

SCOTT FISCAL COURT  
SCOTT COUNTY, KENTUCKY  
ORDINANCE NO. 02-09

AN ORDINANCE RELATING TO CHANGING THE ZONE FOR 1.5 ACRES, MORE OR LESS, OWNED BY BONNIE DAVIS (FKA BONNIE GAINES), UNDER CONTRACT OF SALE TO TEDDY R. CLARK (OWNER OF CLARK'S TIRE & AUTO SERVICE, LLC), SITUATED AT 507 CHERRY BLOSSOM WAY IN SCOTT COUNTY, KENTUCKY, FROM AGRICULTURAL A-1 TO COMMERCIAL B-2.

WHEREAS, the application of Bonnie Davis (fka Bonnie Gaines), P. O. Box 811, Cynthiana, Kentucky 41031, and Clark's Tire & Auto Service, LLC, a Kentucky limited liability company, 1695 Cincinnati Road, Georgetown, Kentucky 40324, having been filed with the Georgetown-Scott County Planning Commission on October 1, 2002, requesting a zoning classification change from Agricultural A-1 to Commercial B-2 for 1.5 acres, more or less, situated at 507 Cherry Blossom Way in Scott County, Kentucky; and

WHEREAS, the matter having been heard publicly by the Planning Commission on November 14, 2002, pursuant to notice according to law and with a quorum present and voting; and

WHEREAS, after taking testimony on the application and fully considering same, the Planning Commission voted unanimously to recommend to Scott Fiscal Court that the requested application be granted; and

WHEREAS, Scot Fiscal Court, on the 13th day of December 2002, after fully considering the application, record, and recommendation of the Planning Commission, voted to accept the Planning Commission's recommendation and granted the requested zoning classification change for the subject property from Agricultural A-1 to Commercial B-2.

NOW, THEREFORE, BE IT ORDAINED BY SCOTT FISCAL COURT, SCOTT COUNTY, KENTUCKY, AS FOLLOWS:

Section 1 - That the Georgetown-Scott County Zoning Ordinance be amended to show a change in the zoning classification for 1.5 acres, more or less (as described in the application), for the Davis property from Agricultural A-1 to Commercial B-2, all in accordance with the application for same, said property being more particularly described as follows:

SEE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE ZONE CHANGE FROM A-1 TO B-2 ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE AS EXHIBIT "A" (AND CONSISTING OF THREE TRACTS). SOURCE OF TITLE ACCOMPANIES THE LEGAL DESCRIPTION. THE SUBJECT PROPERTY IS OWNED BY BONNIE DAVIS AND IS UNDER CONTRACT OF SALE TO TEDDY R. CLARK, OWNER OF CLARK'S TIRE & AUTO SERVICE, LLC.

Section 2 - That the Georgetown-Scott County Planning Commission is hereby directed to show the zoning classification change on the official zone map and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance be read for the first time on the 27th day of November, 2002, and read for the second time on the 13th day of December, 2002.

PASSED SCOTT FISCAL COURT by a vote of 8 YES 0 NO on the 13th day of December, 2002, and published on the 18th day of December 2002.

**SCOTT FISCAL COURT  
SCOTT COUNTY, KENTUCKY**

BY: *George Lusby*  
GEORGE LUSBY  
County Judge Executive

**ATTEST:**

*Martha A. Neclerio*  
MARTHA A. NECLERIO  
Clerk  
Scott Fiscal Court  
Scott County, Kentucky

STATE OF KENTUCKY)  
( SCT.  
COUNTY OF SCOTT )

I, Clerk of the Scott County Fiscal Court, State of Kentucky, and as such custodian of the Seal and all the records of or pertaining to said Court, do hereby certify the foregoing to be a true and accurate copy of Ordinance No. 02 -09 relating to changing the zoning classification for property owned by Bonnie Davis (fka Bonnie Gaines) (and under contract of sale to Teddy R. Clark, owner of Clark's Tire & Auto Service, LLC), containing 1.5 acres, more or less, and situated at 507 Cherry Blossom Way in Scott County, Kentucky, from Agricultural A-1 to Commercial B-2.

IN TESTIMONY WHEREOF, witness my hand, the Seal of said Court, on this the 13 day of December 200\_

*Martha A. Neclerio*  
MARTHA A. NECLERIO  
Clerk  
Scott Fiscal Court  
Scott County, Kentucky

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

**PRACT NO. 1: That certain newly divided tract or parcel of land lying and being in Scott County, Kentucky, in the village of Delaplain, and being more particularly described as follows:**

**Beginning at a stake, being at the northeast corner of property of Mrs. Sallie Cox where said property adjoins the property of M. I. Case, the said point being approximately 150 feet from the Delaplain Pike, thence in an easterly direction parallel to the said Delaplain Pike a distance of 114 feet to a stake at the northwest corner of the property of said Sallie Cox and at a southeast corner of property of Bobby Gorham, thence at a right angle and in a northerly direction along property of Case, Bobby Gorham, Carl Price, Will Gorham and Ruth Cooper Osborne a distance of 380 feet to a stake, thence at a right angle and along the line of Osborne and Case a distance of 114 feet to a stake, thence at a right angle and along a new property division line 380 feet to the point of beginning.**

**TRACT NO. 2: That certain newly divided tract or parcel of land lying and bearing in Scott County, Kentucky, near the village of Delaplain, being on the west side of the C.N.O. and T.P. Railway, and more particularly bounded and described as follows:**

**Beginning at a fence post setting at the southwest corner of property of Bobby Gorham where said property corners with property of Ruth Cooper Osborne and with Aubrey Gorham, thence in an easterly direction and perpendicular to said Aubrey Gorham boundary; along line of Bobby Gorham and Osborne a distance of 100 feet to a stake, thence at a right angle and in a northerly direction along a new property line a distance of 120 feet to property line of Carl Price, thence at a right angle and in a westerly direction a distance of 100 feet to the property of Aubrey Gorham, then at a right angle and in a southerly direction 120 feet to the point of beginning. Also included with said property is a right-of-way 15 feet wide and 310 feet long, more or less, running on and along the north side of the Bobby Gorham property from the right-of-way of the C.N.O. and T.P. Railway to the property**

**TRACT NO. 31 That certain tract or parcel of land lying and being in Scott County, Kentucky, near the village of Delaplain, being on the west side of the C.N.O. and T.P. Railway, and being now newly divided, and more particularly described as follows:**

**Beginning at a corner post, being at the northeast corner of property of Aubrey Gorham, where said property corners with Bobby Gorham and in the southern property line of the Price Farm, thence in an easterly direction and perpendicular to the eastern property line of Aubrey Gorham and along said Price boundary line a distance of 167 feet to a stake, thence at a right angle and in a southerly direction along a new property line a distance of 120 feet to property line of Ruth Cooper Osborne, thence at a right angle and in a westerly direction along boundary line of said Osborne a distance of 167 feet to property of Aubrey Gorham, thence along eastern boundary line of said Aubrey Gorham in a northerly direction a distance of 120 feet to the point of beginning. Being a parcel adjacent to and directly east of property heretofore conveyed to Aubrey Gorham et ux., by Bobby Gorham et ux., and being a portion of the same property through which said Aubrey Gorham was granted a fifteen foot right of way along northern boundary of Bobby Gorham property and extended to the right of way of the C.W.O. and T.P. Railway,**

**Source of Title: See Deed Book 157, Page 620, Scott County Clerk's Office, Scott County, Kentucky**