

ORDINANCE 2015-1676

AN ORDINANCE AMENDING ORDINANCE NUMBER 794 OF THE CITY OF MURRAY CODE OF ORDINANCES SO AS TO ZONE A 0.74 ACRE TRACT OF LAND LOCATED AT 170 UTTERBACK ROAD AND OWNED BY GOOD WORKS UNLIMITED, LLC AS R-4 (MULTI-FAMILY RESIDENTIAL).

WHEREAS, the Murray Planning Commission met on Tuesday, August 18, 2015 and voted 8 to 0 to recommend the zoning of a 0.74 acre tract of land located at 170 Utterback Road, owned by Good Works Unlimited, LLC be R-4 (Multi-Family Residential). The 0.74 acre tract of land is more particularly described on Exhibit "A". The plat of the area of requested zoning is shown on Exhibit "B". Both Exhibits are respectively attached hereto and made a part hereof, the same as if written herein in full.

WHEREAS, the 0.74 acre tract of land has been proposed to be annexed into the City of Murray, Kentucky, and said tract of land has not been classified for zoning purposes, and

WHEREAS, the Murray Planning Commission found:

1. The property currently borders R-4 zoning to the East and South;
2. The Owner has requested R-4 Zoning;
3. This tract of land will provide an additional means of entrance and exit to the development.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

Section 1: The foregoing findings are hereby adopted by the City Council.

Section 2: The property more particularly described on Exhibits "A" and "B" (legal descriptions and plat), respectively attached hereto and shown on the zoning map incorporated in Zoning Ordinance 794 and all amendments thereto by reference is hereby zoned R-4 (Multi-Family residential).

Section 3: The Planning and Zoning Department of the City of Murray is hereby directed to amend the zoning map of the City of Murray, Kentucky so as to reveal the zoning provisions of this ordinance.

Section 4: Any portion of Ordinance Number 794 as amended which may be in conflict with this ordinance is hereby repealed to the extent of such conflict and to such extent only. In all other respects Ordinance Number 794 as amended is hereby affirmed.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of The Zoning Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

JACK D. ROSE, MAYOR

ATTEST:

JUNE BATTS, CITY CLERK

Introduced by the City Council on _____ 2015.

Adopted by the City Council on _____ 2015.

Published in the Murray Ledger and Times on _____ 2015.

EXHIBIT "A"

CERTIFICATE

LEGAL DESCRIPTION

FOR THE PURPOSE OF ZONING PROPERTY R-4

PROPERTY OF: Goodworks Unlimited, LLC

July 23, 2015

A tract of land lying in the Northeast Quarter of Section 15, Township 2 North, Range 4 East Calloway County Kentucky, said parcel being the land described in Deed Book 1005 Page 653, and being shown on the Minor Subdivision Plat in Plat Book 50, Page 29, Slide 4845 and being Calloway County PVA Parcel #041-0-0044-A and being more particularly described as follows:

Beginning at a found ½" reinforcing bar with plastic cap marked "JOE SONS 3175", said point being approximately 715' West of the West right of way of U.S. 641 North and approximately 434.43' North of the North Right-of-Way line of Utterback Road, said point also being the Southeast corner of the described tract, the Northeast corner of the Good Works Unlimited, LLC property as described in Deed Book 959 Page 501 and being on the West line of the Murray Senior Living, LLC property as described in Deed Book 817 Page 236, said point having Kentucky State Plan South Zone 1602 coordinates as follows: Northing equals 1762334.55' and the Easting equals 888721.54';

THENCE, North 0 Degrees 11 Minutes 23 Seconds East, along the west line of the said Murray Senior Living, LLC property, a distance of 219.91 feet to the Southeast corner of the Jerry Rayburn property as described in Deed Book 537 Page 333, the Northeast corner of the said Murray Senior Living, LLC property, the Northeast corner of the herein described tract and a corner to the Glenn Jobe & Shirley Jobe Trust property as described in Deed Book 899 Page 620;

THENCE, South 88 Degrees 30 Minutes 49 Seconds West, along a line to the Glenn Jobe & Shirley Jobe Trust property, a distance of 146.22 feet to a corner to the Glenn Jobe & Shirley Jobe Trust property, said point being a found ½" reinforcing bar with plastic cap marked "JOE SONS 3175";

THENCE, South 0 Degrees 12 Minutes 09 Seconds West, a line to the Glenn Jobe & Shirley Jobe Trust property, a distance of 220.74 feet to the Northeast corner of the said Good Works Unlimited, LLC property, said point being a found ½" reinforcing

EXHIBIT "A" (CONTINUED)

bar with plastic cap marked "JOE SONS 3175" and the Southwest corner of the described tract:

THENCE, North 88 degrees 11 Minutes 21 Seconds East, along the North line of the said Good Works Unlimited, LLC property, a distance of 146.30 feet to the Point of Beginning.

This tract contains 0.74 acres according to a survey done on May 21, 2015 by Siteworx Survey & Design, LLC and also subject to any rights-of-way, covenants, conditions, restrictions, agreements, or encumbrances of sight and/or record.

Deed Reference:

Deed Book 1005 Page 653

Plat Book _____, Page _____, Slide _____



7-24-15

Kentucky Professional Land Surveyor No. 3732

Date

I, Herb Simmons, do hereby certify that I am a Professional Land Surveyor, registered in compliance with the laws of the State of Kentucky, and the above is a true and correct description of the land as surveyed

