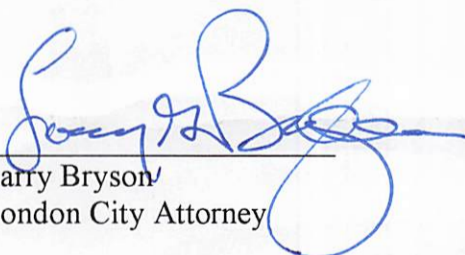


A SUMMARY OF ORDINANCE NO. 2004-15 ENTITLED
AN ORDINANCE REZONING PROPERTY OWNED BY KELACO, LLC WHICH IS
LOCATED AT MOREN ROAD AND DANIEL BOONE PARKWAY, LONDON,
KENTUCKY;

This summary is prepared pursuant to KRS 83 A 060 (4) as a correct summary of this Ordinance. The main points of this ordinance are that a public hearing was conducted by the London-Laurel County Zoning and Planning Commission on the 12th day of October, 2004, following a written request to the Zoning Commission that the property be rezoned. This property is located at Moren Road, and Daniel Boone Parkway, London, Kentucky and is particularly described in the full text of the ordinance. All of the requirements of KRS 100.211 have been met. The Zoning and Planning Commission recommendation of approval of this requested zone change and that the Commission waive the 15 foot buffer to 0 feet and that a strip of this property, one-hundred and fifty (150') in width, remain zoned residential (R-2), but that the remaining property be rezoned commercial (C-2), and that the Zoning map be amended to reflect this change. The ordinance as written accepts the Commission's recommendation and ordains that this property be rezoned from R-2 to C-2 (Commercial) with the exception of the 150' feet noted as remaining residential (R-2). There has been compliance with KRS Chapter 100.

This summary is certified by City Attorney Larry G. Bryson to comply with KRS 83 A 060 (9), and will be effective upon publication of the summary.



Larry Bryson/
London City Attorney

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO 2004-15

AN ORDINANCE REZONING PROPERTY OWNED BY KELACO, LLC WHICH IS LOCATED AT ON MOREN ROAD AND DANIEL BOONE PARKWAY, LONDON, KENTUCKY;

BE IT ORDAINED BY THE CITY OF LONDON AS FOLLOWS:

A public hearing was conducted by the London-Laurel County Zoning and Planning Commission on the 12th day of October 2004, concerning the rezoning of property owned by the following persons:

(1)KELACO, LLC's property is located on Moren Road and Daniel Boone Parkway, London, Kentucky; this Property is currently zoned R-2 Residential, this named person the owner has requested a zone amendment to their property to be rezoned to C-2 Commercial for the entire tract. It has been represented to the City Council of the City of London that all requirements of public notice have been met in keeping with KRS 100.211. The rezoning of the tract of property was requested by the property owners and the hearings were conducted in a timely manner. The London-Laurel County Zoning and Planning Commission has made a recommendation of approval of this requested zone change and that the zoning map be amended to reflect these changes.

The London-Laurel County Zoning and Planning has made a recommendation of approval of this requested zone change and that the Commission waive the 15 foot buffer to 0 feet and that the zoning map reflect this change. A strip of the property owned by KELACO, LLC, one-hundred and fifty (150') feet in width, adjacent to the current surrounding residential property is to remain residential (R-2); The remainder of the property owned by KELACO, LLC is requested to be rezoned commercial (C-2). It has been represented to the City Council that all legal requirements have been met and that there has been compliance with all applicable provisions of KRS Chapter 100.

IT IS THEREFORE ORDAINED AS FOLLOWS:

(1) The property of KELACO, LLC's property is located on Moren Road and Daniel Boone Parkway, London, Kentucky be rezoned from R-2 (Residential) to C-2 (Commercial) and that the zoning map reflect these zone changes. A description of this property is more particularly set out hereinbelow:

DESCRIPTION OF A PORTION OF THE PROPERTY OF KELACO, LLC

BEING a 25.74 acre tract within a 33.849 acre tract (by Deed) conveyed to KELACO, LLC as recorded in Deed Book 567 at page 505 in the Laurel County Court Clerk's Office, London, Kentucky, more particularly described as follows:

All bearings referenced from bearings per plat of the property as surveyed by Chris Hubbard, PLS #3700, plat dated April 13, 2004, all "IP" herein described being a 5/8" diameter rebar with a yellow plastic cap stamped "KEN WILSON, PLS 2834" (set this survey); and all "IP HUBBARD" herein described being a

5/8" diameter rebar with a yellow plastic cap stamped "HUBBARD, PLS 3700" (found).

BEGINNING at a 5/8" diameter rebar with a yellow plastic cap stamped "JDB PLS 3409" (found) in an old wire fence in the southern right-of-way (hereinafter R/W) of Hal Rogers Parkway (formerly Daniel Boone Parkway), said rebar being approximately 650 feet south/southwesterly from the intersection of Hal Rogers Parkway and Kentucky Highway 1769 (a/k/a Moren Rd), also being in the corporate limits of London, Kentucky in Laurel County, Kentucky, and also being the western most corner of Douglas R. Jones (Deed Book 568 at page 124);

THENCE leaving said R/W, with Jones and the old wire fence where present S 77° 14' 36" E, 667.74' to a concrete R/W marker witnessed by an IP HUBBARD which bears S 44° 44' 13" E, 0.37' from said R/W marker in the southwestern R/W of the aforesaid Kentucky Highway 1769;

THENCE leaving Jones and the old wire fence, with said R/W of Kentucky Highway 1769 S 64° 10' 00" E, 268.84' to an IP, a northwest corner to another tract owned by KELACO, LLC., (Deed Book 579 at page 391);

THENCE leaving said R/W of Kentucky Highway 1769, with the other tract of KELACO, LLC., for 18 courses:

- 1) S 20° 02' 30" W, 92.00' to an IP;
- 2) S 19° 44' 23" W, 209.26' to an IP;
- 3) S 19° 50' 31" W, 163.63' to an IP;
- 4) S 19° 07' 48" W, 169.92' to an IP;
- 5) N 83° 21' 54" W, 111.78' to an IP;
- 6) N 80° 30' 55" W, 214.78' to an IP;
- 7) S 67° 32' 27" W, 245.03' to an IP;
- 8) S 68° 28' 47" W, 166.77' to an IP;
- 9) S 75° 00' 51" W, 78.86' to an IP;
- 10) N 49° 39' 41" W, 99.84' to an IP;
- 11) N 49° 22' 13" W, 142.04' to an IP;
- 12) N 49° 22' 18" W, 172.33' to an IP;
- 13) N 49° 37' 27" W, 190.38' to an IP;
- 14) N 49° 19' 05" W, 51.27' to an IP;
- 15) N 49° 58' 12" E, 232.55' to an IP;
- 16) N 6° 35' 04" W, 31.53' to an IP;
- 17) N 42° 21' 57" E, 221.61' to an IP; and,
- 18) N 24° 40' 01" W, 99.34' to an IP in the southern R/W of the aforesaid Hal Rogers Parkway;

Thence leaving the other KELACO, LLC. Tract, with said R/W of the Hal Rogers Parkway for two courses;

- 1) N 65° 19' 59" E, 223.51' to an IP HUBBARD; and
- 2) N 85° 44' 18" E, 471.43' to the Point of Beginning and containing 25.74 ACRES, as surveyed by and /or under the supervision of Wm Kenneth Wilson, PLS 2834 on various dates in early to middle September, 2004.

2) The property of KELACO, LLC's property is located on Moren Road and Daniel Boone Parkway, London, Kentucky be rezoned from R-2 (Residential) to C-2 (Commercial) and waive the 15 foot buffer to 0 feet and that the zoning map reflect these zone changes. A description of this property is more particularly set out hereinbelow:

LYING AND BEING IN LAUREL COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING a 8.19 acres tract within a 33.849 acre tract (by Deed) conveyed to KELACO, LLC, as recorded in Deed Book 567 at page 505 in the Laurel County Court Clerk's Office, London, Kentucky, more particularly described as follows; All bearings referenced from bearings per plat of the property as surveyed by Chris Hubbard, PLS #3700, plat dated April 13, 2004, all "IP" herein described being a 5/8" diameter rebar with a yellow plastic cap stamped "KEN WILSON, PLS 2834" (set this survey); and all "IP HUBBARD" herein described being a 5/8" diameter rebar with a yellow plastic cap stamped "HUBBARD, PLS 3700" (found).

BEGINNING at a concrete right-of-way (hereinafter R/W) marker witnessed by an "IP HUBBARD" bearing S 27° 58'42" W, 0.32' from said marker, said marker being 5 8.56' southwesterly from the center of Kentucky Highway 1769 (a/k/a Moren Road), also being in the corporate limits of London, Kentucky in Laurel County, Kentucky approximately 600' southeasterly from the intersection of Hal Rogers Parkway (formerly Daniel Boone Parkway) and the aforesaid Highway 1769, and also being the northwest corner of Anna N. Collier (Deed Book 190 at page 145);

THENCE leaving Collier, with said R/W of Highway 1769 N 64° 10'00" W, 50.26' to an IP;

THENCE severing the parent tract, parallel to and 50.00' northwesterly from the southeastern property line of the parent tract, creating new lines for four courses:

- 1) S 20° 02'30" W, 92.00' to an IP;
- 2) S 19° 44'23" W, 209.26' to an IP;
- 3) S 19° 50'31" W, 163.63' to an IP; and,
- 4) S 19° 07'48" W, 169.92' to an IP;

THENCE severing the parent tract, parallel to and 150.00' from the property line of the parent tract, creating new lines for 14 courses:

- 1) N 83° 21'54" W, 111.78' to an IP;
- 2) N 80° 30'55" W, 214.78' to an IP;
- 3) S 67° 32'27" W, 245.03' to an IP;
- 4) S 68° 28'47" W, 166.77' to an IP;
- 5) S 75° 00'51" W, 78.86' to an IP;
- 6) N 49° 39' 41" W, 98.84' to an IP;
- 7) N 49° 22' 13" W, 142.04' to an IP;
- 8) N 49° 22' 18" W, 172.33' to an IP;
- 9) N 49° 37' 27" W, 190.38' to an IP;
- 10) N 49° 19'05" W, 51.27' to an IP;
- 11) N 49° 58' 12" E, 232.55' to an IP;
- 12) N 6° 35'04" W, 31.53' to an IP;
- 13) N 42° 21' 57" E, 221.61' to an IP; and,
- 14) N 24° 40' 01" W, 99.34' to an IP in the southern R/W of the aforesaid Hal Rogers Parkway;

THENCE with said R/W, S 65° 19'59" W, 150.00' to an IP HUBBARD, the northeast corner of Baxter Bledsoe, Jr. (Deed Book 289 at page 304), said point being right of and 280' from said Parkway Centerline Station No. 914+50;

THENCE leaving said R/W, with Bledsoe for two courses;

- 1) S 42° 21' 57" W, 190.55' to an IP HUBBARD; and,
- 2) S 6° 35'04" E, 159.48" to a white oak stump witnessed by an IP HUBBARD which bears S 9° 46'30" E, 1.15' from said stump, in an old wire fence, said stump being the northeast corner of North Hills Subdivision, Inc. (Deed book 233 at page 55);

THENCE leaving Bledsoe, with said Subdivision and with the old wire fence were it exists S 49° 58'12" E, 291.36' to a 5/8" diameter rebar with an aluminum cap stamped "PLS 2581" (found), the northeast corner of Stonegate Estates Subdivision (Plat Cabinet IA at slide 63);

THENCE leaving North Hills Subdivision, with Stonegate Estates Subdivision, continuing with the old wire fence were it exists for five courses:

- 1) S 49° 19'05" E, 50.81' to a 30" white oak tree;
- 2) S 49° 37'27" E, 190.45' to a 15" black oak tree;
- 3) S 49° 22' 18" E, 172.00' to a 14" black oak tree;
- 4) S 49° 22' 13" E, 142.43' to a 14" chestnut oak tree; and,
- 5) S 49° 39' 41" E, 178.85' to a 5/8" diameter rebar with an aluminum cap stamped "PLS 2581" (found), a northern corner of Anis G. & Marene Chaloub (Deed Book 522 at page 618);

THENCE leaving Stonegate Estates Subdivision, with Chaloub, continuing with the old wire fence were it exists for four courses:

- 1) N 75° 00'51" E, 166.05' to an IP HUBBARD;
- 2) N 68° 28' 47" E, 176.56' to an IP HUBBARD;
- 3) N 67° 32' 27" E, 203.33' to a cross-tie post and set stone (found); and,
- 4) S 80° 30' 55" E, 175.58' to a 5/8" rebar with no identification cap (found), the northwest corner of Danny & Brenda Viars (Deed Book 556 at page 345);


THENCE leaving Chaloub, with Viars and continuing with the old wire fence were it exists for four courses:

- 1) S 83° 21'54" E, 133.48' to a cross-tie post witnessed by an iron pin with a plastic cap stamped "A&L, 2788" (found) which bears S 32° 17'12" W, 1.52' from said post;
- 2) N 19° 07'48" E, 312.17' to a 1/2" diameter rebar with a red plastic cap stamped "RJY, PLS 961" (found), the southwest corner of an unnamed cemetery (no Deed of Record found);
- 3) With the west side of said cemetery, N 19° 50'3 1" E, 163.37' to a crosstie post (found) witnessed by an IP HUBBARD which bears N 100 18' 23" E, 0.55' from said post; and,
- 4) N 19° 44'23" E, 209.17' to a "s" diameter rebar with a red plastic cap stamped "RJY, PLS 961" (found), the southwest corner of the aforesaid Collier:

THENCE leaving Viars and the old wire fence, with Collier N 20° 02'30" E, 86.80' to the Point of Beginning, and containing 8.19 ACRES, as surveyed by and/or under the direct supervision of Win Kenneth Wilson, PLS 2834 on various dates in early to middle September, 2004.

This being a part of the same property conveyed to KELACO, LLC., a Kentucky limited liability company, from Maurice K. Smith and Lola Dean Smith, husband and wife, Robey T. Walters and Janie R. Walters, husband and wife, Kevin Carroll and Angela D. Carroll, husband and wife, and Teddy D. Taylor and Pamela Taylor, husband and wife, by Deed dated 26th day of January, 2004, recorded January 26, 2004 in Deed Book 567, Page 505, records of the Laurel County Court Clerk's Office.

This Ordinance shall be effective upon publication.


 Mayor Ken Smith

Attested:


 Connie McKnight, City Clerk

First Reading: November 12, 2004
 Second Reading: December 6, 2004
 Publication Date: December 10, 2004