Benton City Limits, S 83° 26' 40" E, a distance of 30.52 feet to the centerline of Kentucky Highway 58 and a west line of the existing Benton City Limits to a point having Kentucky State Plane South Zone Coordinates of 1834042.55 N 869015.48 E; Thence, along the centerline of said Kentucky Highway 58 and the Benton City Limits, S 17° 08' 17" W, a distance of 317.42 feet to a point having Kentucky State Plane South Zone Coordinates of 1833739.23 N 868921.95 E; Thence, 689.28 feet along a curve to the right, said curve having a radius of 1,906.00 feet, said curve being subtended by a chord bearing of S 27° 29' 53" W, a chord distance of 685.53 to a point having Kentucky State Plane South Zone Coordinates of 1833131.14 N 868605.42 E; Thence, continuing along the centerline of Kentucky Highway 58 and the existing Benton City Limits, S 37° 51' 29" W, a distance of 342.13 feet to a point on the South boundary line extended of aforementioned Cothran tract, said point having Kentucky State Plane South Zone Coordinates of 1832861.02 N 868395.46 E, said point being a corner of the existing Benton City Limits; Thence, along said South property line extended, N 89° 38' 59" W, a distance of 37.82 feet to a point having Kentucky State Plane South Zone Coordinates of 1832861.25 N 868357.64 E, said point being at the intersection of said South property line and the West right-of-way line of Kentucky Highway 58; Thence, continuing along said South boundary line, N 89° 38' 59" W, a distance of 340.36 feet to a point having Kentucky State Plane South Zone Coordinates of 1832863.33 N 868017.28 E, said point being at the intersection of the South boundary line of the Cothran tract and the Benton City Limits established this Survey; Thence, along said Benton City Limit line, N 37° 51' 29" E, a distance of 572.39 feet to a point having Kentucky State Plane South Zone Coordinates of 1833315.25 N 868368.56 E; Thence, continuing along said Benton City Limit line, 580.79 feet along a curve to the left, said curve having a radius of 1606.00 feet, said curve being subtended by a chord bearing of N 27° 29' 53" E, a chord distance of 577.63 feet to a point having Kentucky State Plane South Zone Coordinates of 1833827.62 N 868635.27 E; Thence, continuing along said Benton City Limit line, N 17° 08' 17" E, a distance of 261.37 feet to a point having Kentucky State Plane South Zone Coordinates of 1834077.39 N 868712.29 E; Thence, along a North line of the Cothran tract and the South line of aforementioned Tolbert tract, S 83° 26' 40" E, passing a found "T Post" at a distance of 38.03 feet, a total distance of 274.67 feet back to the **Point of Beginning**.

EXHIBIT

A

The above described parcel contains 9.52 acres according to a survey performed by Roger L. Colburn KYPLS 3236 with Florence & Hutcheson, Inc. on January 31, 2007. The Plat of Survey is recorded in Plat Section __ Page __ and being part of the same property owned by William and Josephine Cothran, as recorded in Deed Book 128, Page 105.

“AN ORDINANCE ANNEXING PROPERTY OWNED BY JO ALICE COTHRAN.” This Ordinance is summarized as follows: The Property Owner of 2630 Mayfield Highway, Benton, KY 42025, ask that said property be annexed into and made a part and portion of the City of Benton, Kentucky. 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 July 20, 2009.

A handwritten signature in black ink, appearing to read "Martin W. Johnson", is written over a horizontal line.

MARTIN W. JOHNSON

City Attorney

Post Office Box 450

Benton, Kentucky 42025

May 4, 2006

Honorable Larry Spears, Mayor
Benton City Councilmen

We, William and Jo Alice Cothran, would like to submit this request for reannexation into the Benton City Limits. At the time Florence and Hutcheson did the survey to draw up the city limit boundary lines, we were not included.

We know we have been in the city limits at least back to 1989 as we have been paying city taxes and have boundary points that were established by the city. We are requesting that the same partial of land be reinstated:

The partial of land running west on Hwy 58 with the following boundary lines.

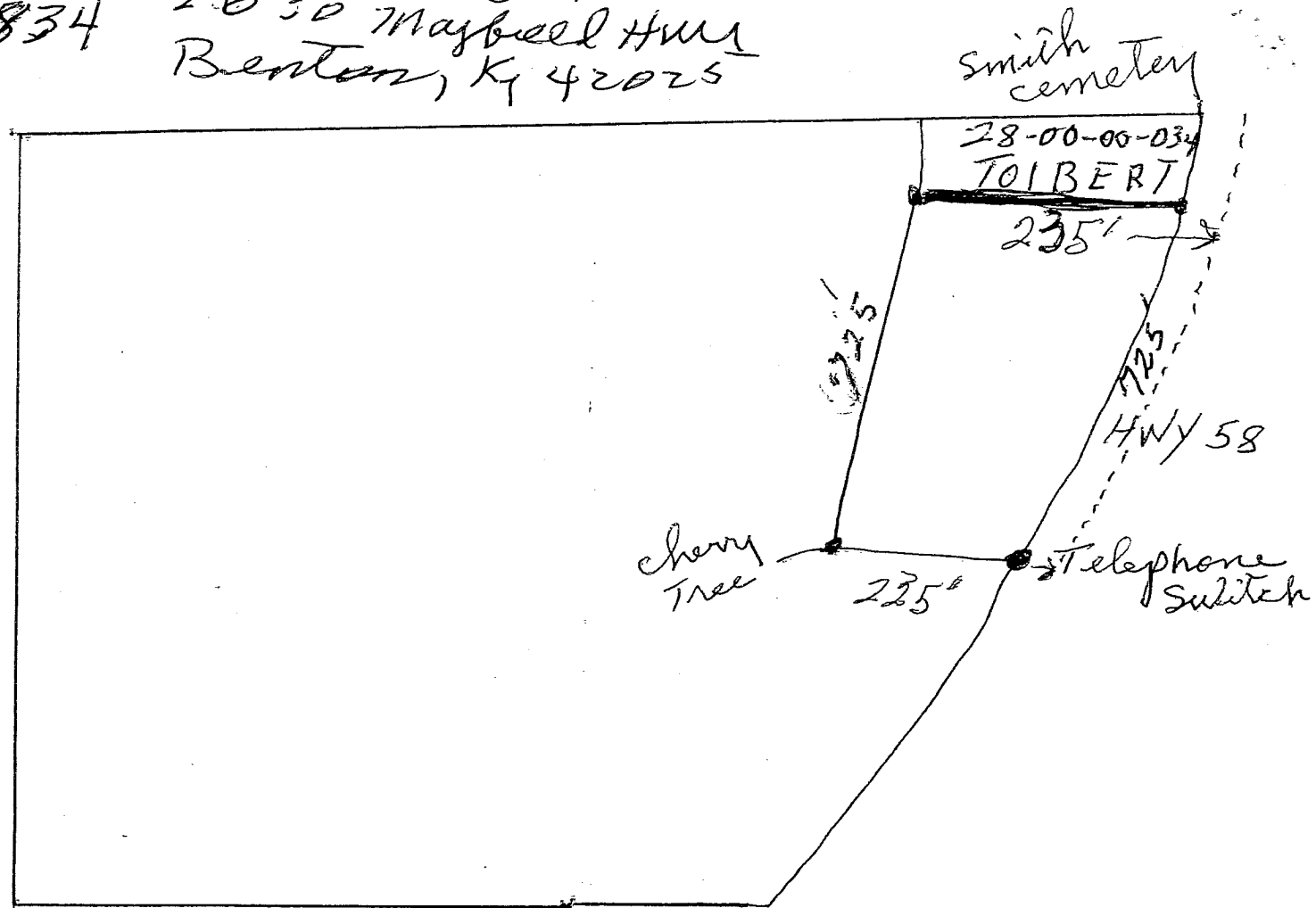
Starting at a point N adjacent to the plot noted (28-00-00-034) (Tolberts) continuing SW per drawing attached.

Sincerely,

Handwritten signatures of William A. Cothran and Jo Alice Cothran in cursive script.

William and Jo Alice Cothran
2630 Mayfield Hwy.
Benton, Ky. 42025
(270-527-9834)

Ph 270-527-9834 2630 Mayfield Hwy
Benton, Ky 42025



Bill and JOEY COTHRAN
2630 MAYFIELD HWY
BENTON, KY 42025

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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