

**ORDINANCE NO. 920.4-11-2010**

**AN ORDINANCE REZONING 2.19 ACRES FROM I-1 (LIGHT INDUSTRIAL) TO B-2 (GENERAL BUSINESS) AT 803 CLAIRE AVENUE**

WHEREAS, Oakwood Properties, Inc. (hereafter "Oakwood") owns 2.19 acres of property located at 803 Claire Avenue, Franklin, Kentucky, as described hereinbelow; and,

WHEREAS, Oakwood desires to rezone the 2.19 acres of property from I-1 to B-2 to make the property more productive for the community, and this change is appropriate and consistent with the use of the surrounding properties; and,

WHEREAS, a public hearing was held on November 1, 2010, 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 following described property is hereby granted a zone change from I-1 to B-2:

TRACT I

Beginning at a pin and cap in the east right-of-way line (40' R/W) of Claire Street, a corner to Joe Walker (DB 151 Pg 506) located 3.93 feet west of an existing red post; thence with the east right-of-way line of Claire Street N 03° 01' 42" W, passing a common corner between Tract IV and Tract V at 105.32 feet, a total distance of 192.77 feet to a pin and cap in the line of same, a new corner to Harold Dawson (DB 83 Pg 400); thence on a new line with Dawson N 87° 00' 22" E 160.49 feet to a pin and cap, a new corner to same, in the agreed line (not recorded Ref: DB 209 Pg 310) of John Thornton; thence on the agreed line with Thornton S 07° 37' 12" E 193.08 feet to an existing red post with a pin and cap at north base, a corner to Thornton in the line of Joe Walker (DB 151 Pg 506); thence with the line of Walker S 86° 54' 06" W 175.95 feet to the beginning point, containing 0.744 acre.

TRACT II

Beginning at a 1/2" rebar on the west right-of-way of Claire Avenue said point common to Walker and Simpson County Fiscal Court; thence S 02° 59' 16" E along a line common to Simpson County Fiscal Court and Claire Avenue 72.76 feet; thence N 86° 54' 06" E on a line perpendicular to and within the right-of-way of Claire Avenue 40.26 feet; thence N 03° 01' 42" W along a line common to Walker and Claire Avenue 105.32 feet; thence N 03° 01' 42" W along a line common to Walker and Claire Avenue 87.45 feet; thence N 76° 47' 46" W along a line crossing Claire Avenue 41.78 feet; thence S 02° 59' 16" E along a line common to Walker and Claire Avenue 131.74 feet to the point of beginning,

containing 0.18 acre, more or less.

TRACT III

A strip of land 40 feet in width west of and parallel with the west boundary line of the property described in Tract II.

Tracts I, II and a portion of III are a part of the same property conveyed to Oakwood Properties, Inc. by Calvary Baptist Church by deed dated the 26th day of October, 2010, of record in Deed Book 290, Page 166, Simpson County Clerk's Office, and a part of the same property conveyed to Oakwood Properties, Inc. by Simpson Fiscal Court by deed dated the 26th day of October, 2010, of record in Deed Book 290, Page 170, said clerk's office.

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.

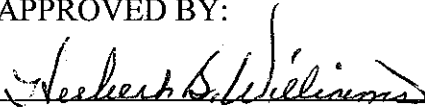
All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

**11-22-2010**    FIRST READING                      **12-13-2010**    SECOND READING

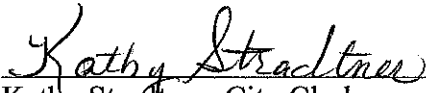
At a meeting of the City Commission of the City of Franklin, Kentucky, held on December 13, 2010, on motion made by Commissioner Jamie Powell and seconded by Commissioner Mike Simpson, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES	MIKE SIMPSON	YES	JAMIE POWELL
<u>YES</u>	WENDELL STEWART	<u>YES</u>	HENRY STONE
<u>YES</u>	HERBERT S. WILLIAMS, MAYOR		

APPROVED BY:

  
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Herbert S. Williams, Mayor

ATTEST:

  
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Kathy Stradtner, City Clerk  
City of Franklin, Kentucky