

ORDINANCE NO. 920.103

**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 as follows:

1. The following-described property, consisting of 130.12 acres of land located approximately four miles south of Franklin on the south side of Steele Road; east side of Witt Road in Simpson County, Kentucky, is hereby rezoned from AG to I-2 and the zoning map shall be amended accordingly, as requested by Anthony D. Notargiacomo, President of XYZ CBD Group, Inc., and Larry Collins, pursuant to the recommendation of the Franklin-Simpson Planning & Zoning Commission after a public hearing on September 4, 2018:

TRACT 1:

Beginning at an iron pin found #3290 at a metal post in the southerly right of way of Steele Road (approximately 15 feet from centerline), the northeasterly corner of the subject owner, Sammy Cook as appears in Deed Book 266, Page 569, at a corner with Will Ed Jones (Deed Book 266, Page 572); thence along the line of the subject owner with Will Ed Jones, S 06° 06' 02" W 1965.29 feet to an iron pin found #3290 at a metal post, in the line of Donald Hodges, S 78° 10' 24" W 2781.01 feet to an iron pin found #3290 in the easterly right of way of Kentucky State Highway 2593, also known as Witt Road (approximately 25 feet from centerline); thence along the meanders of the easterly right of way of Kentucky State Highway 2593 the following four calls: N 08° 37' 53" E 370.65 feet; thence N 08° 38' 00" E 259.58 feet to a witness iron pin set; thence N 09° 07' 36" E 203.16 feet; thence N 10° 15' 13" E 208.98 feet to an iron pin found #3589 at a corner with Eric Vaughn (Deed Book 307, Page 177); thence leaving said road on the line of the subject owner with Eric Vaughn, S 87° 48' 09" E 206.77 feet to an iron pin found #3589; thence on new lines the following seven calls: S 85° 23' 13" E 145.71 feet to an iron pin set; thence N 35° 26' 05" E 600.73 feet to an iron pin found #3589 at an existing corner with Eric Vaughn; thence N 11° 37' 18" E 92.67 feet to an iron pin set; thence N 24° 44' 26" E 130.75 feet to an iron pin set; thence N 11° 37' 38" E 91.93 feet to an iron pin set; thence N 78° 25' 00" W 82.19 feet to an iron pin found #3589 at a corner with Eric Vaughn; thence along the line of the subject owner with Eric Vaughn the following two calls: S 74° 14' 18" W 711.74 feet to an iron pin found #3589; thence S 45° 00' 19" W 187.54 feet to an iron pin found #3589 in the easterly right of way of Kentucky State Highway 2593; thence along the meanders of the easterly

right of way of Kentucky State Highway 2593, N 41° 17' 17" W 60.10 feet to an iron pin found #3290 at a corner with Mark Andrews (Deed Book 136, Page 532); thence leaving said road on the line of the subject owner with Mark Andrews, generally with an established fence, N 44° 57' 02" E 199.09 feet to a found king post with a witness iron pin found at base; thence continuing with the line of the subject owner with Mark Andrews, N 74° 14' 13" E 1574.13 feet to a found king post with a metal cap and witness iron pin found #3290 at base, a corner with Robert Stone (Deed Book 124, Page 177); thence along the line of the subject owner with Robert Stone, N 51° 48' 21" E 843.23 feet to an iron pin set at the location of a found bent pin #3290 in the southerly right of way of Steele Road; thence along the meanders of the southerly right of way of Steele Road the following four calls: S 64° 30' 59" E 118.21 feet; thence S 72° 54' 41" E 138.12 feet; thence S 72° 18' 21" E 198.63 feet; thence S 71° 00' 14" E 141.45 feet to the point of beginning. Surveyed parcel contains 107.12 acres more or less and is subject to all legal conditions and easements of record. This description is based on an actual field survey performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in October of 2015. Basis of bearing for this description is grid North, Kentucky South Zone, Lambert projection. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" iron pins with plastic identification cap stamped "Dunning #3290."

Being the same property conveyed to Larry Collins by Sammy Cook and wife, Linda Louis Cook, by deed dated October 26, 2015, of record in Deed Book 317, Page 622, Simpson County Clerk's Office.

TRACT 2:

Beginning at an iron pin found #3290 by a metal post in the southerly right of way of Steele Road (approximately 15 feet from centerline) the northwesterly corner of the subject owner, Will Ed Jones, as appears in Deed Book 266, Page 572, at a corner with the Larry Collins property as described in Deed Book 317, Page 622; thence along the meanders of the southerly right of way of Steele Road the following two calls: S 70° 53' 45" E 31.47 feet; thence S 71° 53' 39" E 366.18 feet to an iron pin found #3290 at the base of a metal post, a corner with Zeager Hardwood Company (Deed Book 259, Page 195); thence leaving said road on the lines of the subject owner with Zeager Hardwood Company the following three calls: S 08° 31' 27" W 966.98 feet to an iron pin found #3290 at the base of a metal post; thence S 83° 48' 53" E 453.75 feet to an iron pin found #3290 at the base of a metal post; thence S 06° 11' 41" W 656.44 feet to an iron pin set at the location of a found ben [sic] iron pin #3290 at the base of a post, at a corner with Donald Hodges (Deed Book 127, Page 184); thence along the line of the subject owner with Donald Hodges, S 78° 11' 08" W 841.40 feet to an iron pin found #3290 at the base of a metal post, a corner with Larry Collins; thence along the line of the subject owner with Larry Collins, N 06° 06' 02" E 1965.29 feet to the point of beginning. Surveyed parcel contains 23.00 acres, more or less, and is subject to all legal conditions and easements of record. This description based on an actual field survey performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in January of 2016. Basis of bearing for this description is grid North, Kentucky South Zone, Lambert projection. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" iron pins with plastic identification cap stamped "Dunning #3290."

Being the same property conveyed to Larry Collins by Will Ed Jones, unmarried, by deed dated January 28, 2016, of record in Deed Book 319, Page 260, Simpson County Clerk's Office.

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 or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

September 18, 2018 FIRST READING

October 9, 2018 SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Commonwealth of Kentucky held October 9, 2018, on motion made by Honorable Larry Randolph and seconded by Honorable Marty Chandler, the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>Yes</u>	Bobby Bush
<u>Yes</u>	Marty Chandler
<u>Yes</u>	Larry Randolph
<u>Yes</u>	Blake Tarpley
<u>Yes</u>	Jamie Spears

APPROVED:

BY:



JAMIE SPEARS, COUNTY JUDGE EXECUTIVE
COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY

Attest:



Pam Rohrs, Fiscal Court Clerk
County of Simpson, Commonwealth of Kentucky