

APPLICATION TO BOURBON COUNTY JOINT PLANNING COMMISSION

Agricultural Land Division

Bourbon County Joint Planning Commission

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

Office Use only:

Application No. ALD 21-04 Fee Amount: \$ 175⁰⁰ Date Fee Received: 1/25/21

1. APPLICANT (prospective purchaser) Timothy Wayne Walton

MAILING ADDRESS 2521 Carducci St Lexington Ky 40361

PHONE # (HOME) 859-779-2342 (OTHER) _____

2. OWNER Maurice M. & Mabel N. Turner

MAILING ADDRESS 4 Parkway Drive, Paris, KY 40361

PHONE # (HOME) (859) 987-5298 (OTHER) _____

3. LOCATION AND BRIEF DESCRIPTION OF LAND: flat to gently rolling, Lexington Road (US 27 & US 68)

4. ACREAGE: _____ 5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS none

7. PROPOSED STRUCTURES Residential House

8. INFRASTRUCTURE:

Does the Division involve a new street? Yes/No _____ Is public water available? Yes/No _____

What agricultural use will you make of this property? _____

9. FEE: Refer to Fee Schedule

10. 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)


APPLICANT SIGNATURE

1-23-2021
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. Individuals are not required to employ an attorney, but you are encouraged to do so. All business entities require legal representation.

DARNELL ENGINEERING, INC.

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

*ENGINEERING & SURVEYING
Allen Patrick Darnell, P.E., PLS
allenpatrickdarnell@gmail.com (EMAIL)*

February 12, 2021

File No. 21-4619

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

RE: Ag Land Division @ Lexington Road (US 27 & US 68), Bourbon County

Dear Sirs:

Please find transmitted herewith an Agricultural Land Division Application and plat. The purpose of this plat is to create and divide off a 12.134 acre parcel. 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:

TERESA R & WILLIAM O HERRINGTON, 5460 LEXINGTON RD, LEXINGTON KY 40511
JEREMY & MIRANDA WYLES, 5498 LEXINGTON RD, LEXINGTON KY 40511
BEDFORD ACRES CHRISTIAN CHURCH, 5414 LEXINGTON RD, PARIS KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

AFFIDAVIT

(Land Use)

The Affiant Timothy Wayne Walton, first being duly sworn, states that:

1. He (she) is the Prospective Purchaser 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.



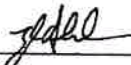
Prospective Purchaser

STATE OF Kentucky

COUNTY OF Bourbon

Sworn and subscribed to before me by Tyler Abshear on this
the 23 day of January, 20 21.

My commission expires 01/15/2023.



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 Maurice M. & Mabel N. Turner, 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.

Mabel N. Turner

Landowner

Maurice M. Turner

STATE OF

Kentucky

COUNTY OF

Bowling

Sworn and subscribed to before me by Tyler Abshear on this

the 23 day of January, 2021.

My commission expires 01/15/2023.

[Signature]

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.

226/495

#121.50
RETURN PD
11-15-96
Richard Stapp
By: Maurice M. Turner
Judy Bell
Valentine

DEED

THIS DEED, made and entered into this 14th day of November, 1996, by and between HELEN GUDGELL WILLMOTT and HARRIEL L. GUDGELL, EXECUTORS OF THE ESTATE OF REBECCA W. GUDGELL, DECEASED, parties of the first part, and MAURICE M. TURNER AND MABEL N. TURNER, his wife, of #4 Parkway Drive, Paris, Kentucky 40361, parties of the second part.

12/11/96
Maurice M. Turner

WITNESSETH:

WHEREAS, REBECCA W. GUDGELL, the owner of the hereinafter described real estate, died testate a resident of Paris, Bourbon County Kentucky, on the 11th day of September, 1985; and

WHEREAS, the Last Will and testament of said Rebecca W. Gudgell was duly and regularly admitted to probate by Order of the Bourbon District Court dated September 26, 1985, and now appears of record in the Office of the Bourbon County Court Clerk in Will Book HH, Page 374; and

WHEREAS, the parties of the first part were duly and regularly appointed as Executors of the Estate of Rebecca W. Gudgell by Order of the Bourbon District Court dated September 26, 1985, and are now the duly appointed, qualified and acting Executors of the Estate of Rebecca W. Gudgell.

NOW THEREFORE, in consideration of these premises and pursuant to the power of sale contained in ITEM III of the Last Will and Testament of Rebecca W. Gudgell, of record as aforesaid, the parties of the first part, in consideration of the sum of One Hundred and Twenty One Thousand and Five Hundred (\$121,500.00) Dollars, cash in hand paid, the receipt of all of which is hereby acknowledged, the parties of the first part has bargained and sold and by this writing does hereby GRANT AND CONVEY unto the parties of the second part, for and during their joint lives with the remainder in fee simple unto the survivor of them, his or her heirs and assigns forever, the following described tract or parcel of land:

BEGINNING at an iron pin set in the center of the Paris-Lexington Road (U S 68-27) a corner to Teresa R. Herrington; thence North 53 degrees, 21 minutes and 32 seconds West along the line of Herrington 926.934 feet to an iron pin, corner to Herrington; thence North 20 degrees, 19 minutes and 37 seconds East to a wooden post, corner to T. L. J. Cork; thence North 52 degrees, 37 minutes and 92 seconds East 1,019.625 feet to a point corner to the Bedford Acres Christian Church property; thence South 40 degrees, 56 minutes and 3 seconds East with the line of the Bedford Acres Christian Church 1,080.79 feet to a P K nail set in the center of the Paris-Lexington Road; thence with the center of the Paris-Lexington Road south 49 degrees, 34 minutes and 58 seconds West to the point of beginning, containing 27.26 acres, more or less, in accordance with surveys and plats as follows: (1) Plat prepared by Ronald D. Herrington, Land Surveyor, dated June 20, 1991, of record in Plat Book B, Page 149, in the Bourbon County Court Clerk's Office; and (2) a plat of record in the said office in Plat Book B, Slide 172; and being more further described as Exhibit "A" attached hereto.

Being the remaining portion of Tract #1 of the lands conveyed to W. L. Gudgell and Rebecca W. Gudgell, his wife, in joint ownership with right of survivorship by Ashley A. Austin and Anna Austin, his wife, Lillian Robertson, Trustee under the Will of Mary A. Ellis, deceased, and Lillian Robertson and A. B. Robertson, husband and wife, as individuals, by Deed dated April 28, 1952, of record in the Office of the Bourbon County Court Clerk in Deed Book 131, Page 79; the aforesaid W. L. Gudgell died a resident of Bourbon County, Kentucky, on the



12th day of March, 1962, and the title to all of the property described in said Source Deed vested in fee simple in the said Rebecca W. Guggell under the terms of said Deed; the said Rebecca W. Guggell died testate as aforesaid on the 11th day of September, 1985, and the parties of the first part herein are the duly appointed, qualified, and acting Executors of the Estate of Rebecca W. Guggell as set forth in this Deed with full power of sale of the herein described property.

TO HAVE AND TO HOLD the above described property, together with the improvements thereon and all of the rights, privileges and appurtenances thereunto belonging, unto the parties of the second part, for and during their joint lives with the remainder in fee simple unto the survivor of them, his or her heirs and assigns forever.

AND, the parties of the first part do hereby release and relinquish unto the parties of the second part, their heirs and assigns, all of the right, title and interest of the Estate of Rebecca W. Guggell and themselves as Executors in and to the above described property, including all exemptions allowed by law, and do covenant to and with the parties of the second part, their heirs and assigns, that the Estate of Rebecca W. Guggell is lawfully seised in fee simple of the above described property and that they as Executors of the Estate of Rebecca W. Guggell have a good and perfect right to sell and convey the same as herein done; that the title to said property is good, free, clear and unencumbered, except as hereinafter set out, and with said exceptions the parties of the first part will WARRANT GENERALLY the title to said property.

PROVIDED, HOWEVER, this conveyance is expressly made subject to (1) all covenants, conditions, restrictions, easements and rights of way which may be of record in the aforesaid Office and affect the title to the above described property; (2) all applicable building and zoning regulations which may be in effect in Bourbon County, Kentucky, on the date of this Deed, and all defects in the foregoing listed surveys and plats.

PROVIDED FURTHER, the foregoing Warranty and Covenants of Title are made by the parties of the first part solely in their capacity as Executors of the Estate of Rebecca W. Guggell and does not imply and personal liability on account of such Warranty and Covenants of Title.

IN TESTIMONY WHEREOF, the parties of the first part, as Executors of the Estate of Rebecca W. Guggell, deceased, has hereunto set their hands on this the day and year first above written.

Helen Guggell Willmott
HELEN GUGGELL WILLMOTT, EXECUTOR OF
THE ESTATE OF REBECCA W. GUGGELL

Harriel L. Guggell
HARRIEL L. GUGGELL, EXECUTOR OF
THE ESTATE OF REBECCA W. GUGGELL

STATE OF Kentucky
COUNTY OF Bourbon

The foregoing Deed of Conveyance was acknowledged before me by -HELEN GUGGELL WILLMOTT, EXECUTOR OF THE ESTATE OF REBECCA W. GUGGELL DECEASED, on this 14th day of November, 1996.

Debbie V. Thomas
NOTARY PUBLIC
My Commission Expires: Feb. 7, 1999

