

APPLICATION TO PLANNING COMMISSION

Subdivision

Bourbon County Joint Planning Commission

525 High Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. DVP17-04 Fee Amount: \$ 150⁰⁰ Date Fee Received: 5/21/18

1. APPLICANT West Marts, LLC

MAILING ADDRESS P.O. Box 135, Paris, KY 40362

PHONE NO. 987-0198 (HOME) _____ (WORK) _____

2. TYPE OF REQUEST (Check one) MINOR SUBDIVISION MAJOR SUBDIVISION
 AMENDED SUBDIVISION PLAT CONSOLIDATION

3. PLEASE CIRCLE: Paris/ Bourbon County/ North Middletown/ Millersburg

4. SUBDIVISION NAME: Deerhaven TOTAL ACREAGE: 4.807 NUMBER OF LOTS: 2

5. EXISTING USE: residential ZONING DISTRICT: R4

6. LOT INFORMATION (as it pertains to individual application):

Acreege of Original Lots: Property 1+2=4.383; 2=0.424 4- _____ 5- _____

Acreege of Parcel to be divided: 4.383

7. FEE: Refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION: Refer to Article VI of the Subdivision Regulations.

CHECKLIST:

- Attach a Legal Description of the Property (include deed book and page number for all tracts comprising the plat)
- Attach a plan of the proposed use (as described above)
- Attach a narrative of the proposed use (as described above)
- Attach a narrative describing any prior actions taken by the Board of Adjustment on this property
- Attach a list of adjoining property owners (name and address)

Wayne West

5-16-18

APPLICANT SIGNATURE

DATE

Applications under zoning regulations involve legal procedures and the satisfaction of legal requirements, often complex, based up the written information in your application and the facts presented at your hearing. If you fail to comply with the procedures, or to satisfy the requirements your application will be subject to denial. Even if your application is approved it could be subject to a neighboring landowners appeal to the Circuit Court. You are not required to employ an attorney but you are encouraged to do so.

DARNELL ENGINEERING, INC.

P.O. Box 175
Cynthiana, KY 41031
(859) 234-8957-Telephone

ENGINEERING & SURVEYING
Allen Patrick Darnell, PE, PLS
patdarnell@kyemail.com (EMAIL)

May 21, 2018

File No. 16-3431

Bourbon County Planning Commission
525 High Street, Room 127
Paris, Kentucky 40361

RE: Amended Subdivision Plat @ Golden Leaf Circle & Green Leaf Circle, Paris, Bourbon
County

Dear Sirs:

Please find transmitted herewith an amended subdivision plat and application. The land use will remain the same-residential. The property is currently zoned R4. To our knowledge, the board of adjustments has taken no previous action in regards to this parcel.

The adjoining property owners are as follows:

HOUSTON OAKS INC, 402 HOUSTON OAKS DR, PARIS, KY 40361
HOUSTON OAKS INC, 555 HOUSTON OAKS DR, PARIS, KY 40361
JOSHUA & RACHEL MITCHELL, 150 CROSS CREEK DR, PARIS, KY 40361
JEFF & DEBBIE JETT, 152 CROSS CREEK DR, PARIS, KY 40361
STEVEN & COLLETTE LYNN SCHAFFER, 105 GOLDEN LEAF CIRCLE, PARIS, KY 40361
STEVEN & APRIL EARLY, 211 WEDGEWOOD CIRCLE, PARIS, KY 40361
MELINDA M. HINKLE, 2340 REDBUD LANE, PARIS, KY 40361
DONALD RAY WAGONER & PALENCIA JOSE, 146 CROSS CREEK DR, PARIS, KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

REAL ESTATE TAX PAID AMT \$ 103⁰⁰
RICHARD STIPPEADS, BCC
DATE 12-5-16 BY Neug Tabot DC

16-3431
BOOK 302 PAGE 697

DEED

THIS DEED made and entered into this 2nd day of December, 2016, by and between HOUSTON OAKS DEVELOPMENT, INC., a Kentucky Corporation, f/k/a Houston Oaks, Inc., a Kentucky Corporation, of 402 Houston Oaks Drive, Paris, KY 40361, PARTY OF THE FIRST PART, and WEST MARTS, LLC, a Kentucky Limited Liability Company, with a mailing address of P.O. Box 135, Paris, KY 40362, PARTY OF THE SECOND PART. The "in care of" tax bills shall be mailed to West Marts, LLC, P.O. Box 135, Paris, KY 40362.

WITNESSETH:

That for and in consideration of the sum of \$102,930.00, cash in hand paid, the receipt of which is hereby acknowledged by the First Party, the First Party has bargained and sold and by these presents does hereby grant and convey unto the Second Party, in fee simple, its successors and assigns forever, the following described real property situated in Paris, Bourbon County, Kentucky, to wit:

SEE EXHIBIT "A" ATTACHED HERETO
FOR PROPERTY DESCRIPTION

AND BEING a portion of the same property conveyed to Houston Oaks, Inc., a Kentucky Corporation, by deed dated March 24, 1998, and of record in the Office of the Bourbon County Court Clerk in Deed Book 231, at Page 122. AND BEING a portion of the same property conveyed to Houston Oaks, Inc., a Kentucky Corporation, by Deed of Correction dated May 19, 1998, and of record in said Clerk's Office in Deed Book 231, at Page 760.

TO HAVE AND TO HOLD the hereinabove described real property unto the Second Party, in fee simple, its successors and assigns forever, together with all improvements thereon and appurtenances thereof, with covenant of GENERAL WARRANTY.

The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Second Party joins in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

EXHIBIT "A"

PARCEL 1 (4.383 Acres)

All that certain tract or parcel of land, lying and being located in Paris, Bourbon County, Kentucky; and situated on the north side of Golden Leaf Circle; and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin" is a set #4 rebar, eighteen (18") inches in length, with an orange cap stamped "Darnell 3553." All bearings stated herein are referenced to Plat Cabinet B, Sheet 368. All deed and plat references stated herein are found in the office of the Bourbon County Clerk, unless otherwise stated.

Beginning at an iron pin in the east right-of-way of Golden Leaf Circle, a corner to Jeff Jett & Debbie Jett (D.B. 257, Pg. 616; P.C. B, Sh. 368); said point lying N.08°25'34"E. 170.61 feet from the intersection of the centerlines of Cross Creek Drive & Golden Leaf Circle; thence with the said east right-of-way of said Golden Leaf Circle N.00°00'00"W. 105.56 feet to a found iron pin bearing "LS 3649"; thence crossing said street N.90°00'00"W. 50.00 feet to a found iron pin bearing "LS 3649" in the west right-of-way of said Golden Leaf Circle; thence with said right-of-way S.00°00'00"E. 10.00 feet to a found iron pin bearing "TEI 2402 & 2586", a corner to Houston Oaks, Inc. (D.B. 231, Pg. 122; D.B. 231, Pg. 760; P.C. B, Sh. 368); thence with said Houston Oaks, Inc. S.85°46'43"W. 136.80 feet to a found iron pin bearing "TEI 2402 & 2586", a corner to Houston Oaks, Inc. (D.B. 231, Pg. 122; D.B. 231, Pg. 760; P.C. B, Sh. 368); thence with said Houston Oaks, Inc. N.00°00'00"W. 11.04 feet to a found iron pin bearing "TEI 2402 & 2586", a corner to Steven Early & April Early (D.B. 295, Pg. 194; P.C. B, Sh. 368; P.C. C, Sh. 363); thence with said Early N.00°00'00"W. 183.62 feet to a found iron pin bearing "TEI 2402 & 2586", a corner to Melinda Hinkle (D.B. 218, Pg. 732; D.B. 218, Pg. 736); thence with said Hinkle for five calls as follows: (1) S.80°14'11"E. 13.41 feet to a point, (2) N.83°54'59"E. 123.56 feet to a point, (3) N.83°55'0"E. 329.05 feet to an iron pin, (4) N.85°56'28"E. 160.01 feet to a point, and (5) N.88°14'04"E. 95.06 feet to an iron pin, a corner to a new division of Houston Oaks, Inc. (D.B. 231, Pg. 760; D.B. 231, Pg. 122); thence with said new division for three calls as follows: (1) S.07°44'29"W. 230.42 feet to an iron pin, (2) S.02°48'02"E. 77.67 feet to an iron pin, and (3) N.90°00'00"W. 40.94 feet to an iron pin, a corner to John G. Marshall & Brenda S. Marshall (D.B. 271, Pg. 698; P.C. B, Sh. 368); thence with said Marshall S.85°46'43"E. 136.47 feet to a found iron pin bearing "TEI 2402 & 2586", in the east right-of-way of Golden Leaf Circle; thence crossing said street S.85°46'43"W. 50.14 feet to a point, a corner to Houston Oaks, Inc. (D.B. 231, Pg. 122; D.B. 231, Pg. 760; P.C. B, Sh. 368); thence with said Houston Oaks, Inc. S.85°46'43"W. 96.36 feet to a found iron pin, a corner to Joshua Mitchell & Rachel Mitchell (D.B. 300, Pg. 633; P.C. B, Sh. 368); thence with said Mitchell S.85°46'43"W. 80.22 feet to a found iron pin bearing "TEI 2402 & 2586", a corner to Jeff Jett & Debbie Jett (D.B. 257, Pg. 616; P.C. B, Sh. 368); thence with said Jett S.85°46'43"W. 101.36 feet to the point of beginning containing an area of 4.383 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on November 2, 2016. See Plat recorded in Plat Cabinet C, Slide 327, Bourbon County Clerk's Office.

UTILITY EASEMENT

A permanent easement for the purposes of laying and maintaining utility services from Cross Creek Drive to Parcel 1 (4.383 acres) being more particularly described as follows:

Beginning at a point in the north right-of-way of Cross Creek Drive; said point lying N.76°30'32"E. 186.24 feet from the intersection of the centerlines of Cross Creek Drive and Green Leaf Circle; thence

with said right-of-way S.85°46'43"W. 20.05 feet to a point, a corner to John G. Marshall & Brenda S. Marshall (D.B. 271, Pg. 698; P.C. B, Sh. 368); thence with said Marshall N.00°00'00"W. 136.84 feet to a found iron pin bearing "LS 3649", a corner to Parcel 1 being a new division of Houston Oaks, Inc. (D.B. 231, Pg. 760; D.B. 231, Pg. 122); thence with said Parcel 1 N.90°00'00"E. 20.00 feet to a point; thence continuing through said Houston Oaks, Inc. S.00°00'00"W. 135.36 feet to the point of beginning.

State of Kentucky, County of Bourbon, Sct.
I, RICHARD STIPP EADS, Clerk of Bourbon County
Court, do certify that the foregoing

was, on the 5 day of Dec., 2016
at 12:11 P.M., lodged in my office for record, and
that it has been duly recorded in my said office,
together with this and the certificate thereon endorsed.
Given under my hand

Richard Stipp Eads
Richard Stipp Eads, Bcc

LODGED FOR RECORD
RICHARD STIPP EADS
BOURBON COUNTY CLERK
2016 DEC -5 PM 12:11



125265
Filed on: 12/05/2016 12:00:00 AM
Book: DEED Number: 302
Pages: 697 - 701
Richard Stipp Eads, Bourbon County
DC: MARY TALBOT