

**RESOLUTION No. \_\_\_\_\_, SERIES 2016**

**A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO INITIATE THE ZONING MAP AMENDMENT PROCESS AND FORWARD ITS RECOMMENDATION TO THE METRO COUNCIL (AMENDED BY SUBSTITUTION).**

**SPONSORED BY: COUNCILWOMAN VICKI WELCH**

WHEREAS, the Louisville Regional Airport Authority (“Authority”) has acquired, or will acquire in connection with its FAA-approved Part 150 noise mitigation voluntary residential relocation program (“Voluntary Residential Relocation Program”), approximately 790 acres in the Minors Lane area (“Part 150 Property”); and

WHEREAS, by Ordinance No. 199, Series 2003, the Legislative Council of the Louisville/Jefferson County Metro Government (“Council”) (a) established a “development area” in the Part 150 Property, as contemplated by KRS 65.490 through KRS 65.499, inclusive (“Pilot Program Legislation”), to be named the Louisville Renaissance Zone (“Renaissance Zone”); (b) authorized the execution and delivery of an Interlocal Cooperation Agreement among Louisville Metro Government, the Authority and the Commonwealth of Kentucky (“Commonwealth”); and (c) designated the Louisville Renaissance Zone Corporation to serve as the local governmental “agency” for purposes of the Pilot Program Legislation; and

WHEREAS, by Ordinance No. 135, Series 2004, the Council found that the Renaissance Zone is an area in need of public improvement, that redevelopment of the Renaissance Zone (the “Project”), as preliminarily presented to Louisville Metro Government by the Authority in the “Pilot Program Preliminary Planning” report dated November 2003, should result in increased employment within the Renaissance Zone, and that the Project constitutes a “project” within the meaning of the Pilot Program Legislation; and

WHEREAS, by Resolution No. 131, Series 2006, the Council requested that the Louisville Metro Planning Commission (“Planning Commission”) hold a public hearing and make a recommendation on a proposed map amendment to reflect the recommended zoning classification of a portion of the Renaissance Zone as described in such resolution (the “2006 Property”); and

WHEREAS, by Ordinance No. 220, Series 2006, the Council adopted the findings of the Planning Commission and approved and accepted the recommendations of the Planning Commission with respect to the 2006 Property, thereby changing the zoning classification for the 2006 Property from R-4 and R-5 to EZ-1; and

WHEREAS, by Resolution No. 13, Series 2011, the Council requested that the Planning Commission hold a public hearing and make a recommendation on a proposed map amendment to reflect the recommended zoning classification of additional portions of the Renaissance Zone as described in such resolution (the “2011 Property”); and

WHEREAS, by Ordinance No. 112, Series 2011, the Council adopted the findings of the Planning Commission and approved and accepted the recommendations of the Planning

Commission with respect to the 2011 Property, thereby changing the zoning classification for the 2011 Property from R-4, R-5, R-6, R-7, C-1, and C-2 to EZ-1; and

WHEREAS, the Council wishes to initiate the zoning map amendment process to include additional portions of the Renaissance Zone in the EZ-1 zoning classification, and, as such, requests that the Planning Commission hold a public hearing and make a recommendation on the proposed map amendment to reflect the recommended zoning classification of such portions of the Renaissance Zone; and

WHEREAS, the Council has attached a description of the property to be rezoned as "Exhibit A," which is intended to be a rough description subject to revision after the Planning Commission conducts its study of the proposed area-wide rezoning, and the Council wishes to have the input of the Planning Commission in determining the appropriate boundaries of the area necessary to facilitate the development of the property;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

**Section I:** The Council hereby requests that the Planning Commission (i) hold a public hearing, (ii) make a recommendation to the Council on the proposed changes in zoning classification in a portion of the Renaissance Zone and (iii) transmit its recommendation to the Council immediately upon approval by the Planning Commission.

**Section II:** For purposes of this Resolution, the area in the Renaissance Zone to be included in the EZ-1 zoning area is more specifically shown in Exhibit A attached hereto.

**Section III:** This Resolution shall become effective upon its passage and approval.

\_\_\_\_\_  
H. Stephen Ott  
Metro Council Clerk

\_\_\_\_\_  
David Yates  
President of the Council

\_\_\_\_\_  
Greg Fischer  
Mayor

Approved: \_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

## EXHIBIT A

### Property Description

#### **Tax Block 658; Lot 162**

Beginning on the Northerly line of Lot 25 as shown on plat of Camp Zachary Taylor, Rifle Range Unit, of record in Deed Book 974, Page 1, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, at the Northeasterly corner of the tract conveyed to George L. Desurne and wife by Deed of record in Deed Book 2584, Page 290, in the Office aforesaid; thence with the Westerly line of the tract conveyed to Lillie Mae Huston by deed of record in Deed Book 2475, Page 346, in the Office aforesaid, and with the Westerly line of the tract conveyed to Leonard L. Miller by deed of record in Deed Book 2473, Page 567, in the Office aforesaid, South 13 degrees 15 minutes West 306.85 feet, more or less, to the Southwesterly corner of said Miller tract; thence North 76 degrees 45 minutes West 10 feet; thence South 13 degrees 15 minutes West 125 feet, more or less, to the Southerly line of the tract conveyed to George L. Desurne and wife by deed aforementioned; thence with said Southerly line North 84 degrees 10 minutes West 260 feet, more or less, to the Southwesterly corner of said tract; thence with the Westerly line of the Desurne tract North 4 degrees 53 minutes East 370.78 feet to another corner of same in the Northerly line of Lot 25 aforementioned; thence with the Northerly line of the Desurne tract North 86 degrees 28 minutes East 338 feet, more or less, to the beginning.

Being the same property conveyed to Louisville Regional Airport Authority by Deed dated September 1, 2015, of record in Deed Book 10459, Page 681, in the Office of the Clerk of Jefferson County, Kentucky.

#### **Tax Block 648; Lot 004**

Being part of Lot 24, as shown on Plat of the Subdivision of Camp Zachary Taylor, Rifle Range Unit, attached to and made part of the Deed from the United States of America to National Bank of Kentucky, as Trustee, recorded in Deed Book 974, Page 1, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, and being more particularly bounded and described as follows:

Beginning at a point in the center line of Minor's Lane at the Southeast corner of Lot 24; running thence South 86 degrees 28 minutes West 928.3 feet to the West line of Lot 24; thence with said West line North 13 degrees 15 minutes East 180 feet to the South line of the tract conveyed to Claude Jenkins and wife by Deed dated February 11, 1947, of record in Deed Book 2230, Page 572, in said office; thence West with said South line and same extended North 84 degrees East 936 feet, more or less, to the center line of Minor's Lane aforesaid, thence with said center line South 13 degrees 15 minutes West 222.18 feet to the beginning.

Being the same property conveyed to Louisville Regional Airport Authority by Deed dated September 1, 2015, of record in Deed Book 10459, Page 681, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 658; Lot 034**

Tract 1: Beginning at a point in the center of the South Park Road, 138.4 feet West of the Southeasterly corner of a 1 acre tract heretofore conveyed by R. W. Thompson and Ida Thompson, husband and wife, to Myrtle L. Sweeney by Deed dated February 4, 1941, and recorded in Deed Book 1950, Page 505, in the Office of the Clerk of Jefferson County, Kentucky; thence North 13 degrees 15 minutes East 337-1/2 feet; thence North 87 degrees 10 minutes West along a wire fence 137.8 feet to a pipe; thence South 13 degrees 15 minutes West 340 feet to a point in the center of the South Park Road; thence with the center of the South Park Road, South 88 degrees 138.4 feet to the point of beginning.

**Tax Block 658; Lot 117**

Tract 2: Beginning at a point in the Northwestern corner of the 1 acre tract conveyed to Myrtle L. Sweeney by Deed dated February 14, 1941, and recorded in Deed Book 1950, Page 505, in the Office of the Clerk of Jefferson County, Kentucky; thence North 13 degrees 15 minutes East 808 feet to a pipe; thence South 84 degrees West 140 feet to a pipe; thence South 13 degrees 15 minutes West 790 feet to a point in the Northwest corner of the property conveyed to Hoyt K. Thompson and Esther L. Thompson, husband and wife, by Deed dated April 7, 1942, recorded in Deed Book 1832, Page 539, in the office aforesaid; thence running with the Northerly line of said tract South 87 degrees 10 minutes East 137.8 feet to the point of beginning.

Being the same property acquired by Michael R. England, by Deed dated December 20, 1995, of record in Deed Book 6684, Page 542, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 658; Lot 196**

BEGINNING in the East line of Lot 23, as shown on the Plat of Camp Zachary Taylor Rifle Range Unit, which is attached to and made a part of the Deed from the U.S.A., through Jock W. Weeks, Secretary of War, dated March 21, 1921, of record in Deed Book 974, Page 1, in the Office of the Clerk of Jefferson County, Kentucky, said point being North 13 degrees 15 minutes East 321 feet from the center line of South Park Road, also being the Northeast corner of the tract conveyed to Myrtle Sweeney, in Deed Book 1950, Page 505, in the Office aforesaid; thence with the Northerly line of said Sweeney tract North 81 degrees 10 minutes West 137.8 feet to the Southeast corner of the tract conveyed to J. T. Rance Carroll, in Deed Book 3906, Page 299, in the Office aforesaid; thence extending back between parallel lines North 13 degrees 15 minutes East to the North line of Lot 23 aforesaid, the East line being coincident with the East line of said Lot 23 and measuring 839 feet, more or less, and the West line being coincident with the East line of the tract conveyed to Carroll, aforesaid, and measuring 808 feet, more or less.

Being the same property acquired by Kenneth H. England and Shelba England, husband and wife, by Deed dated April 7, 1988, of record in Deed Book 5763, Page 120, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 658; Lot 108**

Beginning in the center line of South Park Road at a point South 88° East 108.04 feet from the Southwest corner of the 7.34 acres conveyed to Clarence D. Simpson and Mary Simpson, his wife, by Deed dated September 10, 1948, recorded in Deed Book 2409, Page 472, in the Office of the County Court Clerk of Jefferson County, Kentucky; running thence with the center line of the South Park Road South 88° East 80.02 feet; thence North 4° 57' East 225.38 feet; thence North 84° 10' West 80 feet; thence South 4° 57' West 230.8 feet to the beginning; EXCEPTING, HOWEVER, therefrom the 30 foot strip conveyed to Jefferson County by deed dated September 11, 1941, recorded in Deed Book 1800, Page 349, in the Office aforesaid.

Being the same property conveyed to Louisville Regional Airport Authority by Deed dated August 28, 2015, of record in Deed Book 10458, Page 236, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 658; Lot 112**

Beginning at a point in the center line of South Park Road South 88 degrees East 188.06 feet from the Southwest corner of Simpson tract, of record in Deed Book 2409, Page 472, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, corner of Mills; thence continuing with the center line of South Park Road South 88 degrees East 36.94 feet to a point; thence North 79 degrees 10 minutes East 44.93 feet to a point in the center line of said road; thence North 4 degrees 57 minutes East 209.85 feet to a point in the South line of the tract conveyed to G.L. Desurne by instrument recorded in Deed Book 2584, Page 290, in the Office of the Clerk of the County Court of Jefferson County, Kentucky; thence North 84 degrees 10 minutes West 80 feet to a point in said Desurne line; thence South 4 degrees 57 minutes West 225.38 feet to the point of beginning.

Being the same property conveyed to Louisville Regional Airport Authority by Deed dated August 28, 2015, of record in Deed Book 10458, Page 239, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 225**

BEGINNING at an iron rod in the Westerly right of way line of Fred Lane, 1199.75 feet from the intersection of said line of Fred Lane and the Northerly line of Zib Lane; thence North 76 degrees 45 minutes West 300 feet to an iron rod; thence North 13 degrees 15 minutes East 95.43 feet to the center line of Southern Ditch; thence South 89 degrees 09 minutes 25 seconds East with the center line of Southern Ditch, 307.17 feet to the Westerly right of way line of Fred Lane, thence South 13 degrees 15 minutes West with the westerly line of Fred Lane, South 13 degrees 15 minutes West 161.43 feet the point of beginning and being the same as TRACT C approved by Louisville and Jefferson County Planning and Zoning Commission, plat of which is attached to and made a part of Deed Book 5472, Page 22, in the office of the Clerk of Jefferson County, Kentucky.

Being the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated October 3, 1989, of record in Deed Book 5909, Page 171, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 339**

Tract #1 beginning at a point in the West line of Paul Lane as drawn and dedicated in Deed dated July 26, 1952, and recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, which point is North 13 degrees 15 minutes East 1.185 feet from the South line of tract of land conveyed to Manuel H. Edlin by third description in Deed dated July 26, 1952, and recorded in Deed Book 2911, Page 126, in the office aforesaid, running thence North 13 degrees 15 minutes East with the West line of Paul Lane 60 feet and extending back North 76 degrees 45 minutes West between parallel lines to the West line of tract of land conveyed to Edlin as aforesaid, the North line measuring 278 feet, more or less, and the South line measuring 288 feet, more or less.

Being a portion of the same property conveyed to David L. Smallwood and Mary Lou Smallwood, his wife, by Deed dated October 6, 1987, of record in Deed Book 5748, Page 514, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 342**

Tract # 2 BEGINNING at a point in the Western line of Paul Lane as described and dedicated in Deed dated July 26,

1952 and recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, which point is North 13 degrees 15 minutes East 1.245 feet from the Southern line of the tract of land conveyed to Manuel H. Edlin by third description in Deed dated July 26, 1952, and recorded in Deed Book 2911, Page 126, in the Office aforesaid; running thence North 76 degrees 45 minutes West 278 feet, more or less, to the Western line of the tract conveyed to Edlin aforesaid; thence North 23 degrees 17 minutes East a distance of 120 feet, more or less, to the most Northerly corner of Lot 14, plan of Camp Taylor, Rifle Range Unit, plat of which is recorded in Deed Book 974, Page 8, in the Office aforesaid, which point is also in the centerline of the South Fork of Pond Ditch; thence North 84 degrees East, with the centerline of the ditch 270 feet, more or less, to the point of intersection of the centerline of the ditch on an extension Northwardly of that Western line of Paul Lane aforesaid; thence with the Western line of Paul Lane, as extended, South 13 degrees 15 minutes West, 200 feet, more or less, to the point of beginning.

Being a portion of the same property conveyed to David L. Smallwood and Mary Lou Smallwood, his wife, by Deed dated October 6, 1987, of record in Deed Book 5748, Page 514, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 186**

BEGINNING in the East line of Faulkner Lane as established in Deed Book 2937, Page 204, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, at a point 825 feet North of Zib Lane as established in Deed Book 2871, Page 295, in the Clerk's Office aforesaid, running thence Northwardly with the East line of Faulkner Lane 75 feet and extending back Eastwardly of that width throughout between lines parallel with Zib Lane, 300 feet.

Being a port of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed recorded February 9, 1987, of record in Deed Book 5653, Page 780, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 187**

BEGINNING in the East line of Faulkner Lane as established in Deed Book 2937, Page 204, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, at a point 900 feet North of Zib Lane as established in Deed Book 2871, Page 295, in the Clerk's Office aforesaid; running thence Northwardly with the East line of Faulkner Lane 75 feet and extending back Eastwardly of that width throughout between lines parallel with Zib Lane, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed recorded February 9, 1987, of record in Deed Book 5653, Page 780, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 442**

Tract VI

BEGINNING at a point in the Eastern line of Paul Lane, as described in deed recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 750 feet from the Northern line of Zib Lane as described in deed recorded in Deed Book 2871, Page 295, in the office of the Clerk aforesaid; thence with the Eastern line of Paul Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 096**

Tract III

BEGINNING at a point in the Eastern line of Faulkner Lane as described in Deed recorded in Deed Book 2937, Page 204, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 1125 feet from the Northern line of Zib Lane as described in deed recorded in Deed Book 2871, Page 295, in the Office of the Clerk aforesaid; thence South 76 degrees 45 minutes East 300 feet; thence North 13 degrees 15 minutes East 180 feet, more or less, to the center line of big ditch; thence with same due West to the Eastern line of Faulkner Lane; thence South 13 degrees 15 minutes West with said line of said Lane to the point of beginning, 140 feet, more or less.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 215**

Tract #2

BEGINNING in the Eastern line of Faulkner Lane as described in deed recorded in Deed Book 2937, Page 204, in the office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 1050 feet from the Northern line of Zib Lane as described in deed dated April 21, 1952 and recorded in Deed Book 2871, Page 295, in the office aforesaid; thence with the Eastern line of Faulkner Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 439**

Tract #5

BEGINNING at a point in the Eastern line of Paul Lane, as described in deed recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 525 feet from the Northern line of Zib Lane as described in deed dated April 21, 1952 and recorded in Deed Book 2871, Page 295, in the office aforesaid; thence with the Eastern line of Paul Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet. Except so much as was sold off in Deed Book 4639, Page 586, in the Office of the Clerk aforesaid.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 440**

TRACT V

BEGINNING at a point in the Eastern line of Paul Lane, as described in deed recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 600 feet from the Northern lines of Zib Lane as described in deed recorded in Deed Book 2871, Page 295, in the office of the Clerk aforesaid; thence with the Eastern line of Paul Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 441**

Tract #4

BEGINNING at a point in the Eastern line of Paul Lane, as described in deed recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 675 feet from the Northern line of Zib Lane as described in deed dated April 21, 1952 and recorded in Deed Book 2871, Page 295, in the Office of the Clerk aforesaid; thence with the Eastern line of Paul Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 443**

Tract #3

BEGINNING at a point in the Eastern line of Paul Lane, as described in deed recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 825 feet from the Northern line of Zib Lane as described in deed dated April 21, 1952 and recorded in Deed Book 2871, Page 295, in the Office of the Clerk aforesaid; thence with the Eastern line of Paul Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 444**

Tract VII

BEGINNING at a point in the Eastern line of Paul Lane, as described in deed recorded in Deed Book 2911, Page 126, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 900 feet from the Northern line of Zib Lane as described in deed recorded in Deed Book 2871, Page 295, in the office of the Clerk aforesaid; thence with the Eastern line of Paul Lane, North 13 degrees 15 minutes East 75 feet and extending back South 76 degrees 45 minutes East between parallel lines, the same width throughout, 300 feet.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.

**Tax Block 649; Lot 445**

Tract VIII

BEGINNING at a point in the Eastern line of Paul Lane as described in Deed recorded in Deed Book 2911, Page 126, in the office of the Clerk of the County Court of Jefferson County, Kentucky, North 13 degrees 15 minutes East 975 feet from the Northern line of Zib Lane as described in deed recorded in Deed Book 2871, Page 295, in the Office of the Clerk aforesaid; thence South 76 degrees 45 minutes East 300 feet; thence North 13 degrees 15 minutes East 200 feet, more or less, to the center line of big ditch; thence with same due West to the Eastern line of Paul Lane; thence South 13 degrees 15 minutes West with said line of said Lane 126 feet, more or less, to the point of beginning.

Being a portion of the same property conveyed to David Lee Smallwood and Mary Lou Smallwood, his wife, by Deed dated March 10, 1989, of record in Deed Book 5874, Page 378, in the Office of the Clerk of Jefferson County, Kentucky.