

Sponsors:
Commissioner Henry Stone
Mayor Ronnie Clark
Date Adopted 03-12-2012
Date Published 03-15-2012

ORDINANCE NO. 920.4-03-2012

**AN ORDINANCE REZONING 428.5314 ACRES FROM
B-5 (INTERSTATE BUSINESS) TO I-2 (HEAVY INDUSTRY)
LOCATED EAST OF I-65, NORTH OF HIGHWAY 100
AND WEST OF EDDINGS ROAD**

WHEREAS, the Franklin-Simpson Industrial Authority (hereafter the "Authority") owns 428.5314 acres of property located east of I-65, north of Highway 100 and west of Eddings Road in east Franklin, Simpson County, Kentucky, as described in the attached Exhibit A and in the deed of record between Grantors Garvin's L.L.C. and Garvin's East, LLC and Grantee Franklin-Simpson Industrial Authority, dated November 21, 2011, in Deed Book 295, Page 374, Simpson County Clerk's Office; and,

WHEREAS, the Authority desires to rezone the 428.5314 acres of property from B-5 (Interstate Business) to I-2 (Heavy Industry) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and,

WHEREAS, a public hearing was held on January 10, 2012, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommends the granting of said zone changes as it is in agreement with the community's comprehensive plan;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Franklin, Kentucky as follows:

The property described in the deed of record between Grantors Garvin's L.L.C. and Garvin's East, LLC and Grantee Franklin-Simpson Industrial Authority dated November 21, 2011 in Deed Book 295, Page 374, Simpson County Clerk's Office, and in Exhibit A attached hereto is hereby granted a zone change from B-5 (Interstate Business) to I-2 (Heavy Industry).

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

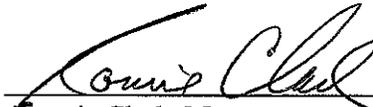
FEB 27, 2012 FIRST READING

MAR 12, 2012 SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on March 12, 2012, on motion made by Commissioner Mason Barnes and seconded by Commissioner Jamie Powell the foregoing ordinance was adopted, after full discussion, by the following vote:

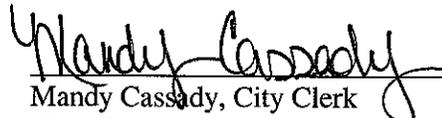
YES LARRY DIXON
YES JAMIE POWELL
YES MASON BARNES
ABSENT HENRY STONE
YES RONNIE CLARK, MAYOR

APPROVED BY:



Ronnie Clark, Mayor
City of Franklin, Kentucky

ATTEST:



Mandy Cassidy, City Clerk
City of Franklin, Kentucky

EXHIBIT A
(Ordinance 920.4-03-2012)

LEGAL DESCRIPTION

Being a 428.5314 acre portion of a tract as conveyed to Garvins, LLC. as recorded in Deed Book 258, Page 248 and in Deed Book 278, Page 625 in the Office of the County Clerk of Simpson County, Kentucky. This property is located in Simpson County, Kentucky at Exit 6 of Interstate 65 and has frontage along Interstate 65, Kentucky State Highway 100 and Eddings Road and being more particularly described as follows:

Beginning at a point, said point is an iron pin set, said pin being a 5/8"x18" rebar with a one (1) inch yellow cap stamped "T LUCAS KY 3569", said pin is located 925± feet East of the intersection of the right-of-way of Interstate 65 Northbound and Kentucky Highway 100, said pin is also located in the North right-of-way line of Kentucky Highway 100 and corner common to a tract of land as convey to Kuldeep Sekhon as recorded in Deed Book 253, Page 435 in the Office of the County Clerk of Simpson County, Kentucky; thence a line with Sekhon the next two (2) calls as follows:

North 17 Degrees 56 Minutes 08 Seconds East, 161.26 feet to an iron pin set,

North 72 Degrees 03 Minutes 52 Seconds West, 259.90 feet to an iron pin set corner common to Sekhon and a tract as conveyed to Kuldeep Sekhon as recorded in Deed Book 254, Page 230 in the aforementioned clerk's office; thence a line with Sekhon the next two (2) calls as follows:

North 17 Degrees 35 Minutes 35 Seconds East, 298.46 feet to an iron pin set,

North 72 Degrees 03 Minutes 52 Seconds West, 927.61 feet to an iron pin found with a cap stamped "KY 1766" corner common to Sekhon and in the East right-of-way line of Interstate 65; thence a line with said right-of-way the next eighteen (18) calls as follows:

North 06 Degrees 51 Minutes 58 Seconds East, 6.46 feet to an iron pin set;

North 21 Degrees 30 Minutes 12 Seconds East, 146.62 feet to an iron pin found with a cap stamped "KY 1766",

A curve turning to the right with an arc length of 217.30 feet, a radius of 1839.86 feet, a chord bearing and distance of North 19 Degrees 18 Minutes 10 Seconds East, 217.18 feet to an iron pin found with a cap stamped "KY 1766",

North 22 Degrees 41 Minutes 11 Seconds East, 224.43 feet to an iron pin found with a cap stamped "KY 1766";

North 23 Degrees 25 Minutes 03 Seconds East, 68.48 feet to an iron pin found with a cap stamped "KY 1766",

North 23 Degrees 49 Minutes 57 Seconds East, 249.86 feet to an iron pin found with a cap stamped "KY 1766",

North 11 Degrees 33 Minutes 07 Seconds East, 70.52 feet to an iron pin found with a cap stamped "KY 1766",

North 23 Degrees 49 Minutes 57 Seconds East, 781.09 feet to an iron pin found with a cap stamped "KY 1766",

North 14 Degrees 22 Minutes 12 Seconds East, 60.83 feet to an iron pin found with a cap stamped "KY 1766",

North 23 Degrees 49 Minutes 57 Seconds East, 940.00 feet to an iron pin found with a cap stamped "KY 1766",

North 32 Degrees 21 Minutes 47 Seconds East, 101.12 feet to an iron pin found with a cap stamped "KY 1766",

North 23 Degrees 49 Minutes 57 Seconds East, 800.00 feet to an iron pin found with a cap stamped "KY 1766",

North 21 Degrees 17 Minutes 15 Seconds East, 450.44 feet to an iron pin found with a cap stamped "KY 1766",

North 27 Degrees 38 Minutes 47 Seconds East, 451.00 feet to an iron pin found with a cap stamped "KY 1766",

North 23 Degrees 49 Minutes 57 Seconds East, 100.00 feet to an iron pin found with a cap stamped "KY 1766",

North 18 Degrees 07 Minutes 18 Seconds East, 100.50 feet to an iron pin found with a cap stamped "KY 1766",

North 23 Degrees 49 Minutes 57 Seconds East, 34.37 feet to an iron pin found with a cap stamped "KY 1766",

A curve turning to the right with an arc length of 1777.73 feet, a radius of 5599.58 feet, a chord bearing and distance of North 32 Degrees 55 Minutes 38 Seconds East, 1770.27 feet to a point, being referenced from an iron pin set with an orange cap stamped "WITNESS MON KY 3569", North 82 Degrees 54 Minutes 20 Seconds West, 2.00 feet, in said right-of-way line and corner common to a tract as conveyed to Lillian Edison, et al as recorded in Deed Book 249, Page 389 in the aforementioned clerk's office; thence a line with Edison, South 82 Degrees 54 Minutes 20 Seconds East, 451.08 feet to a post referenced from an iron pin found with a cap stamped "KY 2142", South 85 Degrees 45 Minutes 41 Seconds West, 0.89 feet, corner common to Edison and in the right-of-way (30' right-of-way) line of Perdue Farms Road; thence a line with said right-of-way, South 06 Degrees 32 Minutes 16 Seconds West, 542.81 feet to an iron pin found stamped "KY 1766" in said right-of-way and corner common to a tract as conveyed to James Rex and Kathy Goodrum as recorded in Deed Book 206, Page 65 in the aforementioned clerk's office; thence a line with Goodrum the next three (3) calls as follows:

North 85 Degrees 01 Minutes 02 Seconds West, 308.57 feet to an iron pin found uncapped,
South 06 Degrees 35 Minutes 53 Seconds West, 148.85 feet to an iron pin found with a cap stamped "KY 906",

South 77 Degrees 36 Minutes 57 Seconds East, 309.77 feet to an iron pin found with a cap stamped "KY 906" corner common to Goodrum and a tract as conveyed to James Rex and Kathy Goodrum as recorded in Deed Book 187, Page 543 in the aforementioned clerk's office; thence a line with Goodrum the next two (2) calls as follows:

South 08 Degrees 12 Minutes 14 Seconds West, 112.04 feet to an iron pin set,

South 04 Degrees 08 Minutes 01 Seconds West, 30.00 feet to an iron pin found with a cap stamped "KY 1766" corner common to Goodrum; thence with a new line severing the parent tract the next three (3) calls as follows:

South 06 Degrees 39 Minutes 29 Seconds West, 95.46 feet to an iron pin set,

South 80 Degrees 43 Minutes 58 Seconds East, 742.04 feet to an iron pin set,

South 76 Degrees 11 Minutes 37 Seconds East, 973.32 feet to an iron pin set in the line of a tract as conveyed to Eddie B. and Jeanetta Ann Booher as recorded in Deed Book 119, Page 344 in the aforementioned clerk's office; thence a line with Booher, South 06 Degrees 32 Minutes 13 Seconds West, 1043.81 feet to a fourteen (14) inch Hackberry tree, referenced from an iron pin found with a cap stamped "KY 1766", South 06 Degrees 36 Minutes 40 Seconds East, 0.83 feet, corner common to Booher and a tract as conveyed to Linda G. Moody and Brenda G. Creek as recorded in Deed Book 157, Page 51 in the aforementioned clerk's office; thence a line with Moody the next three (3) calls as follows:

South 09 Degrees 01 Minutes 31 Seconds West, 592.79 feet to an eight (8) inch Hackberry tree, referenced from an iron pin found with a cap stamped "KY 1766", South 85 Degrees 49 Minutes 02 Seconds East, 0.79 feet,

South 75 Degrees 25 Minutes 35 Seconds East, 1385.60 feet to a stone found, referenced from an iron pin found with a cap stamped "KY 1766", North 18 Degrees 35 Minutes 33 Seconds East, 0.71 feet,

South 33 Degrees 13 Minutes 06 Seconds West, 1531.49 feet to a stone found, referenced from an iron pin found with a cap stamped "KY 1766", North 39 Degrees 35 Minutes 52 Seconds

West, 0.30 feet, corner common to Moody and the parent tract; thence a line severing the parent tract along a new line, North 72 Degrees 21 Minutes 53 Seconds West, 585.09 feet to an iron pin found with a cap stamped "KY 1766" corner common to the parent tract and a tract as conveyed to James R. and Shelvia G. Goodrum as recorded in Deed Book 127, Page 530 in the aforementioned clerk's office; thence a line with Goodrum,

North 72 Degrees 22 Minutes 20 Seconds West, 1146.81 feet to an iron pin set corner common to Goodrum and in the East right-of-way (30' right-of-way) line of Eddings Road; thence a line with said right-of-way the next twelve (12) calls as follows:

A curve turning to the right with an arc length of 64.45 feet, a radius of 440.00 feet, a chord bearing and distance of North 18 Degrees 38 Minutes 16 Seconds East, 64.39 feet to an iron pin set,

North 22 Degrees 50 Minutes 03 Seconds East, 348.50 feet to an iron pin set,

North 67 Degrees 09 Minutes 57 Seconds West, 30.00 feet to an iron pin set,

South 22 Degrees 50 Minutes 03 Seconds West, 348.50 feet to an iron pin set,

A curve turning to the left with an arc length of 162.46 feet, a radius of 470.00 feet, a chord bearing and distance of South 12 Degrees 55 Minutes 54 Seconds West, 161.65 feet to an iron pin set,

South 03 Degrees 01 Minutes 45 Seconds West, (passing through an iron pin found with a cap stamped "KY 1766" at a distance of 179.90 feet) 550.21 feet to a point,

South 05 Degrees 26 Minutes 55 Seconds West, 73.91 feet to an iron pin found with a cap stamped "KY 1766",

South 79 Degrees 07 Minutes 03 Seconds East, 8.23 feet to an iron pin found with a cap stamped "KY 1766",

South 05 Degrees 26 Minutes 55 Seconds West, 27.99 feet to an iron pin set,

A curve turning to the right with an arc length of 85.98 feet, a radius of 285.00 feet, a chord bearing and distance of South 14 Degrees 05 Minutes 30 Seconds West, 85.66 feet to an iron pin set,

South 22 Degrees 44 Minutes 05 Seconds West, 1612.80 feet to an iron pin set,

South 23 Degrees 27 Minutes 36 Seconds West, 121.89 feet to an iron pin set in said right-of-way and in the line of the parent tract; thence a line severing the parent tract the next three (3) calls as follows:

North 75 Degrees 18 Minutes 08 Seconds West, 1760.77 feet to an iron pin set,

A curve turning to the right with an arc length of 472.67 feet, a radius of 480.00 feet, a chord bearing and distance of South 10 Degrees 10 Minutes 31 Seconds East, 453.80 feet to an iron pin set,

South 18 Degrees 02 Minutes 06 Seconds West, 209.09 feet to an iron pin set in the North right-of-way line of Kentucky State Highway 100; thence a line with said right-of-way, North 71 Degrees 58 Minutes 28 Seconds West, 75.00 feet to the POINT OF BEGINNING and having an area of 428.5314 Acres (18,666,829 Square Feet).

The above description was prepared from a physical survey performed during the month of October 2011 by Landmark Engineering, Incorporated under the direction of Thaddaeus J. Lucas, Kentucky Licensed Professional Land Surveyor Number 3569 and is subject to all easements and right-of-ways of record and in existence.

/s/ Thaddaeus J Lucas

THADDAEUS J. LUCAS, KY LPLS #3569

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