

ORDINANCE NO. 02-33

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF GLYNDON REED PROPERTY AT TRACT #2 MUDDY CREEK, FOR 36.4097 ACRES 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, October 15, 2002, and found that this property was part of the farm Mr. Reed was working with the former "subdivision advisory board" to develop as Wildlife Acres Subdivision, prior to the adoption of county wide zoning regulations; and that the classification of the property involved herein be change from R-7 Rural Agricultural to R-1 Rural 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 R-7 Rural Agricultural to R-1 Rural Single Family Residential classification:

**SECTION I**

Being all of Tract #2 (36.4097 acres) as described by plat recorded at Plat Book 18, Page 211 in the Madison County Clerk's Office, reference to which is hereby made for a more particular description. Being a portion of the property conveyed by deed recorded at Book 486 Page 345 of the 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: Oct 22, 2002

MOTION BY: Larry Combs

SECONDED BY: Forniss Parks

VOTE: YES NO

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

DATE OF SECOND READING: Nov 12, 2002

MOTION BY: William Tudor

SECONDED BY: Larry Combs

VOTE: YES NO

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

William Tudor  
MADISON COUNTY JUDGE EXECUTIVE

Attest:

Mary Jane Winter  
MADISON COUNTY CLERK

MADISON COUNTY  
PLANNING and DEVELOPMENT

321 North Madison Avenue  
RICHMOND, KENTUCKY 40475  
859-624-4734 / 624-4780  
Fax # 859-624-4736

TO: Kent Clark, Madison County Judge Executive  
Madison County Fiscal Court

DATE: October 15, 2002

RE: Planning Commission Recommendation  
Glyndon Reed, Tract #2, Muddy Creek Road

As a result of a public hearing held on October 15, 2002 at 6:00pm in the Fiscal Court Room, the Madison County Planning Commission heard and reviewed the following application for an amendment to the Land Use Management Map.

Glyndon Reed, Tract #2, Muddy Creek Road, proposed to change 36.4097 acres +/- from its original classification of R-7 (Agricultural) to R-1 (Single Family Residential). In accordance with KRS 100.213 the applicant's justification for the request was that the request was this property was part of the farm Mr. Reed was working with the former "subdivision advisory board" to develop as Wildlife Acres Subdivision, prior to the adoption of county wide zoning regulations.

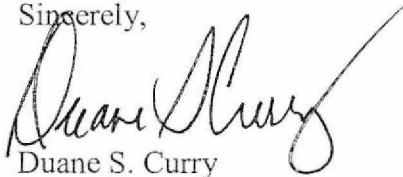
Therefore, the Madison County Planning Commission recommends the request for land use change be **APPROVED**:

Motion was made, seconded with a unanimous vote to recommend to the Fiscal Court that the request to change the land use from R-7 (Agricultural) to R-1 (Single Family Residential), for the above property, be **APPROVED** and have made it a finding of fact that;

1. This property was part of the farm Mr. Reed was working with the former "subdivision advisory board" to develop as Wildlife Acres Subdivision prior to the adoption of county wide zoning regulations.

Copies of the actual minutes from the public hearing are available upon request. Should you have any questions regarding this request, please call this office.

Sincerely,



Duane S. Curry  
Administrative Official

**Application for Land Use Map Amendment  
Madison County, Kentucky**

Date: 9/27/02

Fee: \_\_\_\_\_

1. Owner(s) of Property:

GLYNDON REED

2. Property Address

Tract # 2 MUDDY CREEK RD

3. Designated Land Use AG-R-74. Proposed Use RES R-1

5. Acreage: 36.4097

6. Surrounding Property: Use Land Use Map

- North AG
- East RES
- South RES
- West AG

R-7

7. Urban Services: Exists

Provided By

- Sewage
- Refuse
- Water YES
- Electric YES
- Gas NO
- Storm Sewers NO
- Fire YES
- Police YES

S. MADISON  
BLUEGRASS RECC

MADISON COUNTY  
STATE POLICE

8. Justification for Requested Change (KRS.100.213)

The original zoning classification is inappropriate and the proposed is appropriate because this property was previously platted for future residential development prior to adoption of zoning.

9. Brief Legal Description of Property:

Being all of Tract # 2 (36.4097 acres) described by a plat recorded Book 18 Page 211 MADISON COUNTY CLERK'S OFFICE PORTION OF PROPERTY RECORDED

10. Additional Information:

at Book 456 Page 345

11. The following items must accompany application:

- Copy of Deed
- Vicinity Map of Area request amendment
- List of all adjoining property owners, names, addresses of property, addresses of owners, telephone numbers of owners.

12. Applicant's Signature: I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted and the information is true and correct. I further certify that I am Owner of this property, since FEB 2 1948 (date).

Date: 9/27/02

Signature(s): Glyndon Reed  
Chula Reed

Reed

3

12.00  
54.00TX

**DEED OF CONVEYANCE**

THIS DEED OF CONVEYANCE entered into this 16<sup>th</sup> day of March, 2001 by and between, WALTER A. SIMPSON and IVA L. SIMPSON, husband and wife, 1244 McKee Road, Berea, Madison County, Kentucky 40403 (hereinafter "party of the first part"), and GLYNDON REED, married, 160 Fentress Lane, Berea, Madison County, Kentucky 40403 (hereinafter "party of the second part");

WITNESSETH: That for and in consideration of the sum of FIFTY THREE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$53,800.00), the receipt of which is hereby acknowledged, the party of the first part does hereby bargain, sell, grant and convey unto the party of the second part, in fee simple, his heirs and assigns forever, the following described property located near Muddy Creek Road in Madison County, Kentucky and more particularly described as:

Being all of Tract #2 (36.4097 acres) as described by a plat recorded at Plat Book 18, Page 211 in the Madison County Clerk's Office, reference to which is hereby made for a more particular description. Being a portion of the property conveyed by deed recorded at Book 486 Page 345 of the Madison County Clerk's Office.

The parties hereto certify pursuant to KRS 382.135 that the consideration reflected in this deed is the full consideration paid for the property.

Possession of this property shall be given to the party of the second part with this deed.

BOOK 527

PAGE 079



Before me, a notary public state at large for Kentucky, did personally appear, acknowledge and swear Glyndon Reed, married, to me personally known or satisfactorily proven to me to be the signer of the foregoing instrument.

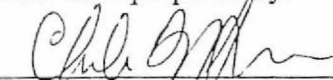
Given under my hand and seal of office, this 16<sup>th</sup> day of March, 2001.

My commission expires: *September 30, 2004*

  
Notary Public State at Large

**Per request of the parties, title  
was not searched for this property.**

This deed prepared by:

  
Charles F. Hoffman, Attorney at Law  
P.O. Box 927  
631 Chestnut Street, Suite #2  
Berea, Kentucky 40403  
(859) 985-8494

BOOK 527

PAGE 081

DOCUMENT NO: 254088  
RECORDED ON: MARCH 23, 2001 09:33:44AM  
TOTAL FEES: \$12.00  
TRANSFER TAX: \$54.00  
COUNTY CLERK: MARY JANE GINTER  
COUNTY: MADISON COUNTY  
DEPUTY CLERK: GRETTA COSBY

BOOK 527 PAGES 79 - 81

**APPENDIX D**

Madison County Planning Commission  
C/O Madison County Planning & Development Office  
321 N. Madison Avenue, Suite B  
Richmond, KY 40475

Date 9-27-02

Dear Property Owner:

The Madison County Planning Commission would like to inform you of a land use change request by a property owner in your neighborhood. We will hold a public hearing on this matter in order to provide county residents with an opportunity to support or object to the requested change. All pertinent information is listed below. If you need additional information, please contact the Administrative Official at the Madison County Planning & Development Office located at 321 N. Madison Avenue, Suite B (859) 624-4780.

Address of Property requested for Land Use Change: Tract # 2  
MUDDY CREEK ROAD

Land Use Change Requested: From: AG To: RESIDENTIAL

Owner of Property requesting Land Use Change: GLYNDDON REED

Address of Owner: 160 FENTRESS LN  
BEREA KY 40403

Name of Land Use Change Applicant: GLYNDDON REED

Address of Land Use Change Applicant: 160 FENTRESS LN  
BEREA KY 40403

Date of Public Hearing: October 15, 2002

Time and Location of Public Hearing: 6:00 PM  
Madison County Courthouse  
Fiscal Courtroom  
101 W. Main Street  
Richmond, KY 40475

Sincerely,

  
Duane S. Curry  
Administrative Official

ADJOINING PROPERTY OWNERS

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WILDLIFE GAME RESERVE

WALTER SIMPSON

1244 MCKEE RD

BEREA KY 40403 986-4002

JOHN WORLEY

516 MUDDY CREEK RD

BEREA KY 40403 986-1768

HOWSE LAINHART

1253 KINGSTON - BIG HILL RD

BEREA KY 40403