

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: MS18-02 Application No. Fee Amount \$ 300.00 Date Fee Received: 2/19/18

1. APPLICANT

Centrust Capital Homes LLC

MAILING ADDRESS

185 Pasadena Dr. #235, Lexington, KY 40503

PHONE NO.

N/A (HOME) (859) 554-5295 (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: TOTAL ACREAGE: 13.43 NUMBER OF LOTS: 47

5. EXISTING USE: VACANT ZONING DISTRICT: R-3

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

Acreage of Original Lots: Property 1-13.43 2- N/A 3- N/A 4- N/A 5- N/A

Acreage of Parcel to be divided: 13.43

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)

APPLICANT SIGNATURE DATE 2-16-2018

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.



Thoroughbred Engineering

110 East Main Street, Suite 206 - Georgetown, Kentucky 40324 - 502.863.1756

LETTER OF TRANSMITTAL

Date: February 19th, 2018
To: Bourbon County, Joint Planning Commission Office
From: Kurt W. Hesselbach

Ed Franz Estate Preliminary Subdivision Plat Submittal

Attached please find:

- Application & Fee
- Preliminary Subdivision Plat (3 Copies 24" x 36")
- Legal Description (Deed Book 134 & Will Book "W" page 550 & 558)
- Major Subdivision Proposal
- Waiver Request
- Adjoining Property Owners List

Thoroughbred looks forward to working alongside Bourbon Co. Joint Planning Commission Office on this project.

Sincerely,

Kurt W. Hesselbach
Thoroughbred Engineering
Office # (502) 863-1756
Cell # (757) 262-8042
Email kh@thoroughbred.consulting



THOROUGHNBRED ENGINEERING
GEORGETOWN LEXINGTON JEFFERSONVILLE

P.O. Box 481 Lexington, Kentucky 40588

502.863.1756

MAJOR SUBDIVISION PROPOSAL

ED FRANZ ESTATES

PROJECT LOCATION
ED FRANZ ESTATES (13.43 ac.)
NORTH MIDDLETOWN RD.

APPLICANT
CENTRUST CAPITAL HOMES LLC
185 Pasadena Dr. #235, Lexington, Ky 40503

CONSULTANT FIRM
THOROUGHNBRED ENGINEERING
110 E. MAIN ST. SUITE 206
GEORGETOWN, KY 40324

FEBRUARY 2018



ED FRANZ ESTATE PROPOSED DEVELOPMENT

On behalf of Centrust Capital Homes LLC, Thoroughbred Engineering is proposing a vacant 13.433-acre property to be developed within the city limits of Paris, Kentucky. The property is located just southwest of North Middletown Road, west of East Main Street and is bordered by CSX Railroad right-of-way (ROW) to the southeast. The site is made up of open grass land with small patches of trees. Access to the property can be from North Middletown Road, Eastridge Drive and Cardinal Lane.

Thoroughbred Engineering is proposing plans to develop said tract of land as a residential subdivision with 47 lots and two roads proposed (Marginal Access "Franz Drive" & Minor "Capital Drive"). The current zoning of R-3 would permit for such a residential development.

Thoroughbred Engineering looks forward to working alongside Bourbon Co. Joint Planning Commission Office on this project.

If you have any questions or concerns, feel free to contact me or my associate Kurt W. Hesselbach. Contact information is listed below.

Sincerely,

Jonathan Hale PE, SI
Principal Engineer & Project Manager
Office # (502) 863-1756
Cell # (859) 539-2594
Email jlh@thoroughbred.consulting

Kurt W. Hesselbach
Assistant to the Project Manager &
Sr. Draftsman
Office # (502) 863-1756
Cell # (757) 262-8042
Email kh@thoroughbred.consulting



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GEORGETOWN LEXINGTON JEFFERSONVILLE

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**MAJOR SUBDIVISION PRELIMINARY PLAT
WAIVER REQUEST**

ED FRANZ ESTATES

**PROJECT LOCATION
ED FRANZ ESTATES (13.43 ac.)
NORTH MIDDLETOWN RD.**

**APPLICANT
CENTRUST CAPITAL HOMES LLC
185 Pasadena Dr. #235, Lexington, Ky 40503**

**CONSULTANT FIRM
THOROUGHbred ENGINEERING
110 E. MAIN ST. SUITE 206
GEORGETOWN, KY 40324**

FEBRUARY 2018



WAIVER REQUEST

On behalf of Centrust Capital Homes LLC, Thoroughbred Engineering is proposing a vacant 13.433-acre property to be developed within the city limits of Paris, Kentucky. The property is located just southwest of North Middletown Road, west of East Main Street and is bordered by CSX Railroad right-of-way (ROW) to the southeast. The site is made up of open grass land with small patches of trees. Access to the property can be from North Middletown Road, Eastridge Drive and Cardinal Lane.

Thoroughbred Engineering is proposing plans to develop said tract of land as a residential subdivision with 47 lots and two roads proposed (Marginal Access "Franz Drive" & Minor "Capital Drive"). The current zoning of R-3 would permit for such a residential development.

Thoroughbred Engineering is requesting a waiver from the Preliminary Plat submittal checklist items concerning layout of the proposed utilities & design grade for the two proposed roads.

Reason for such a request is allow time to consult with local utilities companies for proper placement and to ensure existing facilities have enough capacity to handle such an increase in population density. Regarding design grade for the two proposed roads, this will permit proper review time (any necessary alterations) and approval from the local Planning Commission office and the surrounding community on the proposed roads layout.

The fore mentioned items will be addressed & illustrated on the Development/Construction Plans.

Sincerely,

Jonathan Hale PE, SI
Principal Engineer & Project Manager

Kurt W. Hesselbach
Assistant to the Project Manager &
Sr. Draftsman



THOROUGHbred ENGINEERING
GEORGETOWN LEXINGTON JEFFERSONVILLE

P.O. Box 481 Lexington, Kentucky 40588

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**MAJOR SUBDIVISION PRELIMINARY PLAT
ADJOINING PROPERTY OWNERS LIST**

ED FRANZ ESTATES

**PROJECT LOCATION
ED FRANZ ESTATES (13.43 ac.)
NORTH MIDDLETOWN RD.**

**APPLICANT
CENTRUST CAPITAL HOMES LLC
185 Pasadena Dr. #235, Lexington, Ky 40503**

**CONSULTANT FIRM
THOROUGHbred ENGINEERING
110 E. MAIN ST. SUITE 206
GEORGETOWN, KY 40324**

FEBRUARY 2018



ADJOINING PROPERTY OWNERS LIST

1. NEW LIFE MINISTRIES OF PARIS KY INC
340 N MIDDLETOWN RD
PARIS, KY 40361
2. GROSS CLAUDE W
167 WOODMONT DR
PARIS, KY 40361
3. LENDRUM SHAUN P & VALERIE M
169 WOODMONT DR
PARIS, KY 40361
4. COOKE GERALD D & CONNIE G
171 WOODMONT CT
PARIS, KY 40361
5. TOLSON STEPHEN RAY
173 WOODMONT CT
PARIS, KY 40361
6. DAILEY PETE R III
P O BOX 5144
PARIS, KY 40362-5144
7. BOWMAN STEPHEN & PATRICIA
316 ELIZABETH ST
PARIS, KY 40361
8. SHAW DONALD S & LOIS T
262 EASTRIDGE DR
PARIS, KY 40361
9. LAYTON MARGARET E
120 HOPEWELL DR
PARIS, KY 40361
10. BEZEAU BRANDON & TIFFANY
118 HOPEWELL DR
PARIS, KY 40361
11. JACKSON PHILIP & MARY LEE
116 HOPEWELL DR
PARIS, KY 40361
12. GRIFFITH DAVID & JENIPHER
114 HOPEWELL DR
PARIS, KY 40361
13. HARNEY FRANK H & WILMA
112 HOPEWELL DR
PARIS, KY 40361
14. WORNALL KATHERINE H EST
15 RIDGEWAY DR
PARIS, KY 40361
15. BLANKENSHIP JEFFERY
204 N MIDDLETOWN RD
PARIS, KY 40361
16. DAVIS WILLIAM R & IRENE
208 N MIDDLETOWN RD
PARIS, KY 40361
17. ISAACS JAMIE L
212 N MIDDLETOWN RD
PARIS, KY 40361
18. BAKER STEPHEN D & JANNETTE C
216 N MIDDLETOWN RD
PARIS, KY 40361



ADJOINING PROPERTY OWNERS LIST

19. MILAM JANE
220 NORTH MIDDLETOWN RD
PARIS, KY 40361

20. LENOX TERRY K & OLIVIA
230 N MIDDLETOWN RD
PARIS, KY 40361

21. WILLIAMS BILLY
240 N MIDDLETOWN RD
PARIS, KY 40361

1956

JAMES W. WHALEY'S HEIRS

MAY

TO: DEED LAND

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ED FRANZ

THIS DEED between Sarah Elizabeth Forsythe and George Forsythe, her husband, of Jackson, Kentucky, Princess W. Duvall, a widow, Sallie Whaley, a single woman, both of Paris, Kentucky, Stewart Whaley and Garnet Whaley, his wife, of Louisville, Kentucky, James Whaley and Harriet Whaley, his wife, of Garden City, Michigan, Mattie Davis and Edwin Davis, her husband, of Wayne, Michigan, Eleanor Pace and William L. Pace, her husband, of Junction City, Oregon, Elizabeth Hall, a single woman, of Cincinnati, Ohio, John Hall and Christine Hall, his wife, of Nicholas County, Kentucky, Archie Hall and Marie Hall, his wife, of Cucamonga, California, Raymond Hall and Lorene Hall, his wife, of Nicholas County, Kentucky, executed upon behalf of said parties by and through their agent and attorney in fact, the National Bank and Trust Company of Paris, Paris, Kentucky, and Raymond Hall, Committee for Joseph S. Hall, an incompetent, Parties of the First Part, and Ed Franz, Party of the Second Part,

WITNESSETH: That whereas the aforesaid National Bank and Trust Company of Paris is the duly constituted agent and attorney in fact for the persons indicated above; and whereas the aforesaid Raymond Hall is the duly appointed, qualified and acting committee for Joseph S. Hall, an incompetent; and whereas in a proceeding filed in the Bourbon Circuit Court, styled Raymond Hall, plaintiff, v. Joseph S. Hall, an incompetent, defendant, said proceeding being designated as action number 362 in said court, the sale of the aforesaid incompetent's interest in the hereinafter described real estate was approved, authorized and confirmed, to which proceeding in the Bourbon Circuit Court reference is hereby made.

Now, therefore, in consideration of the sum of one dollar (\$1.00) together with certain other good and valuable considerations, paid to the first parties by the second party, the receipt of all of which considerations is hereby acknowledged, the first parties have bargained and sold and by these presents do hereby grant and convey unto the said party of the second part, his heirs and assigns forever, the following described property located in Bourbon County, Kentucky, to-wit:

All that certain tract of land lying and being in the City of Paris, Kentucky, County of Bourbon, located on the South side of U. S. Highway 460 and the West side of the L & N R. R., more particularly described as follows:

Beginning at a point in the center of U. S. Highway No. 460 a corner to Paul V. Slade thence leaving said highway with said Slade S 47° 11' W 542.0 feet to an iron pipe in the fence a corner to said Slade in the line of Reuben Arnsparger thence S 51° 13' E 668.0 feet to a fence post and a set stone a corner to said Arnsparger and Douglas Clay Estate thence with said Estate S 51° 05' E 409.0 feet to a point in fence thence S 50° 57' E 407.3 feet to a fence post a corner to said Clay Estate in the West right-of-way of the L & N Railroad thence with said right-of-way fence N 27° 48' E 145.8 feet to a fence post thence N 23° 27' E 233.8 feet to a fence post thence N 15° 26' E 251.2 feet to a fence post thence N 10° 11' E 177.3 feet to a point in the West right-of-way line of the L & N Railroad, said point being on the overhead bridge in

the parties of the first part as the heirs at law of said decedent, as more particularly set forth in an Affidavit of Descent of record in the office of the Clerk of the Bourbon County Court in Deed Book 137, Page 611.

TO HAVE AND TO HOLD the same, together with all the improvements thereon and appurtenances thereto unto the said party of the second part, his heirs and assigns forever, with Covenants of General Warranty of Title.

See power of attorney recorded in said clerk's office: Mortgage Book 101 page 81, Mortgage Book 101, page 83, and Mortgage Book 101 page 85.

IN TESTIMONY WHEREOF, witness the signatures of the parties of the first part this 24 day of May, 1956.

SARAH ELIZABETH FORSYTHE ✓

GEORGE FORSYTHE ✓

PRINCESS W. DUVALL ✓

SALLIE WHALEY ✓

STEWART WHALEY ✓

GARNET WHALEY ✓

JAMES WHALEY ✓

HARRIET WHALEY

MATTIE DAVIS ✓

EDWIN DAVIS ✓

ELEANOR PACE ✓

WILLIAM L. PACE ✓

ELIZABETH HALL

JOHN HALL ✓

CHRISTINE HALL ✓

ARCHIE HALL ✓

MARIE HALL ✓

RAYMOND HALL ✓

LORENE HALL ✓

By The National Bank & Trust Co. of
Paris Agent and Attorney in Fact

By Basil E Hayden.
Vice President and Cashier

RAYMOND HALL
Committee for Joseph S. Hall

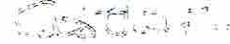
STATE OF KENTUCKY

COUNTY OF BOURBON

I, J. S. Lathram, Jr. a notary public in and for the state and county aforesaid, do hereby certify that there appeared before me in said state and county on the day and date hereinafter indicated Basil E. Hayden, cashier and vice president of the National Bank and Trust Company of Paris, Kentucky, who, for and on behalf of said bank, agent and attorney in fact for the hereinafter named persons, acknowledged and delivered the foregoing instrument to be the free act and deed of Sarah Elizabeth Forsythe, George Forsythe, Princess W. Duvall, Sallie Whaley, Stewart Whaley, Garnet Whaley, James Whaley, Harriet Whaley, Mattie Davis, Edwin Davis, Eleanor Pace, William L. Pace, Elizabeth Hall, John Hall, Christine Hall, Archie Hall, Marie Hall, Raymond Hall and Lorene Hall, and who acknowledged and delivered said instrument to be the free act and deed of said bank as agent and attorney in

delivered said instrument to be the free act and deed of said incompetent. My commission expires June 2, 1958 Witness my signature and seal of office this 24 day of May, 1956. William T Baldwin Notary Public, Bourbon Co., Ky. & State of Ky. at Large Seal

State of Kentucky, County of Bourbon, Sct.
I, Ed D. Paton, Clerk of the Bourbon County Court, do certify that the foregoing Deed, stamped \$24.75 was, on the 15 day of June, 1956, at 4:10 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 this 15 day of June, 1956.



Clerk

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6th. I appoint Ben Freeman Executor of this, my will.

Witness my hand this, the 25th. day of October, 1938.

Mary January.

Witnesses: Mary Kenney
Wm. Grannan.

The foregoing instrument of writing was this day subscribed by Mary January in our presence, to be her last will and testament, and we, at her request, hereby subscribe our names as witnesses thereto, in her presence and in the presence of each other, this the 25th. day of October, 1938.

Mary Kenney.
Wm. Grannan.

Bourbon County Court: July Term: July 27, 1946.

The foregoing instrument purporting to be the last will of Mary January, dec'd., was this day produced in open Court and proven in due form of law by the oath of Wm. Grannan, one of the attesting witnesses thereto, who also proved the attestation of Mary Kenney, the other attesting witness thereto; Whereupon the same is admitted to probate and ordered to record as and for the last will of the said Mary January, dec'd.

Witness, Grace Haskins, Clerk of said Court, date above.

Grace Haskins Clerk.



J. W. WILSON'S WILL.

I, John Wilson, of Paris, Kentucky, being of sound and disposing mind and memory, but mindful of the uncertainties of life do hereby make and publish this my last will and testament.

1. I will and direct that all my just debts and funeral expenses be paid as soon as practicable after my death.

2. After the payment of my just debts and funeral expenses I will, bequeath and devise all of my property of every kind and character and wherever located absolutely and in fee simple to my wife, Hazel Woodall Wilson.

3. I hereby nominate and appoint my wife, Hazel Woodall Wilson, Executrix of this my last will and testament and request that no bond be required of her as such.

In testimony whereof I hereunto set my hand this the ___ day of July, 1946.

J. W. Wilson
John Wilson

Witnesses: J. C. Hart, MD.
D. T. McGracken

oath of D. T. McCracken, one of the attesting witnesses thereto, who also proved the attestation of J. C. Hart, the other attesting witness thereto: Whereupon the same is admitted to probate and ordered to record as and for the last will of the said J. W. Wilson, dec'd.

Witness, Grace Haskins, Clerk of said Court, date above.

Grace Haskins Clerk.



LOIS THORN MOORE'S WILL

I give, devise and bequeath to my beloved husband, Frank Moore absolutely and in fee simple all of my estate, real, personal and mixed, wheresoever, the same may be and of whatsoever the same may consist and appoint him as Executor of this my will and request that he be permitted to qualify as such without giving security.

Given under my hand,

Lois Thorn Moore

July 23, 1928

(seal)

IN TESTIMONY WHEREOF, I hereunto set my hand as Clerk and affix the Seal of the said Court, this the 15 day of April, 1946 and in the 170 year of the Commonwealth.

Walter Binham, Clerk

State of Virginia

In the Clerk's Office of the Circuit Court of Rockbridge County Before the Clerk of the said Court, 13 April 1946.

A writing purporting to be the last will and testament (holograph) of Lois Thorn Moore, deceased, was this day produced before the Clerk of the said Court and it appearing from the said will that there are no subscribing witnesses, thereto, thereupon Miss Lula Dunlap and Stuart Moore were duly sworn and deposed that they were well acquainted with the handwriting of the said Lois Thorn Moore, deceased, and verily believe that the whole of the said writing and the signature thereto are wholly in the handwriting of the said Lois Thorn Moore, deceased, and the said writing thus being proved as true last will and testament of Lois Thorn Moore, deceased, is ordered to be recorded as such. Whereupon, Frank Moore, the Executor named in the will having died prior to the decedent, J. Preston Moore, and Thomas T. Moore were this day appointed Co-Administrators of the said decedent and appeared before the Clerk of the said Court and made oath according to law,

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and to Cynthia Stewart. These are all my children save A. J. Stewart to whom I have previously given what I believe to be his share in my estate, also Raymond Stewart to whom I have devised a lot under Item 3 under this will and these two, namely A. J. Stewart and Raymond Stewart are not to participate further in the division of my property.

Sixth, I name constitute and appoint my wife Pearl Stewart as Executor of this last will and testament and direct that no bond be required.

Witness my hand this the 16th day of July 1946 at North Middletown Kentucky.

Lon Stewart

We, John W. Jones and Harry See, in the presence of Lon Stewart and in the presence of each other and at his request became witnesses to this will and we in his presence and in the presence of each other heard him declare this instrument of writing to be his last will and testament.

Witness our hands at North Middletown Kentucky this the 16th day of July 1946.

John W. Jones
Harry See

BOURBON COUNTY COURT: OCT. TERM: OCT 14, 1946

The foregoing instrument purporting to be the last will of Lon Stewart, dec'd. was this day produced in open court and proven in due form of law by the oath of John W. Jones, one of the attesting witnesses thereto, who also proved the attestation of Harry See, the other attesting witness thereto; whereupon the same is admitted to probate and ordered to record as and for the last will of the said Lon Stewart, dec'd.

Witness, Grace Haskins, Clerk of Said Court, date above.

Grace Haskins Clerk.



J. S. FARMER'S WILL.

I, J. S. Farmer, of Millersburg, Bourbon County, Kentucky, do make and declare this to be my last will and hereby revoke any other wills heretofore made by me.

I desire that my wife, Pearl Farmer be appointed as Executrix of my estate and that she not be required to give any surety on bond as such.

I devise to my widow, Pearl Farmer, any and all estate that I may own at the time of my death, whether real or personal, wherever situated, to be hers absolutely to do with as she pleases.

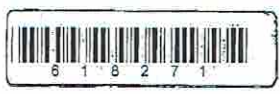
I direct her as Executrix to pay out of my estate my funeral expenses or any other just indebtedness that I may owe.

Witness my hand this 9th. day of September, 1929.

dec'd., was this day produced in open Court and proven in due form of law by the oath of Geo. Batterton, one of the attesting witnesses thereto, who also proved the attestation of Mary McWilliams, the other attesting witness thereto; Whereupon the same is admitted to probate and ordered to record as and for the last will of the said J. S. Farmer, dec'd.

Witness, Grace Haskins, Clerk of said Court, date above.

Grace Haskins Clerk.



SARAH E. CRAIN'S WILL

I, Sarah E. Crain, being of ripe age, sound of mind and memory and knowing the uncertainty of life but the certainty of death, do hereby make this my last Will and testament, hereby revoking any and all wills that may have been heretofore made by me. This March 26, 1942.

A. I desire that all my just debts and funeral expenses be paid as soon as is practicable after the time of my decease.

B. I will and bequeath to Ruth Brandenburg Crain the sum of One dollar, if living.

C. I desire that my estate of every kind and description be converted into cash, and, after the payments set out in A and B hereof, be equally divided among my children, Jenny Crain Betts, Mattie Crain Back, Nancye Crain Combs, Florence Crain Martin, Louise Crain Bartlett, Lottie Crain Hughes and Betty Crain White; should any of my said children be dead I desire that their part should go to their issue, if any, and if none then it to be distributed as part of and in the same manner as the rest of my estate.

D. I make, nominate and appoint Asa Martin of Clark County and Frank Bartlett of Bourbon County as executors of this will; and I will, bequeath and devise all of my estate to them, as executors, to be by them converted into cash and distributed according to the terms of this will; this specifically empowers and directs them to make such conveyances, without any court proceeding, of my personal and real estate as may be necessary to accomplish the purposes of this will.

E. I desire that no appraisement be made of my estate.

Sarah E. Crain.

Signed and acknowledged by Sarah E. Crain as and for her last will and testament in our presence who at her request, in her presence and in the presence of each other signed as attesting witnesses, Mar, 1942.

Sallie Stewart