



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

Mayor
Steve Cary

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

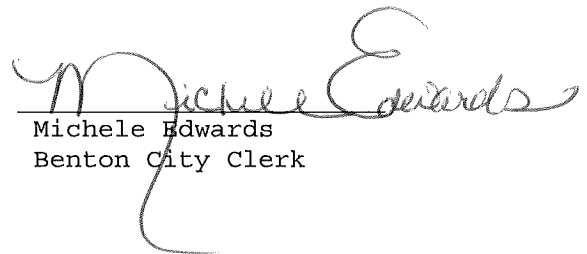
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

**Annexation to the City of Benton
Ordinance Number 10-06-01**

I certify I am the duly qualified City Clerk of the City of Benton,
Kentucky, and the foregoing 4 pages of Ordinance No. 10-06-01 is
a true, correct and complete copy duly adopted by the City Council at a
duly convened meeting held on June 21, 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 30 day
of June, 2010.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE July 2, 2010

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandice Allmon

ORDINANCE NO. 10-DU-01

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

WHEREAS in an Ordinance enacted in 1973 by the Benton City Council the Ordinance did not accurately describe the property known as the Wood Trace Subdivision; and

WHEREAS, Wood Trace Subdivision has been considered for all purposes as a part and portion of the City of Benton and all residences of that subdivision have paid City Ad Valorem Taxes and received all of the benefits of being city residents including, utilities, street upkeep and maintenance; 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 Wood Trace Subdivision; 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 in the Wood Trace Subdivision 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 of Wood Trace Subdivision for over twenty (20) years; and

WHEREAS, all of the City of Benton's actions and the improvements made in the Wood Trace Subdivision have been done under the assumption that all of the Wood Trace Subdivision 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 parcel of land located south of Kentucky Highway 58 and encompassing Wood Trace Lane, Brentwood Drive, and Seneca Court, and being known as the Wood Trace Subdivision as shown on the plat of record in Plat Book 8 Page 138, now known as Slide 540 of the records of the Marshall County Court Clerk Benton, Marshall County, Kentucky, and being more particularly described as follows:

Beginning at the Northeastern most corner of the herein described tract, said corner being the intersection point of a line 500 feet south of and parallel to the centerline of Kentucky Highway 58 as described by the Annexation to the City of Benton of May 4, 1964, South Tract, and the West line of the Country Trace Subdivision as recorded in Slide 320 of the records of the Marshall County Court Clerk, said beginning point having Kentucky State Plane South Zone coordinates of North 1,837,727.8 and East 874,509.8;

Thence, with the said West line of the Country Trace Subdivision and the existing City of Benton City Limits as described by the Annexation to the City of Benton of June 15, 1976, Parcel D, South 2°00'28" West, passing a found 2" pipe at a distance of 737.06 feet, and passing a found 3/8" iron pin at a distance of 881.92 feet, a total distance of 1516.86 feet to the Southwest corner of Lot 13 of the Country Trace Subdivision;

Thence, with the South line of Lot 13 of the Country Trace Subdivision, South 86°36'48" East a distance of 102.83 feet to the Northeast corner of Lot 8 of the Wood Trace Subdivision, said corner also being the Northwest corner of the Subdivision of the Mary & Jerry Bennett Property as shown on the plat of record in Plat Cabinet "C", Slide 203;

Thence, with the West line of the said Subdivision of the Mary & Jerry Bennett Property and the existing City of Benton City Limits as described by Annexation Ordinance 98-12-08 and clarified by Resolution Number 09-12-02, South 1°27'35" West a distance of 186.10 feet to a found 1/2" iron pin in the North right of way line of Greenwood Place;

Thence, continuing with the West line of the said Subdivision of the Mary & Jerry Bennett Property, and crossing Greenwood Place, South 1°24'43" West a distance of 49.86 feet to a point in the South right of way line of Greenwood Place;

Thence, continuing with the West line of the said Subdivision of the Mary & Jerry Bennett Property, South $1^{\circ}14'39''$ West a distance of 265.46 feet to the Southeast corner of the Wood Trace Subdivision, said corner also being the Northeast corner of Lot 2 of the Merrywood East Subdivision as shown on plat of record in Slide 345 of the records of the Marshall County Court Clerk;

Thence, with the North line of said Merrywood East Subdivision and the North line of Son Subdivision as shown on plat of record in Slide 356 of the records of the Marshall County Court Clerk, and the existing City of Benton City Limits as described by the Annexation to the City of Benton of November 16, 1982, being clarified by Resolution Number 09-10-03, North $88^{\circ}13'27''$ West, passing found $\frac{1}{2}''$ iron pins at distances of 790.39 feet, 885.05 feet, and 940.80 feet, a total distance of 1082.49 feet to the Southwest corner of the Wood Trace Subdivision, said corner also being the Northwest corner of Lot 1 of the Son Subdivision, and also being on the East line of the Merrywood Subdivision as shown on plat of record in Slide 128 of the records of the Marshall County Court Clerk;

Thence, with the said East line of the Merrywood Subdivision, and the existing City of Benton City Limits as described by the Annexation to the City of Benton of May 4, 1964, South Tract, North $0^{\circ}06'30''$ East a distance of 268.33 feet to a found $\frac{3}{4}''$ iron pipe in the South right of way line of Greenwood Place;

Thence, continuing with the East line of the Merrywood Subdivision, North $1^{\circ}50'11''$ East a distance of 1319.94 feet to a point where the East line of the Merrywood Subdivision intersects a line 500 feet south of and parallel to the centerline of Kentucky Highway 58 as described by the Annexation to the City of Benton of May 4, 1964, South Tract;

Thence, along said line 500 feet south of and parallel to the centerline of Kentucky Highway 58, North $68^{\circ}07'13''$ East a distance of 1079.12 feet back to the point of beginning.

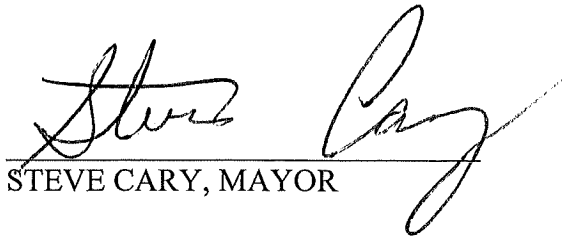
The above described annexation contains 41.984 acres more or less.

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 June 4, 2010.

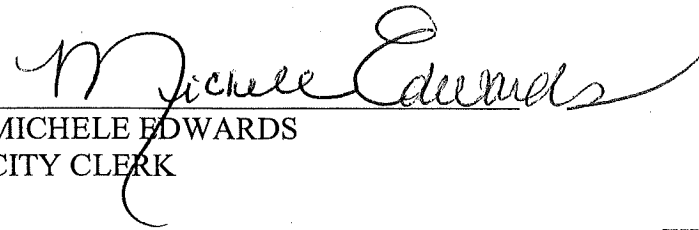
Prepared by and in accordance with a partial survey performed under the supervision of David R. Curtsinger, Ky. Licensed Prof. Surveyor 3892, Florence & Hutcheson, Inc., 2550 Irvin Cobb Drive, Paducah, Ky. 42003

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

Passed this the 21 day of ^{June}~~April~~, 2010.


STEVE CARY, MAYOR

ATTEST:


MICHELE EDWARDS
CITY CLERK

FIRST READING: 5/17/2010
SECOND READING: 6/21/10
PUBLICATION: _____

COUNCIL MEMBERS VOTING

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

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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