



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
Ordinance Number 09-10-01

I certify I am the duly qualified City Clerk of the City of Benton,
Kentucky, and the foregoing 5 pages of Ordinance No. 09-10-01 is
a true, correct and complete copy duly adopted by the City Council at a
duly convened meeting held on October 19, 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 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 Dandie Wilson

**AN ORDINANCE
ANNEXING PROPERTY OWNED BY
DOUG DOTSON, RITA DOTSON,
SCOTT PULLEN, LISA PULLEN,
KEVIN KINSEY, MANDY KINSEY,
KIMBERLY CROWELL, ROGER JARRETT, PAT JARRETT,
ROBERT (ROBBIE) PACE, SHELLY PACE,
EDMUND KUBILIS AND MARSHA KUBILIS
BEING ALL THE PROPERTY OWNERS
IN THE
EMERALD HILLS SUBDIVISION**

WHEREAS, the hereinafter described property is now owned by Doug Dotson, Rita Dotson, Scott Pullen, Lisa Pullen, Kevin Kinsey, Mandy Kinsey, Kimberly Crowell, Roger Jarrett, Pat Jarrett, Robert (Robbie) Pace, Shelly Pace, Edmund Kubilis and Marsha Kubilis, all of the property owners of Emerald Hills Subdivision (hereinafter "Property Owners"), recorded at Plat Cabinet E, Slide 99, pages 1 and 2, of the Marshall County Court Clerk's Office; and

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

WHEREAS, the Property Owners have 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 all of the property owners of Emerald Hills Subdivision having been given for the City to annex that property more particularly described in paragraph 2, hereof 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 are Lots 1 through 12 of the Emerald Hills Subdivision a plat of which appears in Plat Cabinet E, Slides 99, pages 1 and 2, of the Marshall County Court Clerk's Office and reference is hereby made to the plat for a more complete and accurate description. The area encompassed by this annexation is described as follows:

A parcel of land located on the East side of Bent Creek Drive, Benton, Marshall County, Kentucky, and being known as the Emerald Hills Subdivision as shown on the two plats of record dated December 14, 2006 and recorded in Plat Cabinet "E" Slide 99 of the records of the Marshall County Court Clerk, and being more particularly described as follows:

Beginning at the Northwestern most corner of the herein described tract at the Northwest corner of Lot 4 of the Emerald Hills Subdivision in the Eastern bank of an unnamed branch of Town Creek, said point also being known as the Northeast corner of Lot 22 of the Bent Creek Estates Section III Subdivision as recorded in Plat Cabinet "D" Slide 60 of the records of the Marshall County Court Clerk;

Thence, from the point of beginning and with the North line of the said Lot 4 of the Emerald Hills Subdivision, South 84° 22' 24" East a distance of 144.86 feet to a corner common to Lot 5 of the subject subdivision;

Thence, with the North line of Lot 5, South 84° 22' 24" East a distance of 211.94 feet to a corner common to Lot 6 of the subject subdivision;

Thence, with the North line of Lot 6, South 84° 22' 24" East a distance of 93.02 feet to a stone at the Northeast corner of Lot 6 and the Northeast corner of the subject subdivision;

Thence, with the East line of Lot 6, South $0^{\circ} 30' 49''$ West a distance of 200.00 feet to a corner common to Lot 7 of the subject subdivision;

Thence, with the East line of Lot 7, South $0^{\circ} 30' 49''$ West a distance of 150.00 feet to a corner common to Lot 8 of the subject subdivision;

Thence, with the East line of Lot 8, South $0^{\circ} 30' 49''$ West a distance of 162.88 feet to a corner common to Lot 9 of the subject subdivision;

Map 2
Thence, with the East line of Lot 9, South $0^{\circ} 30' 49''$ West a distance of 283.10 feet to a stone found at the base of a 22" hickory tree;

Thence, continuing with the East line of Lot 9, South $1^{\circ} 18' 15''$ West a distance of 80.80 feet to a concrete monument set in the Northern right of way line of a proposed street;

Thence, crossing the said proposed street, South $1^{\circ} 18' 15''$ West a distance of 52.37 feet to the Northeast corner of Lot 10 of the subject subdivision;

Thence, with the East line of Lot 10, South $1^{\circ} 18' 15''$ West a distance of 146.11 feet to a point in a ditch, said point being the Southeastern most corner of the Emerald Hills Subdivision and the said Lot 10;

Thence, with the South line of Lot 10 and with the center of a ditch, South $73^{\circ} 41' 00''$ West a distance of 68.49 feet to a point;

Thence, continuing with the South line of Lot 10 and with the center of a ditch, North $50^{\circ} 10' 53''$ West a distance of 60.94 feet to a point;

Thence, continuing with the South line of Lot 10 and with the center of a ditch, South $88^{\circ} 07' 06''$ West a distance of 57.86 feet to a corner common to Lot 11 of the subject subdivision;

Thence, with the South line of Lot 11 and continuing with the center of a ditch, South $88^{\circ} 07' 06''$ West a distance of 19.98 feet to a point;

Thence, continuing with the South line of Lot 11 and continuing with the center of a ditch, North $23^{\circ} 03' 07''$ West a distance of 51.20 feet to a point;

Thence, continuing with the South line of Lot 11 and continuing with the center of a ditch, North $49^{\circ} 51' 31''$ West a distance of 25.99 feet to a point;

Thence, continuing with the South line of Lot 11 and continuing with the center of a ditch, South $85^{\circ} 25' 03''$ West a distance of 65.19 feet to a point in an unnamed branch of Town Creek;

Thence, with the West line of Lot 11 and with the unnamed branch of Town Creek, North $27^{\circ} 15' 09''$ West a distance of 115.36 feet to a point;

Thence, continuing with the West line of Lot 11 and with the unnamed branch of Town Creek, North $26^{\circ} 31' 03''$ West a distance of 83.71 feet to a corner common to Lot 12 of the subject subdivision;

Thence, with the West line of Lot 12 and continuing with the unnamed branch of Town Creek, North $20^{\circ} 41' 32''$ West a distance of 88.32 feet to a corner common to Lot 8 of the subject subdivision, said corner also known as the Northeast corner of Lot 37 of the Bent Creek Estates Section III Subdivision as recorded in Plat Cabinet "D" Slide 60 of the records of the Marshall County Court Clerk;

Thence, with the South line of the subject subdivision Lot 8, North $89^{\circ} 15' 01''$ West a distance of 90.98 feet to a point in the Eastern right of way line of Bent Creek Drive;

Thence, with the said Eastern right of way line of Bent Creek Drive, North $4^{\circ} 02' 45''$ East a distance of 127.31 feet to a point;

Thence, continuing with the said Eastern right of way line of Bent Creek Drive, North $0^{\circ} 54' 26''$ East a distance of 56.02 feet to a point in the Southern right of way line of a proposed street;

Thence, continuing with the said Eastern right of way line of Bent Creek Drive and crossing the proposed street, North $0^{\circ} 48' 08''$ East a distance of 50.00 feet to a concrete monument at the Southwest corner of Lot 1 of the subject subdivision;

98
Thence, continuing with the said Eastern right of way line of Bent Creek Drive, North $0^{\circ} 27' 12''$ East a distance of 105.09 feet to a corner common to Lot 3 of the subject subdivision;

Thence, continuing with the said Eastern right of way line of Bent Creek Drive, North $0^{\circ} 27' 12''$ East a distance of 14.49 feet to a point;

Thence, continuing with the said Eastern right of way line of Bent Creek Drive, North $4^{\circ} 08' 47''$ West a distance of 90.95 feet to a point;

Thence, continuing with the said Eastern right of way line of Bent Creek Drive, North $10^{\circ} 25' 56''$ West a distance of 59.70 feet to a point;

Thence, leaving the said Eastern right of way line of Bent Creek Drive, South $87^{\circ} 08' 47''$ East a distance of 54.91 feet to a point in the Western line of Lot 3 of the subject subdivision;

Thence, with the West line of Lot 3, North 4° 56' 59" East a distance of 85.58 feet to a corner common to Lot 1 of the subject subdivision;

Thence, with the West line of Lot 1, North 4° 56' 59" East a distance of 198.30 feet back to the point of beginning.

The above described area of annexation is 11.111 acres more or less.

This description has been prepared in accordance with the plats of record for the Emerald Hills Subdivision as recorded in Plat Cabinet "E" Slide 99 of the records of the Marshall County Court Clerk. The aforementioned subdivision and survey were prepared by Art Travis, KY Licensed Professional Land Surveyor 1933 and dated November 6, 2006. This description is a result of the information provided on the plats of record and are for the expressed intent of annexation to the City of Benton. This description is not the result of a new survey.

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

Passed this the 19th day of October, 2009.


MAYOR STEVE CARY

ATTEST:


MICHELE EDWARDS, CITY CLERK

COUNCIL MEMBERS VOTING

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

"AN ORDINANCE ANNEXING PROPERTY OWNED BY DOUG DOTSON, RITA DOTSON, SCOTT PULLEN, LISA PULLEN, KEVIN KINSEY, MANDY KINSEY, KIMBERLY CROWELL, ROGER JARRETT, PAT JARRETT, ROBERT (ROBBIE) PACE, SHELLY PACE, EDMUND KUBILIS AND MARSHA KUBILIS." This Ordinance is summarized as follows: The Property Owners of Lots 1 through 12 of Emerald Hills Subdivision 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 10-19, 2009.

MARTIN W. JOHNSON

City Attorney

Post Office Box 450

Benton, Kentucky 42025

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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