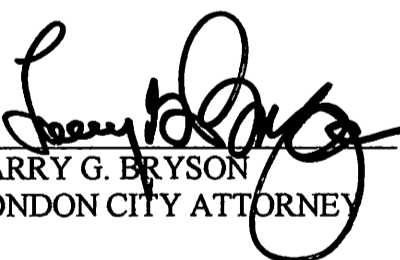


**A SUMMARY OF ORDINANCE NO. 2011-02 ENTITLED  
AN ORDINANCE REZONING PROPERTY OWNED BY MIKE CALDWELL AND  
KAREN CALDWELL LOCATED AT MCWHORTER STREET, LONDON,  
KENTUCKY**

This summary is prepared pursuant to KRS 83A 060(4) as a correct summary of this Ordinance. The main points of this Ordinance are that public hearings were conducted by the London-Laurel County Zoning and Planning Commission ("the Commission") on December 14, 2010, following a written request to the Commission that the property be rezoned. This property is located at McWhorter Street, London, Kentucky (map # 050-90-00-303.02), 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 recommended that this property be zoned from R-1 (Residential) and C-2 (Commercial) to C-2 (Commercial) for the entire tract and that the Zoning map be amended to reflect this change. The London-Laurel County Zoning and Planning Commission made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that the requested change is anticipated in the adopted comprehensive plan. The Ordinance as written accepts the Commission's recommendation and ordains that this property be rezoned from R-1 (Residential) and C-2 (Commercial) to C-2 (Commercial) for the entire tract. There has been compliance with KRS Chapter 100.

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

  
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LARRY G. BRYSON  
LONDON CITY ATTORNEY

COMMONWEALTH OF KENTUCKY  
CITY OF LONDON  
ORDINANCE NO. 2011-02

AN ORDINANCE REZONING PROPERTY OWNED BY MIKE CALDWELL AND KAREN CALDWELL LOCATED AT MCWHORTER STREET, LONDON, KENTUCKY:

BE IT ORDAINED BY THE CITY OF LONDON AS FOLLOWS:

Public hearings were conducted by the London-Laurel County Zoning and Planning Commission on December 14, 2010, concerning the rezoning of property owned by the following persons:

(1) Mike Caldwell and Karen Caldwell, property located at McWhorter Street, London, Kentucky (map # 050-90-00-303.02); this property is currently zoned R-2 (residential) and C2 (commercial), the owner has requested that this property be rezoned to C-2 (commercial). 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, that all legal requirements have been met and that there has been compliance with all applicable provisions of KRS Chapter 100. The rezoning of the 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 made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that the requested change is anticipated in the adopted comprehensive plan, and has made a recommendation of approval of this requested zone change and that the zoning map be amended to reflect these changes.

IT IS THEREFORE ORDAINED AS FOLLOWS:

(1) The property of Mike Caldwell and Karen Caldwell, property located at McWhorter Street, London, Kentucky (map # 050-90-00-303.02), be rezoned from R-2 and C2 to C-2 and that the zoning map reflect these zone changes. A description of the property is more particularly set out hereinbelow:

A certain tract or parcel of land, lying and being in the City of London, approximately 130 feet West of South McWhorter Street, approximately 300 feet North of the junction of said McWhorter Street and Kentucky State Highway 80, in the County of Laurel, State of Kentucky and bounded and described as follows, to wit:

Beginning at a 1/2" steel rebar found, with a yellow plastic cap stamped Ace, 295, a corner to the George Paul Robinson reserve parcel, DB 472, Page 434, and Michael and Karen Caldwell, DB 440, Page 462, thence leaving said Robinson reserve parcel and with a line of said Caldwell, S 82-17-46 W, 53.92 feet to a 5/8" steel rebar found, with an orange plastic cap stamped RWS, 3233, a corner to Kenneth Stewart House, DB 575, Page 402, thence leaving said Caldwell and with a line of said House, S 84-29-13 W, 33.26 feet to a 5/8" steel rebar found, with an orange plastic cap stamped TPH, LS 1616, a corner to Dallas Benge Trucking, Inc., DB 466, Page 192, Tract No. 4, thence leaving said House and with lines of said Dallas Benge Trucking, Inc., N 02-15-34 E, 126.81 feet to a steel rebar set, thence N 83-37-08 E, 25.00 feet to a steel rebar set, on the line of Dale and Linda Catching, DB 536, Page 40, Fourth Tract, thence leaving said Dallas Benge Trucking, Inc., and with lines of said Catching, S 01-13-24 W, 19.12 feet to a 5/8" steel rebar found, with a yellow plastic cap stamped RSP, PLS 2776, thence S 74-03-31 E, 76.47 feet to a steel rebar set, a corner to the aforementioned George Paul Robinson reserve parcel, DB 472, Page 434, thence leaving said Catching and severing the land of said Robinson a new line, S 11-4525 W, 80.64 feet to the Place of Beginning and containing twenty two hundredths (0.22) acres more or less, with all bearings referred to the 1999 magnetic meridian as observed on May 26, 1999, by Peters Land Surveying, and all steel rebars set being 5/8" x 20" with yellow plastic caps stamped RSP, PLS 2776, all according to a survey by Peters Land Surveying, Ralph S. Peters, Licensed Professional Land Surveyor, 2776, on July 8, 2005.

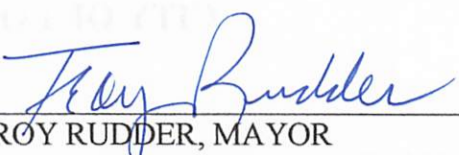
The above described parcel of land may be subject to any recorded or unrecorded rights of ways or easements which are not described by this boundary survey.

Being the same property conveyed to Mike Caldwell and Karen Caldwell, husband and wife, acquired from Dallas Benge and Pauline Benge, husband and wife, by Deed dated March 30, 2007 and recorded in Deed Book 621, Page 46, records of the Laurel County Court Clerks Office.


Beginning at an iron pin on the South side of the Ernest Porter property on McWhorter Street; thence North 075° 00' West 143.50 feet to an iron pin in the old fence row; thence North 5° 31' West 71.30 feet to an iron pin at the fence post corner common to Louise Robinson; thence North 80° 00' East 52.70 feet to an iron pin; thence South 57° 00' East 45.0 feet to an iron pin; thence South 74° 18' East 78.0 feet to an iron pin at the center lane at the sidewalk, corner common to Louise Robinson; thence 74.2 feet to the point of beginning, same being a .44 acre tract as surveyed by Toleman E. Hensley, RLS 295, on April 23, 1993.

Being the same property conveyed to Mike Caldwell and Karen Caldwell, husband and wife, acquired from Kenneth T. House and Ernestine P. House, husband and wife, by Deed dated November 29, 1994 and recorded in Deed Book 440, Page 462, records of the Laurel County Court Clerk's Office.

This Ordinance shall be effective upon publication.

  
TROY RUDDER, MAYOR

ATTESTED:

  
CAROL ADAMS, CITY CLERK

First reading: February 7, 2011

Second reading: March 7, 2011

Publication Date: March 11, 2011