

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2006-12**

AN ORDINANCE AMENDING ORDINANCE NO. 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO" BY AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED NEAR THE INTERSECTION OF KENTUCKY HIGHWAY 96 AND U.S. HIGHWAY 431 SOUTH FROM RESIDENTIAL R-3 TO OFFICE AND PROFESSIONAL USE DISTRICT O-1, AS MORE FULLY SHOWN BY THE ATTACHED PLAT WITH METES AND BOUNDS DESCRIPTION APPENDED THERETO, AND CONSISTING OF 1 1/3 ACRES OF LAND; WITH REPEALER CLAUSE AND SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

**** ** ***

WHEREAS, on March 19, 1984, the City Council in and for the City of Russellville, Kentucky, enacted Ordinance 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO," more commonly known as the "Zoning Ordinance of the City of Russellville, Kentucky; and

WHEREAS, the Logan Joint Cities-County Planning Commission has made a recommendation to City Council that a certain area of land within the city limits be rezoned based upon a change in economic, social or physical conditions, and

WHEREAS, the Findings of Fact and Recommendation of the Logan Joint Cities-County Planning Commission is attached hereto and made a part hereof, and

WHEREAS, the City Council in and for the City of Russellville, Kentucky deems that this change is in the best interests of the health, safety and welfare of the citizens of Russellville, Kentucky;

NOW, THEREFORE, be it ordained by the City Council in and for the City of Russellville, Kentucky, as follows:

A. The "Zoning Ordinance of the City of Russellville, Kentucky" is hereby amended as follows:

That certain parcel of land containing 1 1/3 acres, as shown by the attached plat, and with being more fully described in the appended metes and bounds description, and being located near the intersection of Kentucky Highway 96 and U.S. Highway 431 South, is hereby rezoned from Residential R-3 to Office and Professional Use O-1.

B. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.

C. All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

D. This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING being conducted on the 20th day of June, 2006.

SECOND READING AND PASSAGE on the 6th day of July, 2006.


SHIRLEE YASSNEY, MAYOR

ATTEST:


BOB RIGGS, CITY CLERK

Ayes: Jones, Russell; McPherson, Lanny; Phillips, Chuck; Stratton, Mark; Whipple, Jack.

Nays: none

Absent: Zick, Eugene

Abstaining: none

**LOGAN JOINT CITIES/COUNTY PLANNING COMMISSION
IN RE: APPLICATION OF JOHN P. WILLIAMS AND BETTY WILLIAMS
AND HELEN W. MOUSER**

This matter having come before the Logan Joint Cities/County Planning Commission (Commission) on June 1, 2006, on the Application of John P. Williams and Betty Williams and Helen W. Mouser (Applicants) for a change in the Zoning Map of the City of Russellville for their property containing 1-1/3 acres more or less located near the intersection of Highways 96 and 431 South, in Russellville, Kentucky, a legal description of which is contained in a DEED from Ethel G. Gray, single, to John Williams and wife, Vivian M. Williams and Kenneth Mouser and wife, Helen Mouser (with right of survivorship, Kenneth Mouser, now deceased), dated August 1, 1964, recorded in Deed Book 180, Page 410, in the Office of the Logan County Court Clerk, and in a DEED from Dorothy P. Clark, widow, to John P. Williams and wife, Betty H. Williams, dated March 20, 1987, recorded in Deed Book 254, Page 777, in the Office of the Logan County Court Clerk, and further described by a Plat filed with their Application, from Medium Density, Single and Mult-Family Dwelling Residential District R-3 to Office and Professional Use District O-1, and the Commission having heard a review of the Application by Bill Pearson, and finding that there were no objections to the granting of the Application, and the Commission being otherwise sufficiently advised, does hereby enter the following as its FINDINGS OF FACT:

FINDINGS OF FACT

1. Due notice of the Hearing was given, a quorum was present, and only Mr. and Mrs. Williams appeared regarding this matter.
2. The Commission accepts the Application and the Plat, both of which are incorporated herein by reference.
3. Bill Pearson reported that due notice had been given of the hearing and

that although he had received some phone call comments, there were no objections to the rezoning presented prior to the hearing. Also, no objection was presented at the hearing. The Application was fully discussed by the Members. Mr. Pearson reviewed the permitted uses for zoning for Office and Professional Use District O-1. Mr. Pearson, citing reasons which the Commission accepted, stated that the existing zoning classification is inappropriate and that the proposed zoning classification is appropriate, and in any event, there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan.

4. Incorporated herein by reference as if fully copied herein are the audio tapes and Minutes of the meeting.

On motion of Bill Stamper, seconded by Ray Hart, passed on roll call vote by those present, the Application for rezoning of the property was unanimously approved.

RECOMMENDATION

The Commission having considered the Application and the evidence presented, having on June 1, 2006, accepted the evidence offered on behalf of the Application, and having approved the Application, and having made its FINDINGS OF FACT, does hereby recommend to the City Council of the City of Russellville that the Application of John P. Williams and wife, Betty Williams, and Helen W. Mouser, be approved, and this is the final action of the Commission on this Application.

This ___ day of June, 2006.

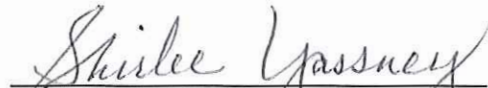
THE JOINT LOGAN CITIES/COUNTY
PLANNING COMMISSION

by:



KEN ROBBINS, Chairman

Received on behalf of the
City of Russellville, Kentucky,
this 12 day of June, 2006.



SHIRLEE YASSNEY, MAYOR
CITY OF RUSSELLVILLE

3600FOF



Scale 1" = 50'

PLAN VIEW

TRACT AREA:
 EXISTING ZONIN
 REQUESTED ZON
 BUILDING SETB/
 REAR & SIDE Y

PROPERTY IS N
 WITH FEMA FLI

MILLARD LEWIS
 MAP 69A-113
 DEED BOOK 222
 PAGE 832

MANSHORT S/D
 LOT 2

MAP 69A-27-28
 LUCY CAMP
 DEED BOOK 219
 PAGE 539

LOT 1

NF MOUSER & WILLIAMS
 DEED BOOK 180
 PAGE 410

R-3 RESIDENTIAL
 TO OFFICE & PROFESSIONAL USE

JOHN WILLIAMS
 DEED BOOK 254
 PAGE 774

LILLIE KENNEDY
 DEED BOOK 316
 PAGE 746
 MAP 69-21A-4

NF JOHN WILLIAMS
 DEED BOOK 300
 PAGE 84
 MAP 69-21A-6

60 LF -15' RCP CULVERT
 LOT 46

MAP 69A-25-26
 R. F. WILLIAMS
 DEED BOOK 191
 PAGE 504

EXISTING 6" WATER MAIN
 LOT 45

LOT 28

MAP 69A-59-60
 JERRY HOLLOWAY
 DEED BOOK 254
 PAGE 431

LOT 27

LOGAN DRIVE

FIRE HYDRANT

RENEE STREET

FIRE HYDRANT

MAIN SIGN (100SQ FT)

EXISTING WATER

FUEL PRICE

60' LF CULV

MON (FND)

90' EASEM

6' HIGH SOLID
 SCREENING @ 5'
 OFF PROPERTY LINE

1998-24 HR. AVE. DAILY
 TRAFFIC COUNT = 1360
 @ 0.1 MI. S. INTERSEC.
 EST POST CONST
 ADT=1480 (9%)

16" RCP
 INV=704.33' IN
 INV=703.79' OUT

UTILITIES

WATER: SOUTH LOGAN WATER DISTRICT
 110 NORTH MAIN STREET
 ADAIRVILLE, KY

SEWER: RUSSELLVILLE WASTE WATER TP
 MAILING.....106 SOUTHWEST PARK
 PHYSICAL...98 FRANCES AVENUE
 RUSSELLVILLE, KY

GAS: WESTERN KENTUCKY GAS
 181 SOUTH MAIN STREET
 RUSSELLVILLE, KY

John P. Williams
P.O. Box 785
Russellville

RECORDED IN Deed BOOK
No. 254 PAGE 177

D E E D

THIS DEED, made and entered into this the 20th day of March, 1987, by and between Dorothy P. Clark, a widow, of Russellville, Logan County, Kentucky, party of the first part, and John P. Williams and wife, Betty H. Williams, of Box 785, Russellville, Logan County, Kentucky, parties of the second part,

WITNESSETH: That the first party, in order to conclude a straw deed transaction, and for no monetary consideration, has bargained, sold and hereby conveys unto the second parties, for their joint lives with remainder in fee simple to the survivor, his or her heirs and assigns forever, the following described real estate situated in Logan County, Kentucky, and more particularly described as follows, to-wit:

Beginning at a concrete monument in the east right of way line of Ky. Hwy. #96, a corner to Lot #6 Belair Subdivision; thence with the north line of Lot #6, N 76 deg. 55' E 120.0 ft. to a stake in said line, a corner to Tract #3; thence with the west line of Tract #3, N 00 deg. 43' W 85.0 ft. to a stake in the line of Tract #1; thence with the south line of Tract #1, S 76 deg. 55' W 120.0 ft. to a stake in the west right of way line of Ky. Hwy. #96; thence with said right of way line, S 00 deg. 43' E 85.0 ft. to the beginning, containing 0.229 acres.

BEING THE SAME PROPERTY conveyed unto Dorothy P. Clark by John P. Williams, et al, by Deed dated March 20, 1987, and shown of record in Deed Book 254, Page 177, in the office of the Clerk of the Logan County Court.

TO HAVE AND TO HOLD said property unto the second parties, for their joint lives with remainder in fee simple to the survivor, his or her heirs and assigns forever, with Covenant of Special

ESSE L. RILEY, JR.
ATTORNEY AT LAW
RUSSELLVILLE, KENTUCKY

LOGAN COUNTY CLERK
APR 20 AM 9 58
LOGAN COUNTY COURT, KY.

1-11-87

Warranty, releasing all rights of Homestead and Dower.

IN TESTIMONY WHEREOF, witness the due execution hereof by the first party, this the day and date first above written.

Dorothy P. Clark
DOROTHY P. CLARK

STATE OF KENTUCKY

COUNTY OF LOGAN

I, Doroma C. Page, a Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing deed was this day produced to me and acknowledged by Dorothy P. Clark, a widow, to be her true act and deed.

Given under my hand and seal of office this the 20th day of March, 1987.

Doroma C. Page
NOTARY PUBLIC

Commission expires: 10-14-90

THIS INSTRUMENT PREPARED BY
JESSE L. RILEY, JR.
ATTORNEY AT LAW
RUSSELLVILLE, KENTUCKY

[Signature]

STATE OF KENTUCKY
COUNTY OF LOGAN

I, Kenny Chapman, Clerk of the Logan County Court, do Certify that the foregoing instrument was this day lodged in my office for record, and that I have recorded it, this and the certificate thereon, in my said office, at 9:57 A.M. of 3-20 1987

By Kenny Chapman D.C.

JESSE L. RILEY, JR.
ATTORNEY AT LAW
RUSSELLVILLE, KENTUCKY

177A

John P. Williams

RECORDED IN Deed BOOK
No. 254 PAGE

DEED

THIS DEED, made and entered into this the 20th day of March, 1987, by and between John P. Williams and wife, Betty H. Williams, of Russellville, Logan County, Kentucky, and Kenneth J. Mouser and wife, Helen Mouser, of Louisville, Jefferson County, Kentucky, parties of the first part, and Dorothy P. Clark, of West Eighth Street, Russellville, Logan County, Kentucky, party of the second part,

WITNESSETH: That the first parties, in order to commence a straw deed transaction, and for no monetary consideration, have bargained, sold and hereby convey unto the second party, her heirs and assigns forever, the following described real estate situated in Logan County, Kentucky, which property is more particularly described as follows, to-wit:

Beginning at a concrete monument in the east right of way line of Ky. Hwy. #96, a corner to Lot #6 Belair Subdivision; thence with the north line of Lot #6, N 76 deg. 55' E 120.0 ft. to a stake in said line, a corner to Tract #3; thence with the west line of Tract #3, N 00 deg. 43' W 85.0 ft. to a stake in the line of Tract #1; thence with the south line of Tract #1, S 76 deg. 55' W 120.0 ft. to a stake in the west right of way line of Ky. Hwy. #96; thence with said right of way line, S 00 deg. 43' E 85.0 ft. to the beginning, containing 0.229 acres.

BEING A PORTION OF THE SAME PROPERTY conveyed unto Kenneth J. Mouser and wife, Helen Mouser, and John P. Williams and wife, Vivian Williams, by Mrs. Ethel G. Gray by survivorship deed dated August 1, 1964, and shown of record in Deed Book 180, Page 410, in the office of the Clerk of the Logan County Court.

That thereafter the said Vivian Williams died whereupon the said John P. Williams became the absolute owner of an undivided one-half interest in and to said property by virtue of said survivorship deed.

JESSE L. RILEY, JR.
ATTORNEY AT LAW
RUSSELLVILLE, KENTUCKY

REC'D
'87 MAR 20 AM 9 56
KENTON CHAPMAN, CLERK
LOGAN COUNTY COURT, KY.

TO HAVE AND TO HOLD said property unto the second party,
her heirs and assigns forever, with Covenant of General Warranty,
releasing all rights of Homestead and Dower.

IN TESTIMONY WHEREOF, witness the due execution hereof
by the first parties the day and date first above written.

John P. Williams
JOHN P. WILLIAMS

Betty H. Williams
BETTY H. WILLIAMS

Kenneth J. Mouser
KENNETH J. MOUSER

Helen Mouser
HELEN MOUSER

STATE OF KENTUCKY
COUNTY OF LOGAN

I, *Danoma C. Page*, a Notary Public
in and for the State and County aforesaid, do hereby certify
that the foregoing deed was this day produced to me and acknow-
ledged by John P. Williams and wife, Betty H. Williams, to
be their true act and deed.

Given under my hand and seal of office this the 20th
day of March, 1987.

Danoma C. Page
NOTARY PUBLIC

My Commission expires: 10-14-90

STATE OF KENTUCKY
COUNTY OF ~~LOGAN~~ JEFFERSON

I, *Danoma C. Page*, a Notary Public
in and for the State and County aforesaid, do hereby certify

ISE L. RILEY, JR.
TORNEY AT LAW
ELVALE, KENTUCKY

that the foregoing deed was this day produced to me and acknowledged by Kenneth J. Mouser and wife, Helen Mouser, to be their true act and deed.

Given under my hand and seal of office this the 20th day of March, 1987.

Dorinda C. Page
NOTARY PUBLIC

My Commission expires: 10-14-90

THIS INSTRUMENT PREPARED BY
Jesse L. Riley, Jr.
ATTORNEY AT LAW
SELVALE, KENTUCKY

Jesse L. Riley, Jr.

STATE OF KENTUCKY
COUNTY OF LOGAN

I, Kenny Chapman, Clerk of the Logan County Court, do Certify that the foregoing instrument was this day lodged in my office for record, and that I have recorded it, this and the certifica's thereon, in my said office, at 9:56 A.M. of 3-20 1987.

By *Kenny Chapman* D.C.

084

D E E D

RECORDED IN Deed BOOK
NO. 300 PAGE 84

Mail to:

THIS DEED made and entered into this the 22 day of ~~March~~ ^{February}, 1996, by and between Alvin Klein and wife, Ann Klein, of 132 Daleview Circle, Russellville, Kentucky, parties of the first part, and John Williams and wife, Betty Williams, of P. O. Box 452, Russellville, Kentucky, parties of the second part,

132 Daleview Circle

WITNESSETH: That for the full consideration of \$18,000.00, for which the parties of the second part have executed their one promissory note as hereinafter referred to, with \$3,000.00 cash upon the execution of the agreement and a balance of \$15,000.00, to secure the payment of same a lien is retained upon the property herein conveyed, the parties of the first part hereby convey, with covenant of general warranty, unto the parties of the second part, for and during their joint lives with remainder in fee simple to the survivor of them, the following described real estate situated in Logan County, Kentucky, to-wit:

LODGED FOR RECORD

SEP 22 11 11 AM '95

KENNETH W. ALDAR
LOGAN COUNTY CLERK KY.

Being Lot Number Six (6) in the Bel Air Subdivision to the City of Russellville, Logan County, Kentucky, as shown of record by a plat filed in Plat Book 1, page 84, in the office of the Clerk of the Logan County Court.

Being a portion of the property conveyed unto Alvin Klein and wife, Ann Klein, and Harold Klein and wife, Joan Klein, by Dorothy P. Clark, be deed dated February 22, 1992, and shown of record in Deed Book 275, Page 747, in the office of the Clerk of the Logan County Court.

The said Harold Klein and wife, Joan Klein, having conveyed their one-half interest in and to said property unto Alvin Klein and wife, Ann Klein, by deed dated May 20, 1994, and shown of record in Deed Book 288, Page 145, in the office of the Clerk of the Logan County Court.

Said property subject to easement to City of Russellville which is unrecorded but which is attached hereto as a part hereof.

The note hereinabove referred to in the sum of \$15,000.00 is payable to the order of Alvin Klein and wife, Ann Klein, or the survivor, with interest thereon from date payable at the rate of 9% per annum, said note being payable in 120 monthly installments of \$190.01 each, and the final installment to be

JESSE L. RILEY, JR.
ATTORNEY AT LAW
USSELLVILLE, KENTUCKY

due and payable for the entire unpaid balance of the principal and interest then due. The first of said installments to be due and payable on March 1, 1996, and a like installment to be due and payable on the 1st day of each and every month thereafter as hereinabove set out until said note with interest thereon has been fully paid, said installments when made to apply first to the payment of interest and the balance to principal of said note and to secure the payment of said note and interest thereon, a lien is hereby retained upon the property hereinabove described and conveyed together with the rents, issues, and profits thereof.

Privilege is reserved by second parties to pay all or any part of the note hereinabove set out prior to maturity without penalty.

As a further consideration for this conveyance, the obligors covenant and agree until the terms of this deed shall have been fully complied with:

(A) To pay promptly all taxes or other assessments now or hereafter levied against said property, and at the request of the holder or holders of said note to exhibit receipts therefor.

(B) Should the obligors fail to pay such taxes or assessments, or any of them, promptly, as same become due and payable, then, the holder or holders of said note may effect and pay for such taxes or assessments, and the money thus expended shall be deemed a part of the principal debt hereby secured, and shall be repaid upon demand together with interest at the rate of 9 per annum, payable semiannually thereon.

(C) Should the obligor fail to pay such taxes or assessments, as same become due and payable, before any interest or penalties accrue thereon, or fail upon demand of the holder or holders of said note to comply with the stipulations and covenants of this deed, or fail to pay said note, or any installment thereof or interest thereon, within

60 days after same becomes due, or fail to keep up and pay for such insurance on said property, or to deposit the policy or policies for same with the holder or holders of said note, or to keep said premises in good condition and repair, as above set out, then, and in any of said events the holder or holders of said note may declare the whole indebtedness herein secured as at once due and may proceed to collect the same and enforce the lien created herein.

Possession of said property to be given with deed.

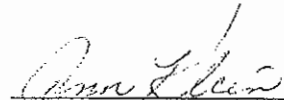
Taxes for the year 1996 to be paid by the second parties.

TO HAVE AND TO HOLD said property unto the second parties for their joint lives, with remainder in fee simple to the survivor, his or her heirs and assigns forever, with Covenant of General Warranty, and releasing all rights of Homestead and Dower.

This conveyance and these covenants of General Warranty are made subject to all existing easements for public roads and public utilities; rules and regulations of the City-County Planning and Zoning Commission of Logan County, Kentucky; and restrictions, protective covenants and utility easements applicable to this property.

IN TESTIMONY WHEREOF, witness the due execution hereof by the first parties the day and date first above written.

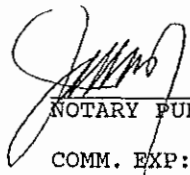

ALVIN KLEIN


ANN KLEIN

STATE OF KENTUCKY
COUNTY OF LOGAN

The foregoing instrument was acknowledged before me this the 22 day of February ~~March~~ 1996, by Alvin Klein and wife, Ann Klein, grantors.

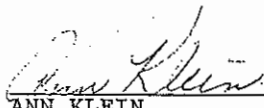
JESSE L. RILEY, JR.
ATTORNEY AT LAW
ISSELLVILLE, KENTUCKY

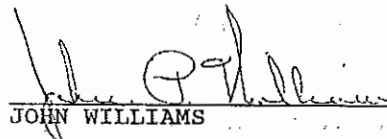

NOTARY PUBLIC
COMM. EXP: 8-12-99

CONSIDERATION CERTIFICATE

We, the undersigned, hereby certify that the consideration reflected in this deed is the full consideration paid for the property.


ALVIN KLEIN

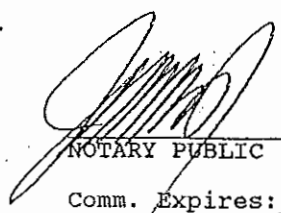

ANN KLEIN


JOHN WILLIAMS

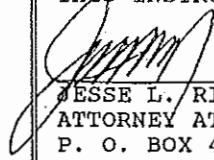

BETTY WILLIAMS

STATE OF KENTUCKY
COUNTY OF LOGAN

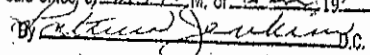
The foregoing Consideration Certificate was acknowledged and sworn to before me this 22 day of ^{February} ~~March~~, 1996, by Alvin Klein and wife, Ann Klein, grantors and John Williams and wife, Betty Williams, grantees.


NOTARY PUBLIC
Comm. Expires: 8-12-99

THIS INSTRUMENT PREPARED BY:


JESSE L. RILEY, JR.
ATTORNEY AT LAW
P. O. BOX 428
RUSSELLVILLE, KY 42276

ESSE L. RILEY, JR.
ATTORNEY AT LAW
RUSSELLVILLE, KENTUCKY

STATE OF KENTUCKY
COUNTY OF LOGAN
I, Kenny Chapman, Clerk of the Logan County Court, do certify that the foregoing Instrument was this day lodged in my office for record, and that I have recorded it this and the certificate thereon, in my said office, at 2 P.M., of 2-22-96.
By  D.C.

LEGAL PUBLICATION OF ORDINANCE IN SUMMARY

The City Council of Russellville, Kentucky, has enacted Ordinance 2006-12 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 84-4, 'AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO" BY AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED NEAR THE INTERSECTION OF KENTUCKY HIGHWAY 96 AND U.S. HIGHWAY 431 SOUTH FROM RESIDENTIAL R-3 TO OFFICE AND PROFESSIONAL USE DISTRICT O-1, AS MORE FULLY SHOWN BY THE ATTACHED PLAT WITH METES AND BOUNDS DESCRIPTION APPENDED THERETO, AND CONSISTING OF 1 1/3 ACRES OF LAND; WITH REPEALER CLAUSE AND SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

In accordance with KRS 86A.060(9), the undersigned, a licensed, practicing attorney in the Commonwealth of Kentucky, summarizes this Ordinance as follows:

1. This Ordinance has been enacted to address a change in economic, social and physical conditions of a certain property located near the intersection of Kentucky Highway 96 and U.S. Highway 431 South in the corporate limits of the City of Russellville, Kentucky.
2. This change in economic, social and physical conditions resulted in a recommendation by the Logan Joint Cities/County Planning Commission to change the zoning classification for a 1 1/3 acre tract of land from Residential R-3 to Office and Professional Use District O-1.
3. The recommendation of the Logan Joint Cities/County Planning Commission is incorporated by reference as if fully rewritten herein, and the full version is attached to the original Ordinance for public inspection.
4. The 1 1/3 acre tract of land is more fully described by a metes and bounds description prepared by a licensed professional land surveyor, and a plat showing the property rezoned was prepared by a licensed professional engineer. The metes and bounds description, are attached to the original Ordinance for public inspection. A

reduced scale plat is published herewith, with a larger scale plat appended to the original Ordinance.

5. City Council has determined that this Ordinance is in the best interests of the health, safety and welfare of the citizens of the City of Russellville, Kentucky.

6. Based upon the recommendation of the Logan Joint Cities/County Planning Commission, City Council has enacted this Ordinance to amend the zoning map, rezoning the aforementioned property from Residential R-3 to Office and Professional Use District O-1.

7. This Ordinance contains a Severability clause and a Repealer clause.

The full text of this Ordinance, with attached Findings of Fact and Recommendation of the Logan Joint Cities/County Planning Commission, metes and bounds description, and larger scale plat, is available for copying and inspection at City Hall, Russellville, Kentucky, during normal business hours.

The City Council of Russellville, Kentucky enacted this Ordinance after a first reading conducted on June 20, 2006, and a second reading conducted on July 6, 2006.

This Ordinance is in effect immediately upon publication.

CERTIFICATION OF COUNSEL

I hereby certify that the foregoing is an accurate summary of City of Russellville Ordinance 2006-12.

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