



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 10-04-01**

I certify I am the duly qualified City Clerk of the City of Benton,
Kentucky, and the foregoing 4 pages of Ordinance No. 10-04-01 is
a true, correct and complete copy duly adopted by the City Council at a
duly convened meeting held on April 19, 2010, 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 19th day
of May, 2010.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE May 20, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adkins

ORDINANCE NO. 10-04-01

**AN ORDINANCE
REAFFIRMING AND RESTATING
A
PRIOR ANNEXATION**

WHEREAS in an Ordinance enacted May 15, 1989, by the Benton City Council the Ordinance did not accurately describe the property annexed on Bohannon Road and clarified in Resolution No. 09-10-06; and

WHEREAS, the right of way of Bohannon Drive has been considered for all purposes as a part and portion of the City of Benton and same has been used and treated by the City and all persons residing on said road as a city street; and

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of Benton, Kentucky, it has become necessary to now adopt an ordinance carrying out the intended annexation and accurately describing the right of way of Bohannon Road from the south side of the Oak Level Road (Highway 408) to the point of its termination; and,

WHEREAS, more than sixty (60) days has elapsed since the original annexation ordinance went into effect and no petition containing signatures of property owners along Bohannon Road has been received by the Mayor pursuant to KRS 81A.420; and

WHEREAS, the area claimed by the City of Benton to have been annexed has been acquiesced by the City and by the residences along Bohannon Road since May 5, 1989; and

WHEREAS, all of the City of Benton's actions and the improvements made to Bohannon Road have been done under the assumption that all of said road was described in the original annexation ordinance.

NOW THEREFORE be it and it is hereby ORDAINED by the City Council of the City of Benton, Kentucky, that the following described property be and same is annexed to and incorporated in the territorial boundaries of the City of Benton, Kentucky.

The property subject of this Ordinance is described as follows:

A strip of land being 25 feet in width along and encompassing a portion of Bohannon Drive on the southern side of Kentucky Highway 408 (Oak Level Road), Benton, Marshall County, Kentucky, and being more particularly described as follows:

Beginning at the point of intersection of the western right of way line of the Bohannon Road (removed 12.5' from the centerline) and the existing Benton City Limits south of and parallel to Kentucky Highway 408 as defined by the Benton City Ordinance of Annexation of December 7, 1964, said point being located 200 feet south of the southern right of way of Kentucky Highway 408 (230 feet south of the centerline of Kentucky Highway 408), said point having Kentucky State Plane South Zone Coordinates of North 1,843,153 and East 870,422;

Thence, crossing Bohannon Road and with the said line 230 feet south of and parallel to the centerline of Kentucky Highway 408, South 77° 59' 44" East a distance of 25.45 feet to a point in the eastern right of way line of Bohannon Road;

Thence, with the said eastern right of way line of the Bohannon Road, South 1° 09' 49" West a distance of 296.05 feet to a point;

Thence, crossing Bohannon Road, North 88° 50' 11" West a distance of 25.00 feet to a point in the western right of way line of Bohannon Road, said point also being in the existing Benton City Limits as defined by the Benton City Ordinance of Annexation of May 15, 1989 and as clarified by the City of Benton Resolution Number 09-10-06 dated October 19, 2009;

Thence, with the said western right of way line of Bohannon Road and the said existing City Limits, North 1° 09' 49" East a distance of 102.37 feet to a point;

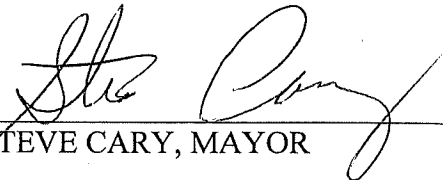
Thence, leaving the existing Benton City Limits and continuing with the said western right of way line of Bohannon Road, North 1° 09' 49" East a distance of 198.46 feet back to the point of beginning.

The above described strip of land contains 0.171 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 1, 2009.

This shall become effective after passage and publication as required by law.

Passed this the 19 day of April, 2010.


STEVE CARY, MAYOR

ATTEST:


MICHELE EDWARDS
CITY CLERK

FIRST READING: 3-15-2010
SECOND READING: 4/19/10
PUBLICATION: 4-27-10

COUNCIL MEMBERS VOTING

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

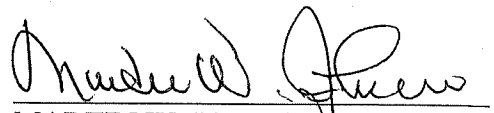
“AN ORDINANCE REAFFIRMING AND RESTATING A PRIOR ANNEXATION.”

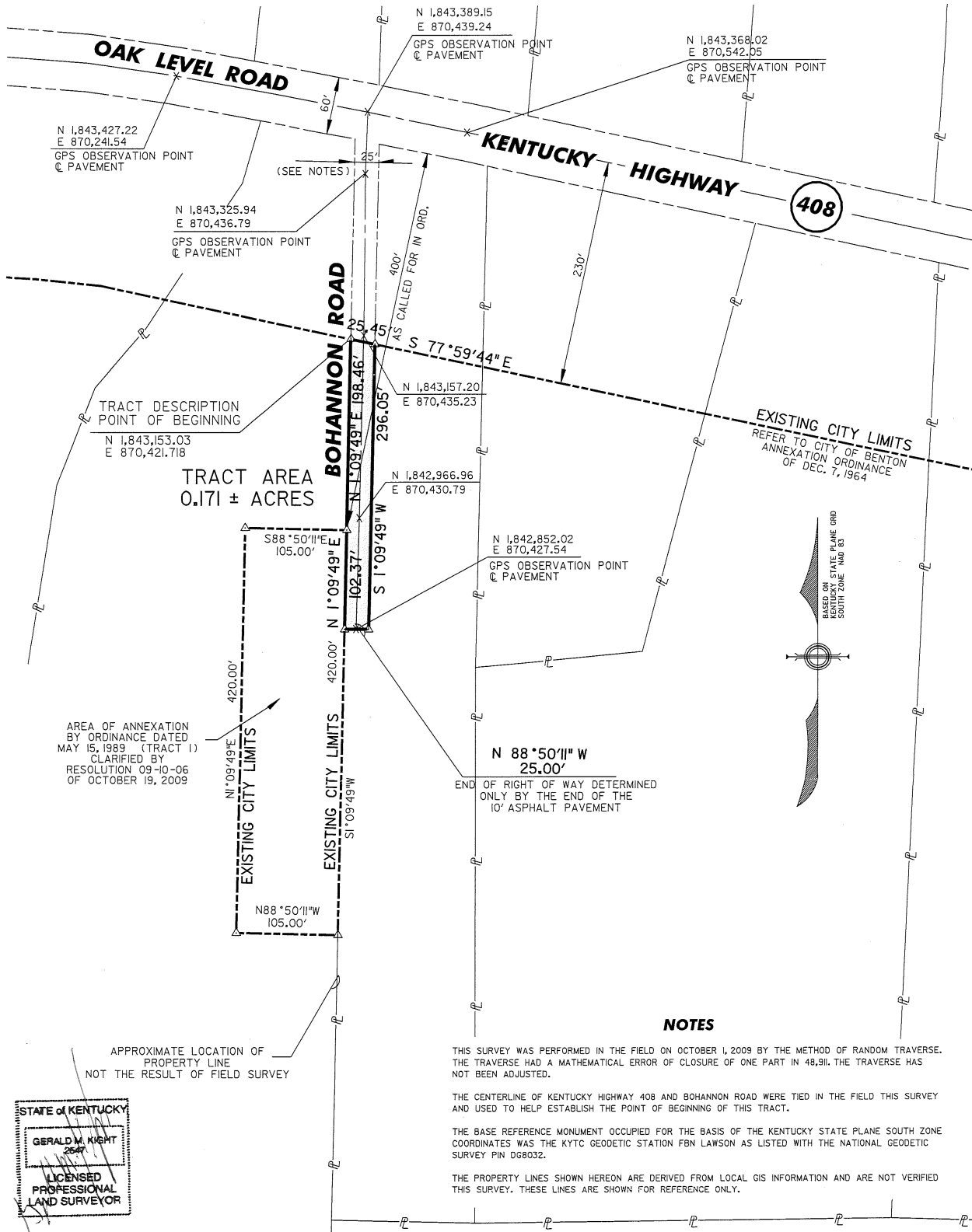
This Ordinance is summarized as follows:

The description of the annexation of May 15, 1989, of Bohannon Road was not accurately described in the previous ordinance annexing the property into the City of Benton and now an accurate and complete map of the boundaries of the City of Benton, Kentucky and been prepared and the description is provided incorporated into this new Ordinance.

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 4/19, 2010.


MARTIN W. JOHNSON
City Attorney
Post Office Box 450
Benton, Kentucky 42025



NOTES

THIS SURVEY WAS PERFORMED IN THE FIELD ON OCTOBER 1, 2009 BY THE METHOD OF RANDOM TRAVERSE. THE TRAVERSE HAD A MATHEMATICAL ERROR OF CLOSURE OF ONE PART IN 48,911. THE TRAVERSE HAS NOT BEEN ADJUSTED.

THE CENTERLINE OF KENTUCKY HIGHWAY 408 AND BOHANNON ROAD WERE TIED IN THE FIELD THIS SURVEY AND USED TO HELP ESTABLISH THE POINT OF BEGINNING OF THIS TRACT.

THE BASE REFERENCE MONUMENT OCCUPIED FOR THE BASIS OF THE KENTUCKY STATE PLANE SOUTH ZONE COORDINATES WAS THE KYTC GEODETIC STATION FBN LAWSON AS LISTED WITH THE NATIONAL GEODETIC SURVEY PIN DGB032.

THE PROPERTY LINES SHOWN HEREON ARE DERIVED FROM LOCAL GIS INFORMATION AND ARE NOT VERIFIED THIS SURVEY. THESE LINES ARE SHOWN FOR REFERENCE ONLY.

SURVEYORS CERTIFICATE

I, GERALD M. KIGHT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF KENTUCKY, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE UNDER MY PERSONAL SUPERVISION, AND THAT THE SAME (SURVEY & PLAT) CONFORM TO THE STANDARDS OF PRACTICE AS SET FORTH BY THE KENTUCKY STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

3-11-2010
DATE

Gerald M. Kight
GERALD M. KIGHT
KY, LIC. PROF. LAND SURVEYOR 2547
FLORENCE A. HUTCHESON, INC.
2550 IRVIN COBB DRIVE
PADUCAH, KY. 42003
TELEPHONE (270) 444-9691

**ANNEXATION
OF
BOHANNAN ROAD
TO THE
CITY OF BENTON, MARSHALL CO., KY.**

NOTE
THIS DRAWING IS NOT A BOUNDARY SURVEY
THE INTENTION OF THIS DRAWING IS TO AID IN THE
AMENDMENT OF THE OFFICIAL STATE OF KENTUCKY
LAND OFFICE RECORDS.

