

ORDINANCE 920.68

AN ORDINANCE RELATING TO
A ZONING MAP AMENDMENT

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY, after the passage, approval, and publication of this ordinance:

1. The following-described property located in Simpson County, Kentucky on the west side of 31-W North consisting of 31 1/2 acres, more or less, is hereby re-zoned from A-1 to R-1, as requested by Ronald Mantlo, and pursuant to recommendation of the Franklin-Simpson Planning & Zoning Commission after a public hearing on June 7, 2005, more particularly described on EXHIBIT A attached hereto.

2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. All ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

June 21, 2005 FIRST READING

JULY 5, 2005 SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Commonwealth of Kentucky held JULY 5, 2005, on motion made by Honorable Charles McCutchen, and seconded by Honorable Kelly Banton, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes LARRY RANDOLPH

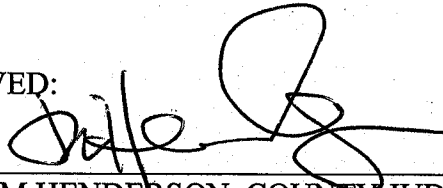
Yes KELLY BANTON

Yes KENNETH UTLEY

Yes CHARLES McCUTCHEN

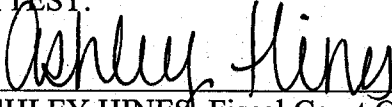
APPROVED:

BY:



JIM HENDERSON, COUNTY JUDGE EXECUTIVE
COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY

ATTEST:



ASHLEY HINES, Fiscal Court Clerk
County of Simpson, Commonwealth of Kentucky

PARCEL I:

Beginning at a pipe in the extreme southeast corner in line with the west right-of-way of the Franklin-Bowling Green Road (U. S. Highway 31-W), said beginning point being 50 feet from the center of said road, and a corner to the Paul Huffines lot; thence with the line of Paul Huffines due West 232.5 feet to a pipe, a corner to Paul Huffines; thence with the line of Paul Huffines S 8° 30' E 172.2 feet to a stake, a corner to Mrs. Neely C. Forgy; thence with the line of Mrs. Neely C. Forgy and Sellie Hire S 87° 58' W 730.0 feet to a post, a corner to Sellie Hire; thence with the line of Sellie Hire N 1° 02' W 478.7 feet to a post, a corner to Billie P. Harris, thence with the line of Billie P. Harris N 88° 00' E 710.3 feet to a post, a corner to Robert Taylor in the Harris line; thence with the line of Robert Taylor S 5° 00' E 78.0 feet to a post, a corner to Robert Taylor; thence with the line of Robert Taylor N 88° 00' E 28.0 feet to a post, a corner to Neal Gentry; thence with the lines of Neal Gentry S 3° 30' E 88.0 feet and N 88° 30' E 228.6 feet to a pipe a corner to the west right-of-way of the Franklin-Bowling Green Road; thence with the line of the west right-of-way of the Franklin-Bowling Green Road (U.S. 31-W) S 4° 20' E 152.8 feet to the point of beginning, containing 8.94 acres, more or less, according to 5-11-70 survey by E. C. Ellis, Kentucky Registered Land Surveyor.

Being the same property in which an undivided one-half interest was conveyed to J. Ronald Mantlo and wife, Joyce M. Mantlo, and in which an undivided one-half interest was conveyed to Brent M. Donaldson and wife, Deborah A. Donaldson, by Robert L. Sloan and wife, Mary H. Sloan, by deed dated June 9, 1988, of record in Deed Book 162, page 692, Simpson County Clerk's Office. The said Brent M. Donaldson and Deborah A. Donaldson, husband and wife, conveyed all of their right, title, and interest in and to the subject property to J. Ronald Mantlo and Joyce M. Mantlo, husband and wife, by deed dated June 4, 2003, of record in Deed Book 243, page 525, in the Office aforesaid.

PARCEL II:

Beginning at a post in the northeast corner, the northwest corner of Lot 29 of Section A of Sunnyfield Subdivision, in the south line of R. L. Sloan; thence with lines of Sloan S 89° 00' W 729.9 feet to a post and N 0° 30' W 443.5 feet to a stake or stone in the approximate center of a drainage ditch; thence with the line and meander of the center of said drainage ditch as follows: S 40° 30' W 200.0 feet, S 48° W 285.0 feet, S 23° 15' W 380.2 feet, S 9° 30' W 277.4 feet and due south 106.2 feet; thence with new lines of J. B. Clark, S 80° 15' E 962.3 feet (and passing a post at 170.7 feet) to a pin, S 5° 15' W 262.2 feet to a pin, S 84° 30' E running through the center of the barn, 98.5 feet to a pin, and S 1° 00' W 104.8 feet to a stake, corner to Clark in line of Hire Tract II; thence with said tract N 87° 00' E 250.0 feet to a pin in line of Hire Tract I; thence with said tract N 7° 10' E 163.4 feet and N 89° E 97.0 feet to a pin in said tract, corner to Section A of Sunnyfield Subdivision; thence with said subdivision N 6° 30' W 850.0 feet to a stake and N 89° 00' E 280.6 feet to a stake in the west line of U.S. Highway 31-W; thence with said highway N 6° 30' W 75.0 feet to a stake; thence with Section A of Sunnyfield Subdivision, S 89° 00' W 280.8 feet to a pin; thence N 6° 30' W 75.0 feet to the point of beginning, containing 27.3 acres, more or less, according to August 13, 1977, survey of E. C. Ellis, and being the northern part of Tract III in plan of Lorean Hire property of record in Plat Book 4, page 57, Simpson County Clerk's office. 1

EXHIBIT A

LESS THE FOLLOWING-DESCRIBED PROPERTY conveyed to Laurence S. Hendricks and wife, Hazel Hendricks, by deed dated April 25, 1978, of record in Deed Book 127, page 712, in the Office aforesaid, to-wit:

Beginning at a pin in the southeast corner of the property herein conveyed, a common corner to property presently owned by Laurence S. Hendricks and to property presently owned by George Orrand and to a piece of property on this date conveyed by the grantors herein unto the said George Orrand; thence with the line of property presently owned by Laurence S. Hendricks N 6° 30' W 100.0 feet to a pin, corner to Hendricks in William D. Johnson's line; thence with Johnson's line S 89° 00' W 97.0 feet to a pin, a new corner to William D. Johnson; thence with the new line of William D. Johnson S 6° 30' E 100.0 feet to a pin in Johnson's line, corner to the property this date conveyed by the grantors herein unto George R. Orrand; thence with Orrand's new line N 89° 00' E 97.0 feet to the point of beginning, according to survey by E. C. Ellis, Registered Land Surveyor No. 318, dated April 12, 1978.

LESS THE FOLLOWING-DESCRIBED PROPERTY conveyed to George R. Orrand and wife, Anita K. Orrand, by deed dated April 25, 1978, of record in Deed Book 127, page 714, in the Office aforesaid, to-wit:

Beginning at a pin in the northeast corner of the property herein conveyed, a common corner with property presently owned by Laurence S. Hendricks and a common corner to property on this date conveyed by the grantors herein to the said Laurence S. Hendricks; thence with the line of the property on this date conveyed by the grantors herein to Laurence S. Hendricks S 89° 00' W 97.0 feet to a pin, another corner to the property on this date conveyed to the said Hendricks in William D. Johnson's line; thence with Johnson's line S 6° 30' E 100.0 feet to a pin, corner to Don Rowland in Johnson's line; thence with Don Rowland's line N 89° 00' E 97.0 feet to a pin in Rowland's line, corner to George Orrand; thence with Orrand's line N 6° 30' W 100.0 feet to the point of beginning, according to survey by E. C. Ellis, Registered Land Surveyor No. 318, dated April 12, 1978.

LESS THE FOLLOWING-DESCRIBED PROPERTY conveyed to J. B. Clark and wife, Jean Clark, by deed dated May 12, 1978, of record in Deed Book 128, page 193, in the Office aforesaid, to-wit:

Beginning at a pin in the east line in the northwest corner of the Don Rowland lot, S 89° 00' W 97.0 feet from a pin in the southwest corner of the George Orrand lot and a new corner to William Johnson; thence with a new line of William Johnson, N 6° 30' W 200.0 feet to a pin a new corner to Johnson; thence with another new line of Johnson N 86° 00' W 214.6 feet to a post; thence S 82° 00' W 89.0 feet to a post; thence S 87° 00' W 17.2 feet to a post a corner to J. B. Clark; thence with the line of J. B. Clark, the following calls: S 5° 15' W 262.2 feet to a pin; thence S 84° 30' E running through the center of the barn, 98.5 feet to a pin; thence S 1° 00' W 104.8 feet to a pin; thence N 87° 00' E 250.0 feet to a pin a corner in the Don Rowland line; thence with the line of Don Rowland N 7° 10' E 163.4 feet to the point of beginning, containing 2.80 acres, more or less.

150
Subject to right-of-way easement granted to Western Kentucky Gas Company by instrument dated August 29, 1984, of record in Deed Book 148, page 10, in the Office aforesaid.

Being Parcel II in that certain deed from Robert Young Link, Trustee, to J. Ronald Mantlo and Joyce M. Mantlo, husband and wife, dated October 23, 2002, of record in Deed Book 239, page 224, Simpson County Clerk's office.