

ORDINANCE NO. 00-36

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF JOAN JETT TRUST PROPERTY ON UNION CITY ROAD, AND AUTHORIZING THE CHANGE ON THE OFFICIAL ZONING MAP OF MADISON COUNTY, KENTUCKY.

WHEREAS, the hereinafter described land is located in Madison County, Kentucky and

WHEREAS, the Madison County Planning Commission held a public hearing on Tuesday, November 21, 2000, and found that the existing zoning classification given to the property is inappropriate and that the proposed zoning classification of is appropriate; the proposed land use change is in conformance with the adopted comprehensive plan; and there was evidence that there had been major changes of an economic, physical, or social nature in the area that was not anticipated in the adopted comprehensive plan; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from RC-7 Agricultural to RC-1 Single Family Residential.

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by Madison County Fiscal Court that the land use classification of the following described property be changed by this ordinance from RC-7 Agricultural to RC-1 Single Family Residential classification:

SECTION I

Tract No. I: A certain tract or parcel of land situated in Madison County, Kentucky, and on the waters of Otter Creek, bounded and described by survey as follows: Beginning at a gate post set in concrete, a corner to Tract 1 and 2 in the division of the lands of Wm. Jett, (Tract No. 1 now being owned by Mrs. Wm. Jett, and tract No. 2 by Will Jett, Jr.) thence with the line of Tract No. 1 Mrs. Wm. Jett, N 57 ¼ E O. 20 chains to the other post of said gate, also set in concrete, N 75 ¾ E 35.50 chains to a stake in line of Tract No. 4 (Mary Jett) and corner to Mrs. Jett, said stake being N 25 ½ W 17 ½ links from a small double cedar marked two hacks on the north side as pointer, thence with the line Eades and corner to Mary Jett, thence with Eades line and the line of Dan Noland N 84 1/8 W 5.90 chains, continuing the line of Noland, N 88 1/8 W 40.30 chains to a marked post in the line of Noland and corner to the land sold by Isaac Jett to Elmer Golden, said post being on line of an old fence, thence with said fence and Golden's line along the east bank of the creek, S 54 ½ E 4.00 chains, S 35 7/8 E 3.60 chains S 13 E 2.33 chains, S 42 ¾ E 1.34 chains, S 65 ½ E 3.54 chains, S 17 ½ E 4.74 chains to a chinkapin oak, thence crossing the creek, S 63 W 0.92 chains to an elm on the west bank, thence along said west bank, continuing the line of Golden, S 8 E 1.71 chains S 61 E 1.51 chains, S 69 E 1.52 chains, S 53 ¾ E 2.68 chains to the end of a stone fence, thence with same and a rail fence, S 9 1/8 E 2.21 chains to the east end of another stone fence in the line of Tract No. 2, Will Jett, Jr., and corner to Elmer Golden, thence with the line of Will Jett, Jr., N 59 5/8 E 3.51 chains to the beginning, containing one hundred and 39/100 (100.39) acres.

Tract No. II: A certain tract or parcel of land lying situated and being in Madison county, Kentucky, and more particularly bounded and described as follows: Beginning at a point in the center of the Union Pike said point bearing S 29 E from a large oak on the north side of said pike, a corner to Tract No. I, once conveyed to Mrs. William Jett, Sr., thence with the center of said pike N 75 $\frac{3}{4}$ E 5.78 chains to a point in the center of said pike a corner to Mrs. Everett Green and in line of Charles Johnson, thence leaving the pike, with Mrs. Green's line N 6 $\frac{3}{8}$ E 35.29 chains to a fence post corner to Green Noland, thence his line, and the line of Will Eades, N 84 $\frac{1}{8}$ W 45.19 chains to a stake in Eades' line, and corner to Tract No. 3 once conveyed to Isacc Jett, thence with the line of Tracts No. 3 and 1, S 29 E passing the corner of Tract No. 3 at 20.11 chains and through a small ash at 25.27 chains, in all 53.75 chains to the beginning containing one hundred twenty five acres.

A certain tract or parcel of land located in Madison County, Kentucky, about 5 miles East of Richmond and on the North side of Union City Pike, bounded and described as follows, to-wit:

Tract No. I: (deed book 219, page 292) (Tract No. 4 on a map of the William Jett farm) Beginning at a point in the center of the Union Pike and point bearing S 29 E from a large oak on the North side of said pike, a corner to Tract No. 1, once conveyed to Mrs. William Jett, Sr., thence with the center of said pike N 75 $\frac{3}{4}$ E 5.78 chains to a point in the center of said pike a corner to Mrs. Everett Green and in line of Charles Johnson, thence leaving the pike with Mrs. Green's line, N 6 $\frac{3}{8}$ E 35.29 chains to a fence post corner to Green Noland, thence his line, and the line of Will Eades, N 84 $\frac{1}{8}$ W 45.19 chains to a stake in Eades' line, and corner to Tract No. 3, once conveyed to Isaac Jett, thence with the line of Tracts Nos. 3 and 1, S 29 E passing the corner of Tract No. 3 at 20.11 chains and through a small ash at 25.27 chains in all 53.75 chains to the beginning, containing One Hundred Twenty Five acres.

Tract No. II: Beginning at a point in the center of the Union Pike, on line with the fence between the Jett land and the land of William Golden; a corner to Golden, thence with the center of said pike S 89 E 3.03 chains, N 66 E passing the west end of the north rail of a concrete bridge at 8.15 chains, in all 11.77 chains, N 48 $\frac{1}{4}$ E 1.87 chains to a point in the center of said pike on line with the fence between this tract and Tract No. 1, this day conveyed to Mrs. William Jett Sr., thence leaving the pike with said fence N 13 W 12 chains N 8 E 21.32 chains N 33 E .64 chains N 36 E 1.34 chains N 20 $\frac{1}{4}$ E .49 chains N 21 $\frac{1}{2}$ W 2.88 chains N 44 $\frac{1}{8}$ W 3.1 chains N. 39 W 9.56 chains to a gate post set in concrete a corner to tracts No. 1 and tract No. 3 this day conveyed to Isaac Jett, thence with line of Tract No. 3 S. 59 $\frac{5}{8}$ W crossing the creek, 3.51 chains to the east end of a stone wall, thence with said wall S. 49 $\frac{3}{4}$ W 4.4 chains, leaving the wall and following the foot of a hill N. 72 W 1.52 chains to a stake, N. 32 $\frac{1}{4}$ W. 3.81 chains to a stake, N 47 $\frac{3}{4}$ W. 2.16 chains to a stake, continuing the line of tract No. 3, N 79 $\frac{5}{8}$ W. 21.35 chains to a point in the center of the county road, a stake on the east side of same, a corner to Tract No. 3, thence with the center of said road, thence line of John Parks S 78 W 7.3 chains, S 51 $\frac{1}{2}$ W. 1.97 chains S 36 W 11.94 chains to a point in the center of said road,

on line with the fence between the Jett land and William Golden, thence leaving the road, and with Golden's lines S 84 1/8 E 21.87 chains S 2 5/8 E 8.34 chains S 84 5/8 E 21.27 chains S 4 3/4 W 32.65 chains to the beginning, containing 125 acres. This being a part of the land inherited by the parties to this deed (Mrs. William Jett, Sr.), Isaac Jett, Martha Jett, his wife, Marguerite Gumm, Shirley Gumm and husband, Lucile Jett, Mary Jett, and William Jett Jr.), from William Jett Sr., who held title thereto at the time of his death, and who had been in the adverse possession thereof for a period of more than thirty years.

Tract No. 3: Beginning at a point in the center of the Union Pike on line with a fence dividing this tract from Tract No. 2, this day conveyed to William Jett Jr., a corner to Tract No. 2, thence with the center of said pike, N 48 1/4 E 8.67 chains, N 52 1/8 E 3/4 6.5 chains N 57 E 9.94 chains N 67 E 7 chains N 62 7/8 E 7.87 chains N 52 1/2 E 4.8 chains, passing the center of a bridge at 1.78 chains, in all 6.65 chains to a point in the center of said pike, and bearing S 29 E from a large oak on the north side of the pike, a corner to Tract No. 4, this day conveyed to Mary Jett, thence leaving the pike, with line of Tract No. 4, N 29 W passing through a small ash at 28.48 chains in all 33.64 chains to a stake in line of No. 4 and a corner to No. 3 this day conveyed to Isaac Jett, said stake being N 26 1/2 links from a small double cedar, marked 2 hacks on the north side, thence with line of Tract No. 3, 76 3/4 W 35.5 chains to a gate post set in concrete S 57 1/4 W .2 chains to the other post of said gate, also set in concrete, a corner to Tract No. 2, thence with the fence between this tract and Tract No. 2, S 39 E 9.56 chains S 44 1/8 E 3.1 chains S 27 1/2 E 2.88 chains S 20 1/4 W .49 chains S 46 W 1.34 chains S 33 W .44 chains S 48 W 21.32 chains S 3 E 12 chains to the beginning, containing 150.71 acres.

There is excluded from this conveyance, 50.35 acres of land that was conveyed to Tommy Taylor by William Jett Jr. and wife, by deed dated July 29, 1960, and recorded in Deed Book 186, page 560, Madison County Court Clerk's Office.

There is excluded from the above described a fifty acre tract conveyed by Mrs. William Jett, Sr. to William Jett Jr. by deed recorded in Deed Book 123 at page 308, Madison County Clerk's office.

SECTION II

That the Director of Planning and Development make the appropriate changes to the Official Zoning Map of Madison County, Kentucky.

SECTION III

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

DATE OF FIRST READING: November 28, 2000

MOTION BY: Billy Ray Hughes

SECONDED BY: Forniss Park

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE FORNISS PARKS ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE BILLY RAY HUGHES ✓

DATE OF SECOND READING: December 12, 2000

MOTION BY: Billy Ray Hughes

SECONDED BY: Forniss Park

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE FORNISS PARKS ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE BILLY RAY HUGHES ✓

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:

[Signature]
MADISON COUNTY CLERK