

ORDINANCE NO. 920.77

**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 89 acres of land located on the
east side of Franklin, on the north side of Highway 100, just east of the Exit 6 interchange on I-
65 in Simpson County, Kentucky, is hereby rezoned from A-1 to B-5, and the zoning map shall
be amended accordingly, as requested by John T. King, Jr., Executor of the Estate of H. E.
Stradtner, pursuant to the recommendation of the Franklin-Simpson Planning & Zoning
Commission after a public hearing on July 1, 2008:

Certain real property located east of Franklin on the north side of Highway 100,
in Simpson County, Kentucky, to-wit:

Beginning at an iron pin in the north right-of-way of Highway 100 and east right-
of-way of Eddings Road, being the southeastern corner of the subject tract, and
common corner with Garvins; thence with the line of Eddings Road N 23° 30' 5"
E 782.25 feet to a point; thence N 22° 44' 11" E 924.63 feet to a corner fence
post in the right-of-way of Eddings Road; thence leaving the Eddings Road N
86° 38' 18" W 819.81 feet to a set pin; thence N 7° 56' 2" E 1,314.46 feet to a
point, the northeast corner of the subject tract; thence N 85° 38' 31" W 887.72
feet to a point; thence S 8° 9' 20" W 351.78 feet to a point; thence N 84° 36' 15"
W 643.50 feet to a point; thence S 9° 9' 45" W 1,334.52 feet to a set iron pin
adjacent to a corner fence post; thence S 85° 35' 6' *[sic]* E 639.74 feet to a point;
thence S 3° 23' 10" W 1,273.56 feet to a point in the north right-of-way of
Highway 100, same being the southwest corner of the subject tract, common
corner to Garvins; thence with the meanders of the north right-of-way of
Highway 100 approximately 1,000 feet to the point of beginning, containing
approximately 89 acres, more or less.

Being the same property conveyed to H. E. Stradtner and wife, Naoma Stradtner,
and to the survivor, by R. E. Wear and wife, Anna Wear by deed dated January 3,

1964, of record in Deed Book 87, Page 184, Simpson County Clerk's Office. The said Naoma Stradtner died on the 6th day of January, 1997, leaving the said H. E. Stradtner surviving her and the full fee simple owner of the subject property. H. E. Stradtner died a resident of Simpson County, Kentucky, and by his will of record in Will Book 22, Page 429, Simpson County Clerk's Office, directed his executor to convert his entire estate to cash. John T. King, Jr. was appointed as executor of his estate by order of the Simpson District Court on September 4, 2007 in Case No. 07-P-00079.

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.

July 29, 2008 FIRST READING

August 19, 2008 SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Commonwealth of Kentucky held August 19, 2008, on motion made by Honorable Charles McCutchen, Sr., and seconded by Honorable Kelly Banton, the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>Aye</u>	<u>Kelly Banton</u>
<u>Aye</u>	<u>Marty Chandler</u>
<u>Aye</u>	<u>Charles McCutchen, Sr.</u>
<u>Aye</u>	<u>Larry Randolph</u>

APPROVED:

BY:



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

Attest:



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