



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**  
**By**  
**Ordinance 08-09-03**

I certify I am the duly qualified City Clerk of the City of Benton,  
Kentucky, and the foregoing 7 pages of the Ordinance number  
08-09-03 is a true, correct and complete copy duly adopted  
by the City Council at a duly convened meeting held on  
July 23, 2008, 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 December 30, 2009  
\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Adkins

**AN ORDINANCE  
ANNEXING PROPERTY OWNED BY  
MARSHALL COUNTY PUBLIC HOSPITAL DISTRICT CORPORATION**

**WHEREAS**, the hereinafter described property is now owned by Marshall County Public Hospital District Corporation by virtue of a deed of record in Deed Book 374, page 355, and by deed of record in Deed Book 374, page 345, shown on plat of record at Plat Cabinet E, Slide 139, of the Marshall County Court Clerk's Office; 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 the Marshall County Public Hospital District Corporation having been given for the City to annex that property more particularly described in paragraph 2 hereof, 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-2.

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 appears in Plat Cabinet E, Slide 139, of the Marshall County Court Clerk's Office and said property is more completely described as follows:

A 31.077 acre tract of land as surveyed by the firm of Geotech Engineering and Testing Inc. of Murray, Ky. in October of 2006 located on the southwest side of Old Symsonia Road near the west side of the City of Benton, Marshall County, Kentucky and being more particularly described as follows:

Beginning at an Iron Pin with cap #3499 set on the southwest side of Old Symsonia Road (30' southwest of the centerline), said iron pin being located South 41 degrees 56 minutes 31 seconds East 982.17' from the apparent centerline intersection of Old Symsonia Road and Kentucky Highway 348 and being at the northeast corner of the formerly Robert H. & Vida Cole Edwards property (D.B. 118, PG. 388) and the northeast corner of the herein described tract of land;

THENCE South 00 degrees 20 minutes 35 seconds West for a distance of 219.38' feet with the west line of the Larry & Nancy Ackley property (D.B. 171, Pg. 265) to an Existing Iron Pin with cap #1933 (found), said pin also being at the northwest corner of the Jan D. Frick property (D.B. 307, PG. 422);

THENCE South 00 degrees 45 minutes 00 seconds East for a distance of 618.26' feet with the west line of Frick, same being the existing City boundary to an Existing Iron Pin with cap #1933 (found);

THENCE North 89 degrees 36 minutes 28 seconds West for a distance of 360.58' feet with a north line of Frick and the existing City boundary to an Existing Iron Pin with cap #1933 (found) in the east line of the formerly Robert and Romona Cone property (D.B. 155, PG. 486, D.B. 97, PG. 157, D.B. 94, PG. 127);

THENCE South 02 degrees 21 minutes 29 seconds East for a distance of 272.12' feet with a west line of Frick and the existing City boundary to an Existing Iron Pin with cap #3499 (found) said pin being at the northeast corner of the Gus & Norma Wyatt property (D.B. 179, Page 314) and a southeast corner of the herein described tract of land;

THENCE North 88 degrees 01 minutes 50 seconds West for a distance of 567.21' feet leaving the existing City boundary and with the north line of Wyatt to an Iron Pin with cap #3499 (found);

THENCE North 32 degrees 25 minutes 00 seconds West for a distance of 385.52' feet along the north boundary of the remaining portion of the said Cone property to an Existing Iron pin with cap #3499 (found) at the southeast corner of the formerly Ernest & Janet Evans property (D.B. 315, PG. 266);

THENCE North 04 degrees 05 minutes 19 seconds West for a distance of 181.06 feet with the east line of said Evans to a Existing 1" Rebar (found);

THENCE North 04 degrees 33 minutes 19 seconds West for and distance of 527.63 feet continuing with the east line of said Evans to an Iron Pin with cap #3499 (set), said pin being in the approximate 100 year flood boundary per flood hazard boundary maps of the City of Benton;

THENCE in a northeasterly direction with the approximate 100 year flood boundary along the following bearings and distance:

North 39 degrees 25 minutes 44 seconds East for a distance of 227.66' feet to an Iron Pin with cap #3499 (set); North 74 degrees 32 minutes 08 seconds East for a distance of 97.40' feet to an Iron Pin with cap #3499 (set); North 64 degrees 59 minutes 58 seconds East for a distance of 127.50' feet to an Iron Pin with cap #3499 (set); North 78 degrees 56 minutes 09 seconds East for a distance of 126.46' feet to an Iron Pin with cap #3499 (set); North 48 degrees 55 minutes 31 seconds East for a distance of 130.78' feet to an Iron Pin with cap #3499 (set);

THENCE North 05 degrees 32 minutes 07 seconds East for a distance of 157.11' feet leaving the approximate flood boundary line to an Iron Pin with cap #3499 (set) in the south right-of-way of Old Symsonia Road and being the northwest corner of the herein described tract of land;

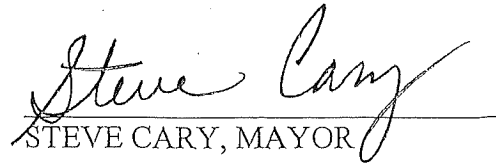
THENCE South 55 degrees 51 minutes 36 seconds East for a distance of 33.00' feet with the south right-of-way of Old Symsonia Road to an Existing Iron Pin with cap #3499 (found) 30' south of the centerline of Old Symsonia Road;

THENCE South 50 degrees 54 minutes 23 seconds East for a distance of 710.90' feet with the south right-of-way of Old Symsonia Road to the point of beginning;

Being the same property conveyed to Marshall County Public Hospital District Corporation by deed dated April 20, 2007, of record in Deed Book 374, Page 355, and deed dated April 20, 2007, of record in Deed Book 374, Page 345, all of the Marshall County Court Clerk's Office.

3. This Ordinance shall be effective upon the 1<sup>st</sup> day of September, 2008.

Passed this the 15<sup>th</sup> day of September, 2008.

  
STEVE CARY, MAYOR

ATTEST:

  
MICHELE EDWARDS, CITY CLERK

FIRST READING: 9/15/08  
SECOND READING: N/A  
PUBLICATION: 9/23/08

COUNCIL MEMBERS VOTING:

|                 | <u>AYE</u>                          | <u>NAY</u>               |
|-----------------|-------------------------------------|--------------------------|
| GLEN BREWER     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| KENTON HOLLAND  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| TIM KING        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| CHARLES EDMONDS | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| RITA DOTSON     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| MICKEY SIRLS    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## CONSENT TO ANNEXATION

The undersigned, being the sole owner of the property described in Exhibit A attached hereto, consents and agrees that said property as depicted on that plat of record in Plat Cabinet E, Slide 139, be annexed into, and made a part of, the corporate limits of the City of Benton, Kentucky, and a copy of this Consent may be filed with the City Clerk of the City of Benton, Kentucky, and relied upon by the City in any annexation of the property subject hereof.

This the 15 day of September, 2008.

MARSHALL COUNTY PUBLIC HOSPITAL  
DISTRICT CORPORATION

BY:

Kathy C. Long  
CEO Marshall County Hospital  
(TITLE)

Deed Book 374, Page 355 and Deed Book 374,  
Page 345.

STATE OF KENTUCKY

COUNTY OF MARSHALL

The foregoing instrument was subscribed, sworn to and acknowledged before me on this the 15 day of September, 2008, by KATHY C. LONG.

Susan Seelock  
NOTARY PUBLIC

My commission expires: 3-4-2011

## EXHIBIT A

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OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

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