



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

**Resolution of the City of Benton
Number 09-11-07**

I certify I am the duly qualified City Clerk of the City of Benton,
Kentucky, and the foregoing 9 pages of the Resolution number
09-11-07 is a true, correct and complete copy duly adopted
by the City Council at a duly convened meeting held on
November 16, 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 20 day
of November, 2009.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE Nov. 23, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randie Adkinson

RESOLUTION 09- 11-07

**A RESOLUTION ADOPTING A MODERN
AND
ACCURATE LEGAL DESCRIPTION
OF
TERRITORY PREVIOUSLY ANNEXED
BY ORDINANCE
IN THE
CITY OF BENTON, KENTUCKY**

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

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

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane 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 wishes to comply with the requirements of Amended KRS 81A.470 effective July 1, 2009;

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTON, KENTUCKY AS FOLLOWS:

SECTION 1: That the City Council of the City of Benton, Kentucky hereby adopts the following legal description, and a plat attached hereto as prepared by Florence and Hutchenson, Inc., by Gerald M. Kight, a Licensed Professional Land Surveyor No. 2547 by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Benton by Ordinance dated May 3, 1995, a copy of which is attached hereto as Exhibit "2", and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

SECTION 2: This new legal description as prepared by Florence and Hutcheson, Inc. by Gerald M. Kight, a Licensed Professional Land Surveyor No. 2547 is as follows:

TRACT I

A parcel of land located on the east side of the Julian Carroll Parkway, on the south side of the Kentucky Highway 348 interchange, on the west side of Armory Drive, and on the north side of the Old Symsonia Road, Benton, Marshall County, Kentucky, and being more particularly described as follows:

Beginning at a found ½" iron pin at the intersection of the east right of way line of the Julian Carroll Parkway (formerly known as the Jackson Purchase Parkway) and the north right of way line of the Old Symsonia Road, said iron pin having Kentucky State Plane South Zone coordinates of North 1,845,131.3 and East 875,297.8;

Thence, with the north right of way line of the Old Symsonia Road, South 42° 24' 15" East a distance of 402.85 feet to a found ½" iron pin at the intersection of the aforementioned north right of way line and the west right of way line of Armory Drive (referred to as the Connection Road in the original ordinance);

Thence, with the said west right of way line of Armory Drive, North 48° 15' 33" East a distance of 611.79 feet to a found ½" iron pin;

Thence, continuing with the said west right of way line of Armory Drive, North 41° 10' 45" East a distance of 283.16 feet to a found ½" iron pin;

Thence, continuing with the said west right of way line of Armory Drive, North 1° 44' 59" East a distance of 103.98 feet to a found ½" iron pin in the southern right of way line of Kentucky Highway 348;

Thence, with the said southern right of way line of Kentucky Highway 348 and the right of way line of the southeastern quadrant of the interchange of Kentucky Highway 348 with the Julian Carroll Parkway, as follows:

North 65° 20' 29" West a distance of 31.28 feet to a found fence post;

North 83° 57' 24" West a distance of 209.51 feet to a found fence post;

South 43° 00' 06" West a distance of 104.10 feet to a found fence post;

South 56° 44' 25" West a distance of 74.06 feet to a found fence post;

South 71° 17' 34" West a distance of 72.39 feet to a found fence post;

South 83° 38' 01" West a distance of 71.86 feet to a found fence post;

North 84° 57' 34" West a distance of 71.33 feet to a found fence post;

North 70° 04' 05" West a distance of 71.14 feet to a point;

North 61° 55' 38" West a distance of 71.81 feet to a found fence post; and

South 67° 51' 55" West a distance of 100.49 feet to a found fence post in the eastern right of way line of the Julian Carroll Parkway;

Thence, with the said eastern Parkway right of way line, South 19° 46' 10" West a distance of 146.21 feet to a found fence post;

Thence, continuing with the said eastern Parkway right of way line, South 17° 38' 38" West a distance of 196.05 feet to a found fence post;

Thence, continuing with the said eastern Parkway right of way line, South 16° 42' 26" West a distance of 16.82 feet back to the point of beginning.

The above described parcel contains 8.435 acres more or less.

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 October 16, 2009.

TRACT II

A parcel of land located at the northeast corner of the intersection of the Old Symsonia Road and Armory Drive, east of the Julian Carroll Parkway and south of Kentucky Highway 348, Benton, Marshall County, Kentucky, and being more particularly described as follows:

Beginning at a found ½" iron pin at the intersection of the northerly right of way line of the Old Symsonia Road and the easterly right of way line of Armory Drive (referred to as the Connection Road in the original ordinance), said iron pin having Kentucky State Plane South Zone coordinates of North 1,844,759.5 and East 875,636.1;

Thence, with the said northerly right of way line of the Old Symsonia Road, South 40° 35' 41" East a distance of 111.61 feet to a found ½" iron pin;

Thence, leaving the right of way line of the Old Symsonia Road in a northeasterly direction, North 44° 25' 33" East a distance of 145.86 feet to a point;

Thence, North 75° 15' 28" East a distance of 52.86 feet to a found ½" iron pin;

Thence, South 61° 43' 40" East a distance of 244.74 feet to a point;

Thence, North 49° 08' 19" East a distance of 143.68 feet to a point;

Thence, North 2° 16' 47" East, passing a found ½" iron pin at a distance of 451.72 feet, a total distance of 505.28 feet to a point in the easterly right of way line of Armory Drive;

Thence, with the said easterly right of way line of Armory Drive, South 46° 18' 44" West a distance of 157.23 feet to a found ½" iron pin;

Thence, continuing with the said easterly right of way line of Armory Drive, South 48° 15' 44" West a distance of 611.70 feet back to the point of beginning.

The above described parcel contains 3.547 acres more or less.

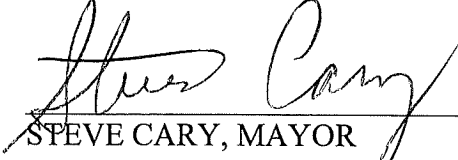
All bearings and coordinates referred to in this description are based on the Kentucky State Plane South Zone coordinate system as derived from GPS observations performed on October 16, 2009.

SECTION 3: A copy of the new survey and plat shall be filed by the City Attorney with the Marshall County Court Clerk's Office within sixty (60) days and a list of the property owners and all registered voters that reside in those areas identified in the new survey shall be provided to the Clerk in compliance with the provisions of KRS 81A.475.

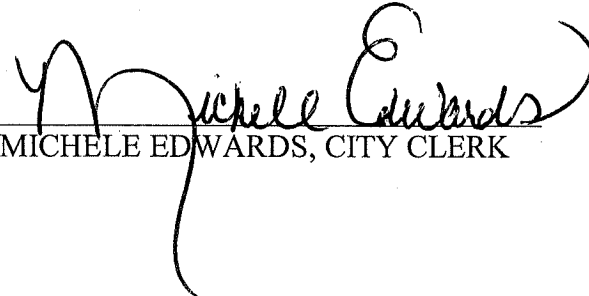
SECTION 4: If the City of Benton annexes property in the future, it shall be the duty of the City Clerk to have the area to be annexed surveyed by a registered land surveyor and that

surveyor is to prepare a written legal description of the area to be annexed. The City attorney shall utilize that written description in preparation of an annexation ordinance. Upon annexation a map of the annexed area shall be filed by the City Attorney in the Office of the Marshall County Court Clerk together with lists of all property owners in the annexed area together with a list of all registered voters residing in the annexed area.

Passed this the 16 day of November, 2009.


STEVE CARY, MAYOR

ATTEST:


MICHELE EDWARDS, CITY CLERK

CERTIFICATION

I certify that I am the duly qualified City Clerk of the City of Benton, and the foregoing 9 pages of Resolution No. 09-11-07 is a true, correct and complete copy of the Resolution duly adopted by the City Council of the City of Benton, KY at a duly convened meeting held on November 16, 2009, all as appears in the official records of said City.

WITNESS my hand and seal the 16 day of November, 2009.


MICHELE EDWARDS, City Clerk

Annexation to the City of Benton, Marshall County, Kentucky
By Ordinance 95-05-03
Tract 1
2009 Resolution Description

A parcel of land located on the east side of the Julian Carroll Parkway, on the south side of the Kentucky Highway 348 interchange, on the west side of Armory Drive, and on the north side of the Old Symsonia Road, Benton, Marshall County, Kentucky, and being more particularly described as follows:

Beginning at a found $\frac{1}{2}$ " iron pin at the intersection of the east right of way line of the Julian Carroll Parkway (formerly known as the Jackson Purchase Parkway) and the north right of way line of the Old Symsonia Road, said iron pin having Kentucky State Plane South Zone coordinates of North 1,845,131.3 and East 875,297.8;

Thence, with the north right of way line of the Old Symsonia Road, South 42° 24' 15" East a distance of 402.85 feet to a found $\frac{1}{2}$ " iron pin at the intersection of the aforementioned north right of way line and the west right of way line of Armory Drive (referred to as the Connection Road in the original ordinance);

Thence, with the said west right of way line of Armory Drive, North 48° 15' 33" East a distance of 611.79 feet to a found $\frac{1}{2}$ " iron pin;

Thence, continuing with the said west right of way line of Armory Drive, North 41° 10' 45" East a distance of 283.16 feet to a found $\frac{1}{2}$ " iron pin;

Thence, continuing with the said west right of way line of Armory Drive, North 1° 44' 59" East a distance of 103.98 feet to a found $\frac{1}{2}$ " iron pin in the southern right of way line of Kentucky Highway 348;

Thence, with the said southern right of way line of Kentucky Highway 348 and the right of way line of the southeastern quadrant of the interchange of Kentucky Highway 348 with the Julian Carroll Parkway, as follows:

North 65° 20' 29" West a distance of 31.28 feet to a found fence post;

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Thence, with the said eastern Parkway right of way line, South 19° 46' 10" West a distance of 146.21 feet to a found fence post;

Thence, continuing with the said eastern Parkway right of way line, South 17° 38' 38" West a distance of 196.05 feet to a found fence post;

Thence, continuing with the said eastern Parkway right of way line, South 16° 42' 26" West a distance of 16.82 feet back to the point of beginning.

The above described parcel contains 8.435 acres more or less.

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 October 16, 2009.

Prepared by and in accordance with a partial survey performed under the supervision of:

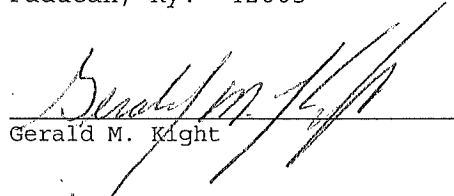
Gerald M. Kight

Ky. Licensed Prof. Surveyor 2547

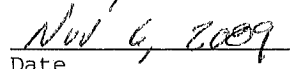
Florence & Hutcheson, Inc.

2550 Irvin Cobb Drive

Paducah, Ky. 42003



Gerald M. Kight



Date

A20-1 Ord 95-05-03.doc
Gerald M. Kight
November 6, 2009

Annexation to the City of Benton, Marshall County, Kentucky
By Ordinance 95-05-03

Tract 2

2009 Resolution Description

A parcel of land located at the northeast corner of the intersection of the Old Symsonia Road and Armory Drive, east of the Julian Carroll Parkway and south of Kentucky Highway 348, Benton, Marshall County, Kentucky, and being more particularly described as follows:

Beginning at a found $\frac{1}{2}$ " iron pin at the intersection of the northerly right of way line of the Old Symsonia Road and the easterly right of way line of Armory Drive (referred to as the Connection Road in the original ordinance), said iron pin having Kentucky State Plane South Zone coordinates of North 1,844,759.5 and East 875,636.1;

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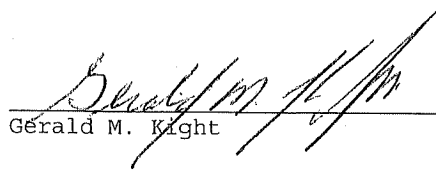
Gerald M. Kight

Ky. Licensed Prof. Surveyor 2547

Florence & Hutcheson, Inc.

2550 Irvin Cobb Drive

Paducah, Ky. 42003


Gerald M. Kight

Nov 6, 2009
Date

A20-2 Ord 95-05-03.doc
Gerald M. Kight
November 6, 2009

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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