

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2005-12

AN ORDINANCE REZONING PROPERTY OWNED BY HOPE INDUSTRIES, LLC,
WHICH IS LOCATED ON EAST FOURTH STREET, 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 13th day of September 2005, concerning the rezoning of property owned by the following person:

(1) Hope Industries, LLC property is located on East Fourth Street, London, Kentucky; this named person has requested that this property be rezoned from R2 & C3 (Residential and Commercial) to C3 (Commercial) at the present time this property is split zoned. 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 each tract of property was requested by the property owner, 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 and that the zoning map be amended to reflect these changes. It has also been represented the City Council that all legal requirements have been met and that there has been compliance with all applicable provisions of KRS Chapter 100.

(1) The property of Hope Industries, LLC that is located on East Fourth Street, London, Kentucky be rezoned from R2 & C3 (Residential and Commercial) to C3 (Commercial) and that the zoning map reflect these zone changes. A description of this property is more particularly set out herein below:

IT IS THEREFORE ORDAINED AS FOLLOWS:

Beginning at a stone along Kentucky Highway No. 80 near entrance tile; thence East 100 feet to a stone; thence North 100 feet to a stone; thence northeast approximately 200 feet along fence to a stone; thence northwest approximately 200 feet along fence to a stone; thence north approximately 235 feet with fence to a stone; thence west approximately 350 feet down the hill to white oak tree in the Maggie Wyatt line; thence south 480 feet with Maggie Wyatt line and Roy Cornett line to a stone; thence east 205 feet to a stone and white oak tree; thence South 220 feet to the beginning on Highway No. 80, containing four and one-half (4 ½) acres, more or less.

-AND-

Located just east of the city of London, Kentucky, and on the north side of the Manchester Pike and bounded as follows, to wit:

Beginning at a stone and Locust post on the north side of the Manchester Pike on top of a high bank in the north side of the right-of-way of Manchester Pike; thence with the north line of said pike S 64 ½ E 15 poles and 3 feet to a stake; thence S 75 E 17 ½ poles to a stone at the corner of the wire fence; thence N 18 E 97 ½ poles to a stone at the corner of the wire fence also the southeast corner of the tract now owned by R.D. Adams; thence with a line of the same N 85 ½ W 22 poles to a Black Oak; thence around by Walter Hatcher N 66 ½ W 11 poles to a stone in the old original line; thence S 15 ½ W with the old original line 68 ½ poles to a stone at the corner of the wire fence; thence S 24.45 W 18 ½ poles to a fence post at the foot of the hill; thence S 30.45 W 5 poles 11 ½ feet to the beginning and containing 18 acres, more or less.

There is excepted from the above tract of land that certain parcel of land conveyed from first parties to Lorene B. Williams, Charlie Benge, and Harold Benge, be deed dated the _____ day of April, 1978, and described as follows:

Being a house and lot on the north side of East Highway 80 in front of store building and beginning at corner of A. W. Spurlock Subdivision north 100 feet with Spurlock/Benge fence line to a stone in fence line; thence west 100 feet to a stone; thence south 100 feet to E. HWY 80; thence E with HWY 80- 100 feet to the beginning.

THERE IS ACCEPTED TO AND NOT CONVEYED HEREIN

Being a certain parcel of land lying in the City Limits of London, Laurel County, Kentucky and being situated on the North side of East Fourth Street (Manchester Street) and about 0.8 miles East of Main Street and being a part of the same land described in deed to Viola Brewer and recorded in Deed Book 303, Page 412 in the Laurel County Clerk's Office. More particularly described:

Beginning at a fence corner post in the right-of-way (30' C/L) of East Fourth Street, corner common to Benge (DB 324, P570). Thence leaving right-of-way and with fence and Benge four courses: (1) N 20 degrees 56'41" E, a distance of 100.00' to an Iron Pin (set) on the North side of a fence corner post, (2) S 66 degrees 28'18" E, a distance of 100.00' to a fence corner post, (3) N 22 degrees 19'14" E, a distance of 349.37' to a Wood Post, (4) N 20 degrees 52'13" E, a distance of 226.73' to an Iron Pin (set) corner common to Brewer Reserve Parcel 2. Thence leaving fence and Benge two lines severing the Brewer lands: (1) N 58 degrees 01'01" W, a distance of 138.98' to an Iron Pin (set) at the base of a fence corner post, (2) N 56 degrees 52'14" W, a distance of 356.71' to an 18" White Oak (3 hacks) in the fence, corner common to Wyatt (DB 248, P 100). Thence with Wyatt and fence three courses: (1) S 17 degrees 37'45" W, a distance of 24.96' to and Iron Pin (set), (2) S 15 degrees 48' 27" W, a distance of 55.34' to a Wood Post, (3) S 20 degrees 05'02" W, a distance of 249.96' to a Sang, corner common to Walden (DB 517 P 06). Thence continuing with the fence and Walden two courses: (1) S 30 degrees 27'42" W, a distance of 134.66' to a Steel Post, (2) S 29 degrees 24'17" W, a distance of 159.11' to a fence corner post, corner to Brewer Reserve Parcel I. Thence with fence and Brewer Reserve Parcel I two courses: (1) S 48 degrees 12'49" E, a distance of 182.76' to a Fence Corner Post, (2) S 30 degrees 43'49"W, a distance of 61.25' to a Fence Corner Post in the right-of-way of East Fourth Street. Thence with said right-of-way two courses: (1) S 62 degrees 18'57"E, a distance of 147.19' to an Iron Pin (set) at a Power Pole, (2) S 63 degrees 21'18"E, a distance of 106.58' to the POINT OF BEGINNING; said described tract containing 7.39 Acres, more or less. To the beginning as surveyed by Randy Sulfridge PLS 3233 on June 6, 2005. All Iron Pin (set) are 5/8" X 24" rebar with Permacap marked RWS 3233. All bearings are referenced to Magnetic North observed 06/06/02.

AND FURTHER EXCEPTED HEREFROM AND NOT CONVEYED HEREIN THE FOLLOWING DESCRIBED PROPERTY:

Being a certain parcel of land lying in the City Limits of London, Laurel County, Kentucky and being situated on the North side of East Fourth Street (Manchester Street) and 0.8 miles East of Main Street and being a part of the same land described in deed to Viola Brewer and recorded in Deed Book 303, Page 412 in the Laurel County Court Clerk's office. More particularly described:

Beginning at a Concrete Right-of-Way Monument in the right-of-way (30 C/L) of East Fourth Street, corner common to Walden (DB 517, P 06). Thence leaving right-of-way and with Walden N. 27°47'55" E. 88.81' to a Fence Corner Post and Stone (found). Thence leaving Walden and severing the Brewer lands two courses: (1) S. 48°12'49"E. 182.76' to a Fence Corner Post, (2) S. 30°43'49"W. 61.25' to an Iron Pin (set) at a Fence Corner Post in the Right-of-Way of East Fourth Street. Thence with said Right-of-Way N. 56°46'44"W. 174.99' to the Beginning, said described tract containing 0.30 acres, more or less, as surveyed by Randy Sulfridge PLS 3233 on August 8, 2005. All Iron Pin (set) are 5/8" X 24" rebar with Permacap marked RWS 3233. All bearings are referenced to magnetic North observed 06/06/02.

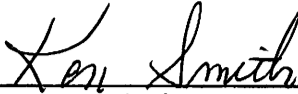
BEING ALL THE SAME PROPERTY conveyed to Walter Kusiak and Star Robbins Kusiak, husband and wife, from Randell Brewer and Viola Brewer, husband and wife, by deed dated August 27, 2002, and recorded on August 14, 2002, in Deed Book 544, page 606, records of the Laurel County Clerk's Office to which reference is made for greater certainty.

AND

Lying and being in Laurel County, Kentucky and more particularly described as follows:

Beginning at a Fence Corner Post in the right-of-way (30' C/L) of East Fourth Street, corner common to Benge (DB 324, P. 570). Thence leaving right-of-way and fence and Benge four courses (1) N 20 degrees 56'41"E, a distance of 100.00' to an Iron Pin (set) on the North side of a Fence Corner Post (2) S. 66 degrees 28'18" E. a distance of 100.00' to a Fence Corner Post, (3) N 22 degrees 19'14" E. a distance of 349.37 to a Wood Post. (4) N 20 degrees 52' 13" E a distance of 226.73' to an Iron Pin (set) corner common to Brewer Reserve Parcel 2. Thence leaving fence and Benge two lines severing the Brewer Lands; (1) N 58 degrees 01'01" W., a distance of 138.98 to an Iron Pin (set) at the base of a Fence Corner Post. (2) N. 56 degrees 52'14"W, a distance of 356.71' to an 18" White Oak (3 hacks) in the fence, a corner common to Wyatt (DB 248, p. 100), thence with Wyatt and fence three courses: (1) S. 17 degrees 37'45" W, a distance of 24.96' to an Iron Pin (set), (2) S 15 degrees 48'27" W, a distance of 55.34 to a Wood Post (3) S 20 degrees 05'02" W, a distance of 249.96 to a Snag, corner common to Walden (DB 517, P. 06). Thence continuing with the fence and Walden two courses (1) S 30 degrees 27'42"W, a distance of 134.66' to a Steel Post, (2) S 29 degrees 24'17"W., a distance of 159.11 to a Fence Corner Post, corner common to Brewer Reserve Parcel 1. Thence with fence and Brewer Reserve Parcel 1 two courses: (1) S 48 degrees 12'49" E, a distance of 182.76" to a Fence Corner Post (2) S 30 degrees 43'49" W. a distance of 61.25' to a Fence Corner Post in the right-of-way of East Fourth Street. Thence with said right-of-way two courses: (1) S 62 degrees 18'57" E, a distance of 147.19' to and Iron Pin (set) at a Power Pole, (2) S 63 degrees 21'18" E, a distance of 106.58 to the POINT OF BEGINNING; said described tract containing 7.39 Acres, more or less. To the beginning as surveyed by Randy Sulfridge PLS 3233 on June 6, 2002. All iron pins (set) are 5/8" X 24" rebar with Permacap marked RWS 3233. All bearings are referenced to Magnetic North Observed 06/06/02.

This Ordinance shall be effective upon publication.



Mayor Kenneth Smith
City of London

Attested:



Connie McKnight
City Clerk

FIRST READING DATE:	OCT. 10, 2005
SECOND READING DATE:	NOV. 7, 2005
PUBLICATION DATE:	NOV. 14, 2005