

APPLICATION TO PLANNING COMMISSION

Agricultural Land Division

Paris- Bourbon County Joint Planning Commission

301 Main Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. ALD18-22 Fee Amount: \$ 175⁰⁰ Date Fee Received: 12/14/18

1. **APPLICANT (prospective purchaser)** Alvin D. Castle & Susan R. Castle
MAILING ADDRESS 1834 Clintonville Road, Paris, KY 40361
PHONE NO. (913) 481-0612 (HOME) _____ (WORK)

2. **OWNER** Community Trust Bank, Inc.; C/o Jody Oney
MAILING ADDRESS P.O. Box 306, Mt. Sterling, KY 40353
PHONE NO _____ (HOME) (859) 498-5332 (WORK)

3. **LOCATION OF LAND AND BRIEF DESCRIPTION OF LAND:** #1834 Clintonville Road; flat to gently rolling pasture

5. **ACREAGE:** 10.000 acres **ZONING DISTRICT:** Ag

6. **IDENTIFY CURRENT USE OF BUILDINGS** house & garage

7. **PROPOSED STRUCTURES** none at this time

8. INFRASTRUCTURE:

Does the Division involve a new street? No

Is public water available? Yes

What agricultural use will you make of this property? vegetable garden

7. FEE: Refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION:

CHECKLIST:

- Attach a Legal Description of the Property (include deed book and page number for all tracts comprising the plat)
- Attach a plat of the Division
- 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)

 12/12/18
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
allenpatrickdarnell@gmail.com (EMAIL)

December 14, 2018

File No. 18-4044

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

RE: Ag Land Division @ #1834 Clintonville Road (KY 1678), Bourbon County

Dear Sirs:

Please find transmitted herewith an Agricultural Land Division Application and plat. The land use will remain the same; agricultural. To our knowledge there has been no previous action taken by the board of adjustments in regards to this property.

The adjoining property owners are:

W WILSON & BARBARA T NICHOLLS, 1854 CLINTONVILLE RD, PARIS KY 40361
WILLIAM T & LISA D NICHOLLS, PO BOX 216, PARIS KY 40362
COLUMBIANA FARM LLC, 1650 CLINTONVILLE RD, PARIS KY 40361
JAMES A & MARY C SMITH, 1722 CLINTONVILLE RD, PARIS KY 40361
TIMMY C & DEBBIE E ROE, 1760 CLINTONVILLE RD, PARIS KY 40361
JESSE LYNN, JR & RENA AULICK-LYNN, 1800 CLINTONVILLE RD, PARIS KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

AFFIDAVIT

(Land Use)

The Affiant Community Trust Bank, Inc.
C/o Jody Oney, first being duly sworn, states that:

1. He (she) is the owner of one of the parcels of land shown in the attached application:
2. An agricultural use is now and will be made of the property as set out in K.R.S. 100.111 (2) .
3. Any residence on the premises or hereafter constructed on the premises will be occupied by a person, and their family, who is engaged in this agricultural use.
4. This is not a division so as to allow for residential building development for sale or lease to the public.

Jody Oney
Landowner

STATE OF Kentucky
COUNTY OF Montgomery

Sworn and subscribed to before me by Jody Oney on this the 11 day of December, 2018.

My commission expires 10/05/21.

Lois White

NOTARY PUBLIC

STATE AT LARGE

K.R.S. 100.111 (2) "Agricultural Use" means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard, fruits, vegetable, flowers, or ornamental plants, including provisions for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.

AFFIDAVIT

(Land Use)

The Affiant Alvin D. Castle
Susan R. Castle, first being duly sworn, states that:

- 5. He (she) is the prospective purchaser of one of the parcels of land shown in the attached application:
- 6. An agricultural use is now and will be made of the property as set out in K.R.S. 100.111 (2).
- 7. Any residence on the premises or hereafter constructed on the premises will be occupied by a person, and their family, who is engaged in this agricultural use.
- 8. This is not a division so as to allow for residential building development for sale or lease to the public.

Alvin D. Castle
Susan R. Castle
~~Landowner~~ Prospective Purchaser

STATE OF Kentucky
 COUNTY OF Fayette

Sworn and subscribed to before me by Alvin + Susan Castle on this the 12 day of December, 2018.

My commission expires Aug 3, 2021.



Sarah Crouch
 NOTARY PUBLIC
 STATE AT LARGE

K.R.S. 100.111 (2) "Agricultural Use" means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard, fruits, vegetable, flowers, or ornamental plants, including provisions for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.

COMMISSIONER'S DEED

WHEREAS, in the action of COMMUNITY TRUST BANK, INC. against LOUISVILLE CLEANING & RESTORATION, LLC; GATEWAY MITIGATION AND RESTORATION, LLC; TENNVOL RESTORATION, LLC; WILLIAM C. FISH AND CHRISTINE K. FISH, HUSBAND AND WIFE; TRADITIONAL BANK, INC.; COMMONWEALTH OF KENTUCKY, FINANCE AND ADMINISTRATION CABINET, DEPARTMENT OF REVENUE; UNITED STATES OF AMERICA, TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE; and BOURBON COUNTY, KENTUCKY, Civil Action No. 13-CI-272 in the Bourbon Circuit Court, a Judgment and Order of Sale was entered on the 7TH day of OCTOBER, 2014 directing the Master Commissioner of said Court to expose for sale at public auction, to the highest and best bidder, the real estate described herein; and

WHEREAS, said property was sold in accordance with said Judgment and Order of Sale on the 13th day of NOEVMBER, 2014 for the sum of SIX HUNDRED THIRTY-THREE THOUSAND THREE HUNDRED SIXTY-FIVE DOLLARS AND ZERO DOLLARS (\$633,365.00) when became the purchaser thereof; and

WHEREAS, by an Order dated that 6th day of January, 2015, the Court directed that the conveyance of the property be made by the Master Commissioner to COMMUNITY TRUST BANK, INC., its successors and assigns; and

WHEREAS, for greater certainty, the record and proceedings in the action described above are hereby referred to;

NOW, THEREFORE, THIS DEED OF CONVEYANCE, made and entered into this 12th day of January, 2015, by and between WILLIAM J. FOOKS, Master Commissioner of the Bourbon Circuit Court, who conveys for and on behalf of COMMUNITY TRUST BANK, INC. against LOUISVILLE CLEANING & RESTORATION, LLC; GATEWAY MITIGATION AND RESTORATION, LLC; TENNVOL RESTORATION, LLC; WILLIAM C. FISH AND CHRISTINE K. FISH, HUSBAND AND WIFE; TRADITIONAL BANK, INC.; COMMONWEALTH OF KENTUCKY, FINANCE AND ADMINISTRATION CABINET, DEPARTMENT OF REVENUE; UNITED STATES OF AMERICA, TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE; and BOURBON COUNTY, KENTUCKY, hereinafter collectively referred to as parties of the first part, and COMMUNITY TRUST BANK, INC., its successors and assigns forever, party of the second part.

Transfer year taxes should be sent to COMMUNITY TRUST BANK, P.O. Box 2947, Pikeville, KY 41502.

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the premises, and the further consideration of full payment of the purchase price of SIX HUNDRED THIRTY-THREE THOUSAND THREE HUNDRED SIXTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$633,365.00), the party of the first part, by William J. Fooks, Master Commissioner, has

179.049
3.482

bargained and sold and does hereby bargain, grant, sell, and convey unto the party of the second part COMMUNITY TRUST BANK, INC., its successors and assigns forever, said real estate located in Bourbon County, Kentucky, and more particularly described as follows, to-wit:

Beginning at the Southwest corner of the property of James Vanmeter and Mittie Vanmeter, his wife, which point is Southerwesterly 250 feet from the center of Clintonville Turnpike; thence running along the fence line of said Vanmeter N 17-38 W 90 feet to a fence corner in the property known as David Jackson's Estate; thence continuing said course 116 feet to a fence corner to said Jackson and Luther Rice; thence along the fence line of said Rice S 73-06 W 700 feet; thence continuing with said fence line S 73-56 W 917 feet to a fence corner of said Rice and Normal Miller; thence along the property line of said Miller S 72-35 W 2560.27 feet to a fence corner; thence N 18-23 W 26.02 feet to a fence, corner to said Miller and property known as James W. Connell and Mattie Connell; thence along with said fence line, S 72.23 W 266 feet to a fence corner to said Connell and A.B. Hancock; thence along the fence line of said Hancock S 20.12 E 1151 feet to a fence corner to said Hancock and J.S. Anderson; thence along the fence line of said Anderson and along the line of R.G. Hinson N 29-29 E 3399.5 feet to an angle in the fence; thence along the fence line of said Hinson S 70-36 E 1391 feet to a point in the center of Clintonville Turnpike N 19-01 E 2313-5 feet to a point in the center of said Pike; thence S 73-40 W 250 feet along the fence line of the aforementioned Vanmeter to the place of beginning, containing 179.049 acres.

THERE IS EXCLUDED AND NOT HEREIN CONVEYED the following:

That property conveyed by the deed recorded on October 24, 1997 in Deed Book 229, Page 547, Bourbon County Clerk's Office.

That property conveyed by the deed recorded on October 24, 1997 in Deed Book 229, Page 353, Bourbon County Clerk's Office.

That property conveyed by the deed recorded on October 24, 1997 in Deed Book 229, Page 341, Bourbon County Clerk's Office.

Being the same property conveyed to William C. Fish and Christine K. Fish, his wife, by S. Wayne West and Alyne G. West, his wife, by deed dated July 28, 2005, and of record in Deed Book 261, Page 775, in the Bourbon County Court Clerk's Office.

TO HAVE AND TO HOLD the same together with all and singular the rights, privileges, appurtenances, and improvements thereunto belonging, or in anyway appertaining unto the party of the second part, its successors and assigns forever. The Master Commissioner conveys all right, title, and interest, legal and equitable of said party of the first part and in and to the said property so far as he is authorized by the orders and proceedings in this case and no further, but he does not bind himself personally by anything contained in any event whatever.

It is understood between the parties hereto that second party shall assume and pay the 2015 ad valorem property taxes and all taxes due thereafter.