

Ordinance 2020-17
**AN ORDINANCE ANNEXING TERRITORY BY THE CITY OF
MARION, KENTUCKY, A CITY OF HOME CLASS RULE, OF 177
ACRES ALONG U.S. HWY 60 WEST**

WHEREAS, the territory annexed, approximately 177 acres of land adjacent to U.S. Hwy 60 West and being approximately .89 miles southwest of the center of Marion, said tract being contiguous to the City of Marion and of urban character or suitable for industrial or commercial development without unreasonable delay; and,

WHEREAS on July 20, 2020, the fee simple owners of the subject real property, Marion Hardwoods, Inc., gave written consent for the annexation by the City of Marion, Kentucky pursuant to KRS 81A.412; and,

WHEREAS, the City of Marion has not otherwise been challenged in a court of law in proceeding with annexing the below described territory.

NOW, THEREFORE, BE IT ORDAINED by the City of Marion, as follows:

1. The territory described below and being the area inside the red line on the PVA Map of which is attached to this ordinance as Exhibit A and is fully incorporated into this ordinance, is hereby annexed into the City of Marion:

PARCEL 1

TRACT A

A certain tract or parcel of land in Crittenden County, Kentucky, and more particularly described as follows:

BEGINNING at an iron pin on the north side of U.S. 60 about 1 mile southwest of the center of Marion, being 75 ft. from the center of the highway, about 237 ft. west of the center of Crooked Creek and 27.07 ft. west of a concrete right-of-way maker (17+00 bridge survey) and corner to sawmill lot (d.b. 122 p. 135); thence with the lines of the sawmill lot N. 05 deg. 44 min. E. 804.40 ft., S. 72 deg. 17 min. W. 845.00 ft., S. 24 deg. 29 min. E. 695.00 ft. to an iron pin on the north side of the highway and being 30 ft. from the center of same; thence with the highway S. 83 deg. 37 min. W. 130.56 ft. to an iron pin, corner to Watson; thence with his lines N. 10 deg. 00 min. W. 309.13 ft. to an iron pin in a branch, S. 86 deg. 12 min. W., passing through a cedar tree at 15.3 ft., in all 405.23 ft. to an iron pin, thence with new division lines this day made N. 08 deg. 42 min. W. 298.91 ft. to an iron pin, S. 72 deg. 14 min. W. 324.77 ft. to an iron pin, S. 18 deg. 09 min. E. 143.23 ft. to an iron pin, S. 71 deg. 07 min. W., passing the north edge of a 36 inch white oak at abut

248 ft., in all 435.45 ft. to an iron pin on the west side of a branch, in E. Nunn's line; thence with his lines and meandering with the west and south side of the branch N. 36 deg. 52 min. W. 86.21 ft., N. 33 deg. 34 min. W. 65.87 ft., N. 67 deg. 46 min. W. 65.06 ft., N. 82 deg. 55 min. W. 180.36 ft. to an iron pin; thence leaving the branch and continuing with Nunn's line S. 06 deg. 27 min. E. 57.03 ft. to an iron pipe, corner to Gass; thence with his line S. 78 deg. 37 min. W., passing his corner with Zimmerman at about 141 ft., and continuing with Zimmerman, in all 516.87 ft. to an iron pin in the west line of Turner Estates; thence with the lines of same N. 25 deg. 23 min. W. 611.93 ft. to an iron pin, N. 59 deg. 29 min. E. 32.80 ft. to an iron pin, N. 25 deg. 14 min. W. 1,078.77 ft. to an iron pin, corner to Turner Estates and in Chastine Frazer's line; thence with his lines N. 66 deg. 57 min. E. 2,886.23 ft., to a 20 inch white oak, N. 80 deg. 00 min. E., passing his corner with Carl Frazer, Est. at about 54 ft., in all 260.15 ft. to an 8 inch persimmon, and continuing with Carl Frazer's line N. 89 deg. 48 min. E. 428.09 ft. to an iron pin, S. 18 deg. 14 min. E. 1,509.98 ft. to an iron pin by an 8 inch hickory, S. 67 deg. 21 min. E. 172.55 ft. to an iron pipe in the west edge of Crooked Creek, corner to Frazer and Mill's line; thence with his line and crossing the creek S. 09 deg. 07 min. W., passing Mills and Young's corner and continuing with Young's line, in all 199.62 ft. to a point in the center of Crooked Creek; thence with Young's lines and the center of Crooked Creek S. 00 deg. 45 min. W. 45.92 ft., S. 09 deg. 11 min. W. 181.37 ft., S. 34 deg. 46 min. W. 37.87 ft., S. 19 deg. 47 min. W. 192.58 ft., S. 39 deg. 42 min. W. 96.85 ft. to a point in the center of the creek and in the north line of the City of Marion lot; thence with the lines of same N. 41 deg. 47 min. W. 18.58 ft. to a point on the west side of the creek, S. 07 deg. 14 min. W. 152.00 ft. to a point on the west side of the creek, S. 61 deg. 53 min. E., crossing the creek, 82 ft. to an iron pipe, S. 10 deg. 41 min. W. 203.68 ft. to an iron pipe in concrete corner to Hazzard (Critt. Co. Reality); thence with his lines S. 62 deg. 53 min. W. 300.00 ft. to a point in the center of Crooked Creek, S. 02 deg. 27 min. W. 88.49 ft. to a point in the center of the creek and in the north right-of-way, being about 65 ft. from the center of the new bridge; thence with the right-of-way N. 77 deg. 51 min. W. 43.05 ft. to a concrete marker, S. 83 deg. 38 min. W. 167.75 ft. to a concrete marker, S. 75 deg. 27 min. W. 27.07 ft. to the beginning containing 168.18 acres by survey of Billy J. May LS 878, on April 20, 1990. The foregoing 168.18 acres is identified as T-1 on plat.

LESS AND EXCEPT the following described property that was conveyed to Jerry Dion Watson and his wife, Vicki Nan Watson, by Deed dated June 27, 1995 and recorded in Deed Book 172 at page 1, Crittenden County Court Clerk's Office.

A certain tract or parcel of land in Crittenden County, Kentucky, and more particularly described as follows:

BEGINNING at an iron pin on the north side of U.S. 60, being 30 ft. from the center of the highway, corner to Turner & Conyer Lumber Co., about 1 mile west of the center of Marion, and about 685 ft. west of the center of Crooked Creek; thence with the highway S. 84 deg. 12 min. W. 130.66 ft. to an iron pin, corner to Watson (d.b. 113 p.337); thence with their line N. 09 deg. 35 min. W. 306.87 ft. to an iron pin, and corner to another Watson tract (d.b. 135 p. 545); thence with their line S. 87 deg. 05 min. W. 405.43 ft. to an iron pin in Turner & Conyer Lumber Co. line; thence with their lines N. 08 deg. 04 min. W. 298.91 ft. to an iron pin, N. 77 deg. 35 min. E. 313.51 ft. to an iron pin, and S. 26 deg. 59 min. E. 709.32 ft. to the beginning containing 3.40 acres by survey.

PARCEL 2

TRACT A

TRACT 4: Sawmill lot: BEGINNING at a stake on the North side of U.S. 60; thence North 6 degrees East 845 feet to a stake; thence South 72 ½ degrees West 845 feet to a stake; thence South 24 ½ degrees East 695 feet to the North side of U.S. 60; thence with said highway North 84 degrees East 435 feet to the beginning containing 10.8 acres.

TRACT B

A certain tract or parcel of land lying and being in Crittenden County, Kentucky, and more particularly described as follows:

BEGINNING at a stake on the South side of U.S. 60, being 30 feet from the center of the highway, also being about 1 miles West of the center of Marion and also being 486 feet West of the center of the Crooked Creek bridge and being a new corner; thence with an existing fence and being a new division line S 3 deg. 30' E 311 feet to a post, a new corner; thence with existing fence and being a new line S 82 deg. 42' W 319 feet to a post; thence with another new division line N 9 deg. 10' W 311 feet to a stake on the South side of U.S. 60; thence with said highway N 82 deg. 50' E 350 feet to the beginning containing 2.39 acres by survey as surveyed on August 12, 1978 by Billy J. May LS 878.

LESS AND EXCEPT the following described property conveyed to Commonwealth of Kentucky, by Turner and Conyer Lumber Company, Inc., by record in Deed Book 140 at page 302, Crittenden County Court Clerk's Office and more particularly described as follows:

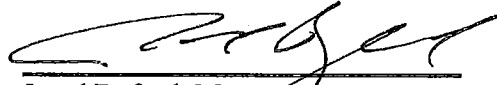
Beginning at a point in the North right of way line of US 60 (approximately 350 ft. west of Crooked Creek), 30 ft. left of Station 16+50; then running N 45 deg. 30' 29" E, 61.03 ft., to a point 65 ft. left of Station 17+00; then running N 73 deg. 59' 06" E. 88.13 ft. to a point in the East property line, 75 ft. left of Sta. 17+87.57; then running with said property line S 2 deg. 30' W, 46.00 ft. to a point in the north R/W line of US 60, 30 ft. left of Sta. 17+78; then running along with said R/W line, S 80 deg. 30' W, 128.00 ft., back to the point of beginning and containing 0.0956 acres (4,162 sp. Ft.) more or less.

SOURCE OF TITLE: Being the same property conveyed to Marion Hardwoods, Inc. by Turner and Conyer Lumber Company, Inc., by Deed dated March 1, 2013 and recorded in Deed Book 222, at Page 158; Crittenden County Court Clerk's Office.

2. The provisions of this Ordinance are hereby declared to be severable and, if any section, phrase or provision shall for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.
3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.
4. This ordinance shall take full force and effect upon publication as required by KRS Chapter 424 and other applicable law.

<u>COUNCIL MEMBERS</u>	YES	NO
Donald Arflack	<u> X </u>	_____
Phyllis Sykes	<u> X </u>	_____
Darrin Tabor	_____	ABSENT _____
Michael Byford	<u> X </u>	_____
Dwight Sherer	<u> X </u>	_____
D'Anna Sallin	<u> X </u>	_____

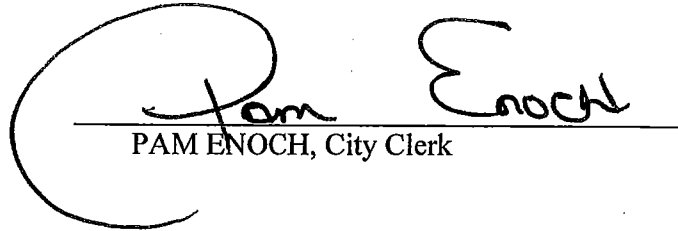
It appearing that 5 Council Members voted for the adoption of the ordinance, and 0 voted against with 0 abstaining, the Mayor declared the ordinance adopted.



Jared Byford, Mayor

CERTIFICATE

The undersigned certifies that she is the duly elected and acting City Clerk of the City Council of City of Marion, Kentucky, that the foregoing Ordinance was duly adopted at a special meeting of said Council held on October 1, 2019, after being given its introduction and first reading at a special called meeting on September 29, 2020, that all actions taken in connection with such Ordinance were in compliance with the requirements of KRS Chapter 61, and that such Ordinance is now in full force and effect, all as appears from the official records of the City in my custody and under my control.

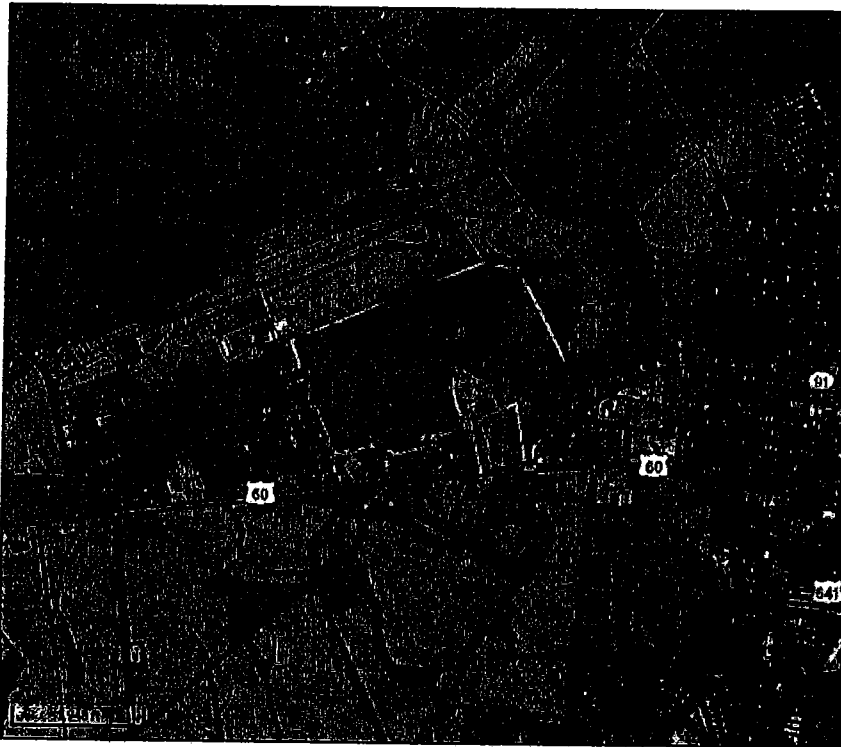


PAM ENOCH, City Clerk

Dated: 10/1/2020 , 2020



 **qPublic.net™** Crittenden County, KY PVA



Overview



Legend

 Parcels

Map Number 057-00-00-043.09
Property US 60W
Address
District 02

Class	COMMERCIAL	Owner	MARION HARDWOODS INC
Acres	1.25	Address	% ALTENBURG HARDWOOD LUMBER CO 10220 MAIN ST ALTENBURG MO 63732

Date created: 7/27/2020
Last Data Uploaded: 7/24/2020 8:46:29 PM

Developed by  **Schneider**
GEOSPATIAL

Knoth Surveying and Design, LLC

1835 S Main St.
Calvert City, KY 42029
270.395.5600



214 Commerce Street
Eddyville, KY 42038
270.388.7453

Crittenden County Kentucky

October 16, 2020

Boundary Description: the Marion Hardwoods inc. property

Source: Deed Book 222 Page 557

A tract of land lying in Crittenden County, lying on the North side of Highway 60, 0.9 plus or minus miles westerly of the intersection of Highway 60 and S Main St. and better described as follows:

Note: any monument described herein as a "5/8" iron pin set" is a 5/8" diameter rebar two feet in length with an orange plastic cap stamped J.L. Knoth LS #3585. All bearings stated herein are taken from Kentucky Single Zone State Plain Coordinates as taken from GPS observations onsite and is used for orientation and calculation purposes only.

Beginning at the southeast corner, a point in the center of the Crooked Creek having Kentucky Single Zone State Plane Coordinates of N 3,652,186.7381 and E 4,238,909.3132, in the west line of the City of Marion, Kentucky as defined by ordinance 68-8, said point being N 04°44'10" W 65.00 feet north of center of the Highway 60 Bridge over Crooked Creek;

Thence; N 75°56'26" W, 43.06 feet to a 5/8" iron pin set 78' northerly of center of the Highway;

Thence; S 71°51'01" W, 215.80 feet to a point 30.00 feet from center of the Highway;

Thence; S 85°18'28" W, 103.77 feet to a concrete right-of-way monument found 30.00 feet northerly of center the Highway;

Thence; S 85°18'28" W, 331.23 feet to a 5/8" iron pin set 30.00 feet from center the Highway;

Thence; S 85°18'28" W, 130.56 feet to an existing 1/2" iron pin found 30.00 feet northerly of center the Highway, said pin being a common corner the Stephen J. Watson property, (Deed Book 183 Page 507);

Thence; N 08°18'19" W, 307.79 feet to a 5/8" iron pin set;

Thence; S 87°54'15" W, 405.41 feet to a 5/8" iron pin set in the east line of the Bonnie J. Turner property (Deed Book 195 Page 281);

Thence; and with her line, N 06°59'55" W, 298.91 feet to a 5/8" iron pin set;

Thence; S 74°05'24" W, 324.95 feet to an existing 1/2" iron pin found;

Thence; S 16°31'00" E, 143.11 feet to an existing 1/2" iron pin found (LS #878);

Thence; S 72°48'23" W, 435.40 feet to an existing 1/2" iron pin found (LS #878) in the east line of the Jerry L. and Myra Watson property, (Deed Book 179 Page 736);

Thence; and with their line, N 35°07'55" W, 85.96 feet to a 5/8" iron pin set in a creek;

Thence; N 31°50'40" W, 65.87 feet to a 5/8" iron pin set in a creek;

Thence; N 66°02'41" W, 65.06 feet to a 5/8" iron pin set in the center of a creek;

Thence; N 81°11'41" W, 180.36 feet to a 5/8" iron pin set;

Thence; S 04°43'41" E, 57.03 feet to an existing 2" iron pipe found, common corner the War Eagle RV Park, LLC. (Deed Book 226 Page 34);

Thence; and with their line, S 80°20'19" W, 517.10 feet to an existing 1/2" iron pin found in the west line of the Turner Estates Subdivision (Deed Book 154 Page 133) Lot 8, (Deed Book 129 Page 164);

Thence; and with the line of Lot 8 and Lot 10 (Deed Book 129 Page 167) N 23°40'59" W, 611.35 feet to an existing 1/2" iron pin found;

Thence; N 61°11'01" E, 32.80 feet to a 5/8" iron pin set;

Thence; and with Lot 12 and Lot 14 (Deed Book 239 Page 247), Lot 16, Lot 18 (Deed Book 176 Page 610) and Lot 20 (Deed Book 239 Page 476) N 23°36'45" W, 1078.55 feet to an existing 1/2" iron pin found in the south line of the Marion Crittenden Co. Airport board property, (Deed Book 185 Page 1);

Thence; and with their line, N 68°36'11" E, 2900.12 feet to an existing 1/2" iron pin (LS #878) found, corner the Jacob Bryan Paulk III, Lee Ann Paulk, and Arnold Keith and Cynthia Sutton property, (Deed Book 237 Page 74);

Thence; and with their line, N 81°55'02" E, 247.98 feet to a 5/8" iron pin set;

Thence; S 88°00'14" E, 428.09 feet to an existing 1/2" iron pin found (LS # 878);

Thence; S 17°00'09" E, 1514.01 feet to a 1/2" iron pin found;


Thence; S 66°21'42" E, 167.80 feet to a 5/8" iron pin set in the Crooked Creek and the west line of the City Limits of Marion, Kentucky as shown by Ordinance 68-8;

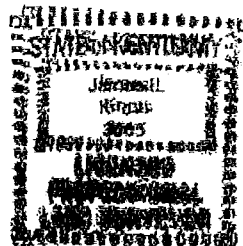
Thence; and with the meanders of center of the Crooked Creek and the City Limits of Marion, Kentucky which is best defined by the following chords:

- S 06°57'53" W, 42.73 feet to a point;
- S 73°48'08" W, 72.76 feet to a point;
- S 53°23'27" W, 56.93 feet to a point;
- S 32°16'32" W, 35.37 feet to a point;
- S 60°40'33" E, 73.12 feet to a point;
- S 49°27'12" E, 52.03 feet to a point;
- S 02°05'31" W, 45.92 feet to a point;
- S 10°31'40" W, 181.37 feet to a point;
- S 48°17'55" W, 32.88 feet to a point;
- S 19°37'46" W, 199.97 feet to a point;
- S 41°02'41" W, 96.85 feet to a point;
- N 46°27'09" W, 18.58 feet to a point;
- S 08°34'39" W, 152.00 feet to a point;
- S 34°48'29" W, 61.24 feet to a point;
- S 53°11'10" W, 73.18 feet to a point;
- S 75°42'44" W, 117.68 feet to a point;
- S 39°56'24" W, 62.02 feet to a point;
- S 21°07'00" W, 45.78 feet to a point;
- S 06°00'07" W, 21.76 feet to a point;
- S 05°00'13" E, 216.45 feet to the beginning containing 177.8544 acres and being that

portion of Deed Book 222 Page 557 lying outside of the current city limits of the City of Marion, Kentucky as surveyed by James L. Knoth Professional Land Surveyor No. 3585 on October 19, 2020;

But the property may be subject to those other rights-of-ways, codes, easements, restrictions, etc. as may be a matter of record.


James L. Knoth
Professional Land Surveyor No. 3585



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

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