



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

Mayor
Steve Cary

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

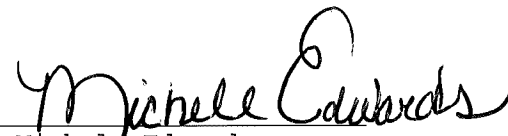
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

**Annexation to the City of Benton
Of
May 15, 1989**

I certify I am the duly qualified City Clerk of the City of Benton,
Kentucky, and the foregoing 3 pages of the Ordinance of
May 15, 1989 is a true, correct and complete copy duly adopted
by the City Council at a duly convened meeting held on
May 15, 1989, 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 22 day
of October, 2009.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE Oct. 23, 2009

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Addison

7
ORDINANCE ANNEXING PROPERTY
INTO THE CORPORATE LIMITS
OF THE CITY

WHEREAS, the City of Benton declared its intention to annex the following described property into the corporate limits of the City; and

WHEREAS, the Ordinances declaring such intent were duly adopted and published in compliance with the provisions of KRS 81A:420; and

WHEREAS, no opposition to such annexation has been made by any persons residing in the area proposed to be annexed and more than sixty (60) days have elapsed since the publication of the ordinance proposing the annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BENTON:

SECTION I: The following described property, urban in character, is declared to be and same is hereby annexed into the corporate limits of the City of Benton, Marshall County, Kentucky.

(I) Property of Ernest and Anna Byerley:

One acre of land out of a ten (10) acre tract, which ten acre tract is particularly described in Deed Book No. 102, at Page 247, in the Marshall County Court Clerk's Office; said one acre being more particularly described as follows:

Beginning at a point on the South side of the Benton-Oak Level Road at a point which is located 400 feet South of the Southern right of way line of the said Benton-Oak Level Road; said beginning point being also located on the Western right of way line of an old public road, which public road is the Eastern boundary of the acre herein conveyed; thence South 420 feet to an iron stake; thence West 105 feet to an iron stake; thence North 420 feet to an iron stake, to the point of beginning.

Being the same property conveyed to Ernest E. Byerley, et ux, by deed from Rollie Byerley, et ux, dated November 27, 1962, of record in Deed Book 109, Page 527, Marshall County Court Clerk's Office.

(II) Property of Keith Tynes and wife, Yolanda Sue Tynes:

Being a parcel of land generally located on the south side of Oak Level Road, Kentucky highway 408, approximately one mile west of downtown Benton, Kentucky, being East of the purchase Parkway and more particularly described as follows:

Beginning at a 3/4" iron pipe set in the south right-of-way line of Highway 408, 30 feet from centerline and being the northeast corner of the Eliza R. Collie property (Deed Book 165, page 347), thence, with the south line of said Highway, North 80° 30' East, a distance of 132.12 feet to a 3/4" iron pipe set this survey; thence, with a new division line and along the west line of Tract 1-A as established this survey, South 4° 39' East, a distance of 145.63 feet to a 3/4" iron pipe, the southwest corner of Tract 1-A; thence, continuing with the west line of Tract 1-C, South 4° 39' East, a distance of 165.10 feet to a 1" iron pipe set on the north side of an old fence line; thence, generally following said fence, North 79° 09' East, a distance of 233.84 feet to a 1" iron pipe set in the west line of a 16.5 foot wide passageway; thence, with the west line of said passageway, South 4° 23' East, a distance of 362.65 feet to a 3/4" iron pipe and corner fence post, said point being in the north line of W. W. Castleberry property; thence, along the Castleberry property and generally following an existing fence line, South 87° 48' West, a distance of 696.34 feet to a 3/4" iron pin and corner fence post; thence, generally following a fence line, North 4° 24' West, a distance of 371.91 feet to a square pin and corner fence post marking the southwest corner of the Eli McCulloch property (Deed Book 62, page 81); thence, along the south line of said McCulloch property and continuing with the Eliza R. Collie property, North 74°

08' East, a distance of 313.76 feet to a 3/4" iron pipe and corner fence post; thence, continuing along the east line of the Collie property, North 5° 06' East, a distance of 198.97 feet back to the point of beginning. The above described tract contains 7.00 acres per survey of J. E. Stevenson and Associates, dated October 12, 1987.

This property is subject to all previously recorded easements.

Being the same property conveyed to Keith Boud Tynes and wife, Yolanda Sue Tynes, by deed from Deloris Nunley McCoy, et vir, and Robert L. Nunley, dated May 3, 1988, of record in Deed Book 230, page 666, Marshall County Court Clerk's Office.

(III) Property of Sun Up Foods, Inc:

A 14.46 acre tract of land as surveyed by Kenar Architectural and Engineering of Benton, Kentucky, in August 1988, and being generally located on the northwest side of the city of Benton, South of old Highway 348 (old Symsonia Road) and on the west side of the Purchase Parkway, and being more particularly described as:

Beginning at the northernmost corner of the property herein described, said corner being a 1/2 inch rebar iron pin set in the south right-of-way of old Highway 348 [25 feet South of centerline], and being at the northeast corner of the Larry Ackley property (Deed Book 171, page 265), said rebar iron pin also being approximately 27 feet Northwest of a power pole; thence, South 43° 49' 28" East 103.14 feet, with the south right-of-way of said old Highway 348, to a point; thence, South 42° 15' 52" East 222.03 feet, continuing with the south right-of-way of said old Highway 348, to a 1/2 inch rebar iron pin set in the west right-of-way fence of the Purchase Parkway; thence, in a southwesterly direction, and with the western right-of-way of the said Purchase Parkway with the following calls: South 16° 14' 27" West 66.36 feet; South 14° 57' 39" West 205.26 feet; South 13° 04' 44" West 203.57; South 13° 51' 31" West 205.19 feet; and South 8° 08' 48" West 415.11 feet to a 1/2 inch rebar iron pin set at an existing red painted steel fence post in the said western right-of-way fence of the Purchase Parkway, said rebar iron pin being at the northeast corner of the Gus M. Wyatt property (Deed Book 129, page 45); thence, South 89° 53' 28" West 560.08 feet, with the north boundary of the said Gus M. Wyatt property, to a 1/2 inch rebar iron pin set at an existing steel fence post, said rebar iron pin being at the northwest corner of the said Gus M. Wyatt property (Deed Book 129, page 45) and in the eastern boundary of the Gus M. Wyatt property (Deed Book 111, page 125); thence, North 1° 02' 31" West 664.54 feet, with the eastern boundary of the said Gus M. Wyatt property and the Robert Cone property (Deed Book 90, page 167; Deed Book 129, page 75; and Deed Book 155, page 486), to a 1/2 inch rebar iron pin set at an existing cross tie fence corner post, said rebar iron pin being at the southwest corner of the Robert Edwards property (Deed Book 77, page 391 and Deed Book 78, page 529); thence, South 88° 25' 03" East 360.66 feet, generally following and existing fence line and the south boundary of the said Robert Edwards property, to a 1/2 inch rebar iron pin set on the southeast side of an existing stone, said rebar iron pin being at the southeast corner of the said Robert Edwards property; thence, North 0° 29' 37" East 618.27 feet, generally following an existing fence line and the eastern boundary of the said Robert Edwards property, to an existing 1/2 inch rebar iron pin found in the fence, said rebar iron pin being the southwest corner of the said Larry Ackley property and 225.42 feet South of an existing 1/2 inch rebar iron pin found at the northwest corner of the said Ackley property; thence, South 81° 29' 55" East 213.00 feet, with the south boundary of the said Larry Ackley property, to a 1/2 inch rebar iron pin set in a ditch, said rebar iron pin being at the southeast corner of the said Larry Ackley property; thence, North 0° 24' 42" East 69.00 feet, generally following the centerline of a ditch and the eastern boundary of the said Larry Ackley property, to the point of beginning.

Being the same property conveyed to Sun Up Foods, Inc. by Benton Industrial Foundation, Inc. by deed dated the 9th day of March, 1989, of record in Deed Book 236, page 267, Marshall County Clerk's Office.

SECTION II: Upon reading and passage of this ordinance, the above described property shall become a part a part and portion of the City of Benton, Marhsall County, Kentucky, and the boundaries of the said City shall be revised to incorporate said property into the said City and since zoning has been adopted by the City of Benton, the said property described in Tract I and II shall be

classified as R-1 and Tract III shall be classified as I-2 unless otherwise amended or revised in the manner provided for by law.

Passed this the 15 day of May, 1989.

Coy Creason
COY CREASON, MAYOR

ATTEST:

Linda Riley
LINDA RILEY, CITY CLERK

First Reading 4-17-89
 3-15-89

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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