

ORDINANCE NO. 4, 2016 SERIES
AN ORDINANCE REZONING PROPERTY

AN ORDINANCE REZONING PROPERTY for an approximately 4.4 acre parcel of property located at 104 Cove Springs Road, Frankfort, Kentucky, and owned by William and Marie Cull; and being more specifically described as PVA Map #074-00-00-005.01, from Planned Commercial (PC) to Residential "A" District (RA).

WHEREAS, On April 14, 2016, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for 104 Cove Springs Road. The public hearing was then closed (no one present spoke in opposition to the zone map amendment) and the Planning Commission adopted the report as the summary. The Planning Commission then approved and adopted the 4 findings of fact (1,2,3,&5) as identified within the report, and moved to recommend approval of a zone map amendment from **Planned Commercial (PC) to Residential "A" District (RA)** based on the four (4) findings of fact. The motion to recommend approval of the zone map amendment passed unanimously 9-0.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKFORT, KENTUCKY,

That the 4.4 acre parcel of property, being 104 Cove Springs Road, Frankfort, KY.; and more specifically described as part of PVA map #074-00-00-005.01, being more particularly described in the legal description attached hereto, copy on file in the Office of the City Clerk, is hereby rezoned from PC (Planned Commercial) to RA (Residential "A" District).

First reading on the 25 day of April, 2016.
Final adoption on the 13 day of May, 2016.

S/William I. May, Jr.
T/Mayor

Attest:

S/Chermie Maxwell
T/City Clerk

SUMMARY

This ordinance approves a zone map amendment of a 4.4 acre parcel of property located at 104 Cove Springs Road, Frankfort, Kentucky, and owned by William and Marie Cull; and being more specifically described as PVA Map #074-00-00-005.01, from Planned Commercial (PC) to Residential "A" District (RA), and **the effective date for the zone change is contingent upon the closing of the property**; and the property is also described as PVA Map #074-00-00-005.01; being more particularly described in the legal description attached hereto, copy on file in the Office of the City Clerk.

S/Robert C. Moore
T/City Solicitor

Published by Title and Summary May 22, 2016

TRACT I

EXHIBIT A

000718

Beginning at an iron pin in the north right of way and access control line of the Wilkinson Street-Daily Avenue Bypass, said iron pin also being in the center of the Old Mill Road, corner to Kentucky Chemical Industries, Inc., then with the right of way and access control line the following bearings and distances; S 75 deg. 4' 44" W-399 feet, N 86 deg. 5' 26" W-122.09 feet, N 77 deg. 16' 11" W-138.1 feet, N 8 deg. 58' 41" W-87.49 feet to an iron pin, thence leaving the right of way and access control fence and following the fence or east right of way of the Old Owenton Road the following bearings and distances; N 50 deg. 23' 44" E-142.61 feet, N 43 deg. 38' 40" E, 49.98 feet, N 34 deg. 37' E-51.14 feet, N 29 deg. 6' 18" E-43.66 feet to a large fence post, then N 14 deg. 30' 18" E-21.84 feet to an iron pin, corner to City of Frankfort flood wall right of way, then around the flood wall right of way N 78 deg. 14' 57" E-72 feet to an iron pin, N 11 deg. 45' 3" W-80 feet to an iron pin, S 78 deg. 14' 57" W-50.35 feet to an iron pin in the east right of way of the Old Owenton Road, then with the right of way of the Old Owenton Road N 4 deg. 2' 10" W-23.86 feet to an iron pin in the south bank of Cove Mill Branch near the southeast wing wall of a roadway culvert, then with the south bank of Cove Mill Branch N 62 deg. 52' 27" E-198.2 feet to a large tree, corner to Kentucky Chemical Industries, Inc., then with the remains of a fence line and across a rocky point S 5 deg. 57' 27" W-266 feet to an iron pin in the middle of Old Mill Road, another corner to Kentucky Chemical Industries, Inc., then with the center of the old road S 59 deg. 48' 51" E 207.43 feet, S 57 deg. 35' 31" E-147.3 feet to the point of beginning, said survey contains 3.5 acres.

TRACT II

Three (3) parcels of land described as follows:

Parcel No. 84B-1, generally triangular in shape, lies on the East side of the right of way and controlled access line for U.S. Highway 127 as shown upon the plat of record in Deed Book 302, page 16, in the Office of the County Court Clerk of Franklin County, Kentucky, and as bounded on the East side by the centerline of the Old Owenton Road, and more particularly described as follows:

A certain tract of land lying on the northeast quadrant of the intersection of Wilkinson Boulevard and Owenton Road in Frankfort.

Beginning at a point 178.75 feet east of New Owenton Road centerline Station 59 + 46.06' thence along the north property line N 78° 14' 57" E a distance of 168.40 feet to a point in the centerline of the Old Owenton Road, said point being the northeast property corner; thence with the centerline of the Old Owenton Road, also being the east property line, S 12° 42' 37" W a distance of 28.91 feet; thence S 19° 57' 17" W a distance of 50.00 feet; thence S 34° 17' 17" W a distance of 50 feet; thence S 40° 02' 47" a distance of 50.00 feet; thence S 46° 48' 57" W a distance of 50.00 feet; thence S 49° 50' 58" W a distance of 72.04 feet to the southwest property corner; thence along with the west property line N 10° 48' 33" W a distance of 36.20 feet; thence continuing with the west property line N 5° 55' 47" E a distance of 166.49 feet to the point of beginning. The above described tract contains .5194 acre, more or less.

CONTINUED

LEGAL DESCRIPTION: 104 Cove Springs Road, Frankfort, Kentucky, with PVA Map #074-00-00-005.01

000719

Parcel No. 84B-2 adjoins Tract I heretofore conveyed and is shown upon the plat of record in Deed book 302, page 13, in the Franklin County Court Clerk's Office, and more particularly described as follows:

Also the following described property lying on the east side of the Old Owenton Road and being more particularly described as follows:

Beginning at a point in the east right of way line of the Old Owenton Road; thence with a property line of the Party of the Second Part N 78° 14' 57" E a distance of 72 feet; thence with a property line of the Party of the Second Part N 11° 45' 3" W a distance of 80 feet; thence with a property line of the Party of the Second Part S 78° 14' 57" W a distance of 50.35 feet to a point in the existing east right of way line of the Old Owenton Road; thence southerly with the east right of way line of the Old Owenton Road to the point of beginning. Containing 4,800 square feet more or less.

Being all of Parcel No. 6 adjoining Parcel No. 84B-1 and lies between the centerline of the Old Owenton Road and the western property line of Tract I heretofore conveyed, being more particularly described as follows:

A certain tract of land lying in the northeast quadrant of the intersection of U.S. 127 and Wilkinson Boulevard in Frankfort and being more particularly described as follows:

Beginning at a point in the centerline of the Old Owenton Road; thence southerly along the centerline of the Old Owenton Road S 12° 42' 37" W a distance of 28.91 feet; thence S 19° 57' 17" W a distance of 50 feet; thence S 34° 17' 17" a distance of 50 feet; thence S 40° 02' 47" W a distance of 50 feet; thence S 46° 48' 57" W a distance of 50 feet; thence S 49° 50' 58" W a distance of 72.04 feet; thence with the access control fence of Wilkinson Boulevard to a point in the east right of way line of the Old Owenton Road; said point also being the west property line of the Party of the Second Part; thence with the east right of way line of the Old Owenton Road N 50° 23' 44" E 142.61 feet; thence N 43° 38' 40" E 48.98 feet; thence N 34° 37' E 51.14 feet; N 29° 6' 18" E 43.66 feet; thence N 14° 30' 18" E 13.56 feet; thence westerly to the point of beginning in the centerline of the Old Owenton Road

Being the same property conveyed by Farmers Bank & Capital Trust Company, a Kentucky corporation, to Montessori Children's House of Frankfort, Kentucky, Inc., a Kentucky corporation, by deed dated May 9, 1983, of record in Deed Book 320, page 69, Franklin County Court Clerk's Office.

STATE OF KENTUCKY, COUNTY OF FRANKLIN, SCT.
GUY R. ZEIGLER, CLERK OF SAID COUNTY, HEREBY CERTI
THAT THE FOREGOING INSTRUMENT HAS BEEN DULY RECORDED
BOOK 466 PAGE 715 IN MY SAID OFFICE
GUY R. ZEIGLER, CLERK BY: *DMC* 6-23-83
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