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ORDINANCE NO. 01-21

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF JAMES E. AND RUTH LUNSFORD PROPERTY ON MT. VERNON 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, July 17, 2001, 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 R-7 Rural Agricultural to R-5 Rural Light Industrial.

**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 R-7 Rural Agricultural to R-5 Rural Light Industrial.

SECTION I

Beginning at a point in the West right of way line of U.S. Highway No. 25, the northeast corner to Nicholas (Deed Book 388, Page 787); thence with Nicholas, North 89 deg. 37 min. 11 sec. West, passing an iron pin at 1.29 feet, a total distance of 272.03 feet to an iron pin; thence with Nicholas, South 09 deg. 39 min. 08 sec. East, 216.23 feet to an iron pin in the center of a branch, a corner to Nicholas and the Josie Smith Estate; thence with said Josie Smith Estate and the branch upstream as it meanders North 56 deg. 16 min. 37 sec. West, 17.56 feet; thence South 41 deg. 31 min. 22 sec. West, 39.26 feet; thence North 50 deg. 30 min. 00 sec. West, 17.13 feet; thence south 85 deg. 11 min. 50 sec. West, 64.08 feet; thence South 42 deg. 17 min. 06 sec. West, 32.93 feet; thence North 66 deg. 48 min. 16 sec. West, 40.39 feet; thence South 59 deg. 13 min. 01 sec. West, 44.02 feet; thence North 89 deg. 22 min. 10 sec. Thence South 72 deg. 36 min. 31 sec. West, 20.17 feet; thence South 63 deg. 45 min. 52 sec. West, 48.25 feet; thence South 79 deg. 38 min. 10 sec. West, 36.66 feet; thence South 83 deg. 05 min. 03 sec. West, 36.39 feet; thence North 63 deg. 42 min. 31 sec. West, 35.46 feet; thence South 53 deg. 32 min. 15 sec. West, 21.71 feet; thence North 73 deg. 51 min. 53 sec. West, 103.31 feet; thence South 60 deg. 59 min 32 sec. West, 18.32 feet; thence North 88 deg. 45 min. 57 sec. West, 58.76 feet; thence North 82 deg. 41 min. 15 sec. West, 26.51 feet; thence North 74 deg. 05 min. 38 sec. West, 110.70 feet; thence North 68 deg. 22 min. 40 sec. West, 42.03 feet; thence South 68 deg. 15 min. 04 sec. West, 7.80 feet to an iron pin; thence continuing with the branch meanders a straight line bearing of North 76 deg. 37 min. 02 sec. West, 419.09 feet to an iron pin set in the East right of way of Interstate Highway 75;

thence with the said East right of way North 10 deg. 39 min. 04 sec. East, 821.95 feet to an iron pin set near the top of a ridge; thence with the ridge line North 88 deg. 38 min. 58 sec. East, 117.64 feet; thence North 67 deg. 25 min. 12 sec. East, 235.26 feet to an iron pin; thence South 52 deg. 58 min 13 sec. East, 181.85 feet to an iron pin; thence South 85 deg. 27 min. 42 sec. East, 398.15 feet to an iron pin (found) a corner common to Powell, Lunsford and Smallwood (Deed Book 328, Page 652), (Plat Book 6, Page 194); thence with the West line of Smallwood South 16 deg. 34 min. 43 sec. East, 109.86 feet to a fence post; thence South 10 deg. 41 min. 14 sec. East, 95.15 feet to an iron pin in a drain (found); thence South 11 deg. 58 min. 27 sec. East, 103.94 feet to an iron pin (found) a corner to Byrd; thence with the line of Byrd South 10 deg. 59 min. 19 sec. East, 107.25 feet; thence North 79 deg. 23 min. 09 sec. East, 292.46 feet to a point in the West right-of-way of U.S. Highway No. 25; thence with said right-of-way South 06 deg. 51 min. 01 sec East, 275.94 feet to the True Point of Beginning; containing 23.60 acres, more or less, according to the survey of Paul S. Schrader, R.L.S. #3914, dated December 1995.

Tract 2: A certain tract or parcel of land lying in Berea, Madison County, Kentucky; more particularly bounded and described as follows (based upon a June 1997 survey performed by Berea Land Surveying R.L.S. #2914):

Beginning at an iron pin with cap #2914 set at the westerly right of way of Interstate 75; thence with the right-of-way line of Interstate 75 for two (2) calls; South 24 deg. 38' 03" . East 190.48 feet to a point of the right-of-way, thence South 22 deg. 39' 45" West 692.26 feet to a found iron pin, corner to the Josie Smith Estate; thence with the line of the Josie Smith Estate for two (2) calls: South 86 deg. 02' 04" West 221.39 feet to an iron pin with cap #2914 set in the base of a 54" Chestnut Oak; thence North 77 deg. 59' 43" West 507.08 feet to an iron pin with cap #2914 set at the base of a fence post, corner to Pittman; thence with Pittman for three (3) calls: North 25 deg. 03' 28" East 280.50 feet to a set iron pin with cap #2914; thence North 68 deg. 03' 28" East 379.50 feet to a set iron pin with cap #2914; thence North 53 deg. 03' 28" East 542.24 feet to the point of beginning and containing 9.38 acres, according to the survey of Paul S. Shrader, R.L.S. #2914, dated June 20, 1997.

## 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:

July 24, 2001

MOTION BY: Larry Combs

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

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

DATE OF SECOND READING: August 14, 2001

MOTION BY: Forniss Parks

SECONDED BY: William Tudor

VOTE: YES NO

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

Kent Clark  
MADISON COUNTY JUDGE EXECUTIVE

Attest:

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MADISON COUNTY CLERK