

SCOTT FISCAL COURT
SCOTT COUNTY, KENTUCKY
ORDINANCE NO. 09-03

AN ORDINANCE RELATING TO CHANGING THE ZONE FOR 92.551 ACRES, MORE OR LESS, OWNED BY OLD FRIENDS, INC., A KENTUCKY NON-PROFIT CORPORATION, SAID PROPERTY SITUATED AT 1841 PAYNES DEPOT ROAD IN SCOTT COUNTY, KENTUCKY, FROM AGRICULTURAL A-1 TO AGRICULTURAL A-1R (AGRICULTURAL RECREATIONAL).

WHEREAS, the application of Old Friends, Inc., a Kentucky corporation, whose address is 1841 Paynes Depot Road, Georgetown, Kentucky 40324, having been filed with the Georgetown-Scott County Planning Commission on March 2, 2009, requesting a zoning classification change from Agricultural A-1 to Agricultural A-1R (Agricultural Recreational) for 92.551 acres, more or less, situated at 1841 Paynes Depot Road (on the west side) in Scott County, Kentucky; and

WHEREAS, the matter having been heard publicly by the Planning Commission on April 9, 2009, pursuant to notice according to law and with a quorum of the Commission present and voting; and

WHEREAS, after taking testimony on the application and fully considering same, the Planning Commission voted unanimously (6-0) to recommend to Scott Fiscal Court that the requested application be granted; and

WHEREAS, Scott Fiscal Court, on the 8 day of May, 2009, after fully considering the application, record, and recommendation of the Planning Commission, voted 8 to 0 to accept the Planning Commission's recommendation

and granted the requested zoning classification change for the subject property from Agricultural A-1 to Agricultural A-1R (Agricultural Recreational).

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 92.551 acres, more or less (as described in the application), for the property of Old Friends, Inc., a Kentucky non-profit corporation, from Agricultural A-1 to Agricultural A-1R (Agricultural Recreational), 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 ATTACHED HERETO, INCORPORATED HEREIN, AND MADE A PART HEREOF BY REFERENCE AS EXHIBIT "A". SEE ALSO EXHIBIT "B".

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 23 day of April, 2009, and read for the second time on the 8 day of May, 2009.

PASSED SCOTT FISCAL COURT by a vote of unanimous on the 8 day of May, 2009, and published on the 12 day of May, 2009.

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. 09-03 relating to changing the zoning classification for property owned by Old Friends, Inc., a Kentucky corporation, containing 92.551 acres, more or less, and situated at 1841 Paynes Depot Road (on the west side) in Scott County, Kentucky, from Agricultural A-1 to Agricultural A-1R.

IN TESTIMONY WHEREOF, witness my hand, the Seal of said Court, on this the 8 day of May, 2009.

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

EXHIBIT "A"

Those two certain tracts or parcels of land lying in Scott County, Kentucky, along U.S. Highway 62, locally known as the Paynes Depot Road, said tracts being more particularly described as follows:

TRACT NO. 1 - Being all of the **PRESERVED ACREAGE** (Agricultural or Open Space Only), containing 47.521 acres, as shown by the Agricultural Cluster Subdivision Plat of Dream Chase Estates, Neel Ranch, Inc., 1831 Payne's Depot Road, Scott County, Kentucky, filed of record at 4:15 p.m. on June 3, 2005, in Plat Cabinet 8, Slide #328, in the Scott County Clerk's Office, Scott County, Kentucky, to which Plat referenced is hereby made for a more particularly description of the 47.521 acres hereby conveyed.

TRACT NO. 2 - Being all of that 5.000 acre tract as shown by the Agricultural Plat of Dream Chase Estates, Neel Ranch, Inc., 1831 Payne's Depot Road, Scott County, Kentucky, filed of record at 4:15 p.m. on June 3, 2005, in Plat Cabinet 8, Slide #328, in the Scott County Clerk's Office, Scott County, Kentucky, to which Plat referenced is hereby made for a more particularly description of the 5.000 acres hereby conveyed.

TRACT NO. 3

Being all of Parcel 1 (consisting of 40.03 acres), as shown on that Transfer & Consolidation Plat Alvin Tuttle Property/Old Friends, Inc. Property, on that plat of record in Plat Cabinet 10, Slide 31, in the Scott County Clerk's Office; and

Being a part of the same property conveyed to Mary Bryan Slack for her and during her natural life and at the death to go in fee simple to her children or their descendants by deed from F.F. Bryan and Aline Bryan, his wife, dated September 9, 1943, of record in Deed Book 68, Page 180, in the Scott County Clerk's Office.

Said Mary Bryan Slack died October 27, 1964, and left as her sole heir-at-law, Alfred Slack. See Affidavit of Descent of record in Deed Book 156, Page 807, in the Scott County Clerk's Office.

Alfred M. Slack died on February 21, 1982, Will Book 3, Page 230, and by the terms of his will, he devised said property to Francis Bryan and Bobby Bryan (a/k/a Robert T. Bryan), for the remainder of their lives, and upon the death of one of them to the survivor of them, for his life, with the remainder at the death of the survivor of them to Sandra Tuttle. Frances Bryan died November 1, 1984, and Robert T. Bryan died April 4, 1995, whereupon Sandra Tuttle became sole owner of the above described property.

Sandra Tuttle died testate and by the terms of her Will recorded in Will Book 9, Page 21, in the Scott County Clerk's Office, devised said property to her husband, Alvin Tuttle, in fee simple.

EXHIBIT "B"






TRACT NO. 3

TRACT NO. 1

TRACT NO. 2

62

Legend

-  1000 Buffer
-  Buildings (2005)
-  Property Lines
-  Properties to Notify
-  Old Friends, Inc. Properties



PROPERTY NOTIFICATION

Georgetown, Kentucky

GEORGETOWN/SCOTT CO. PLANNING COMMISSION
GEOSPATIAL INFORMATION SYSTEMS MAPPING

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 Date of photography: April 8, 2005 in accordance with the National Map Accuracy Standards. Only the most fully annotated annotations used for source information work. Horizontal Datum is based on the North American Datum 1983 (NAD83). Vertical Datum is based on the 1988 adjustment of the National Geodetic Vertical Datum of 1988.

* Mapping available in digital or hard copy format in accordance with the adopted fee schedule and standards set out in the Records Request Form.



Parcels from the Scott County PVA *Parcels are NOT Survey Grade, For Reference Purposes Only, & Subject to Change at Any Time

Scott County Kentucky Property Valuation
 1000 Main Street, Lexington, KY 40502
 606-255-3300

