

Meeting Notice & Agenda

MARION CITY COUNCIL

Tuesday, September 29, 2020 – 5:15 p.m.

Marion City Hall, 217 South Main Street, Marion, KY

Special Meeting

Call to Order

Business Agenda

1. 1st Reading of Ordinance #20-17 entitled, “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”
2. Adjourn

Ordinance 2020-
**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 about

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	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____
Dwight Sherer	_____	_____
D'Anna Sallin	_____	_____

It appearing that _____ Council Members voted for the adoption of the ordinance, and _____ voted against with _____ 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: _____, 2020

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Overview



Legend

 Parcels

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

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

Date created: 7/27/2020
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Developed by  **Schneider**
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