

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 22-02 Fee Amount: \$ 175.00 Date Fee Received: 1-14-22

1. APPLICANT (prospective purchaser) Zachary & Kaylee Carpenter

MAILING ADDRESS 147 Old Post Road, KY 40361

PHONE # (CELL) 859-707-0243 (OTHER) 859-707-8130

2. OWNER Marci F. Smith

MAILING ADDRESS 2101 Old Millersburg Road, Paris, KY 40361

PHONE # (CELL) (859) 621-5229 (OTHER) _____

3. LOCATION AND BRIEF DESCRIPTION OF LAND: #2175 Millersburg Road (US 68); flat to rolling

4. ACREAGE: 14.793 5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS none

7. PROPOSED STRUCTURES house & barn

8. INFRASTRUCTURE:

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

What agricultural use will you make of this property? horses & cattle

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)

Marci Smith
APPLICANT SIGNATURE

1-12-2022
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.

AFFIDAVIT

(Land Use)

The Affiant Zachary & Kaylee Carpenter, 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.

Zachary Carpenter

Prospective Purchaser

STATE OF KY

COUNTY OF Bourbon

Sworn and subscribed to before me by Zachary Carpenter on this
the 12 day of JANUARY, 2022.

My commission expires 10-18-24.

Donald A. Zheute

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 Marci F. Smith, 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.



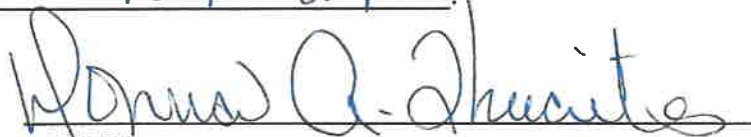
Landowner

STATE OF KY

COUNTY OF Bourbon

Sworn and subscribed to before me by Marci F. Smith on this
the 12 day of January, 2022.

My commission expires 10-18-24.



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.

#16000
RETAI Ad 3-9-05
Richard Step Lads BCC
By: Marythya...
ValbotDe

BOOK 259 PAGE 768



DEED OF CONVEYANCE

This **DEED OF CONVEYANCE**, made and entered into on this the 1st day of March, 2005, by and between **Fred T. Franklin and Judith A. Franklin**, husband and wife, whose address is PO BOX 91 PARIS, KY 40362, hereinafter referred to as **GRANTORS**, and **Marci F. Smith**, unmarried, whose address is 2101 Millersburg Road, Paris, Kentucky 40361, hereinafter referred to as **GRANTEE**;

WITNESSETH:

THAT Grantors, for and in consideration of the sum of One Hundred Sixty Thousand and 00/100 (**\$160,000.00**) **DOLLARS**, cash in hand paid, the receipt of all of which is hereby acknowledged;

DO HEREBY SELL, GRANT and CONVEY, unto the Grantee, **Marci F. Smith, unmarried**, in fee simple, her heirs and assigns, forever, the following described property situated in Bourbon County, Kentucky, and more particularly described as follows:

Beginning at an iron pin in the west right-of-way line of the Paris-Millersburg Road, said pin being approximately 628 feet northeast of the common corner between Katherine Davenport and Harold Cecil, thence running with the west right-of-way line of the Paris-Millersburg Road North 48° 26' 27" east 510.68 feet and north 45° 13' 51" east 187.92 feet to a corner to Eades; thence running first with the line of Eades and thence with the line of Bland north 47° 00' 00" west 722.37 feet; south 40° 06' 43" west 425.24 feet and north 47° 11' 54" west 2569.00 feet to a post in the line of Davenport; thence running with the line of Davenport south 48° 25' 00" west 275 feet to a corner to Harold Cecil; thence running with the line of Cecil south 47° 11' 54" east 3240.16 feet to the point of beginning and containing 27.162 acres, more or less. This is Tract 2 as shown on the plat of same in Plat Cabinet B, Slide 177; and

Being the same property conveyed to Fred T. Franklin and Judith A. Franklin, husband and wife, by deed dated April 29, 1996, of record in Deed Book 224, Page 516, in the Bourbon County Clerk's Office.

**AFTER RECORDING
RETURN TO GRANTEE**

05 MAR -9 PM 3:25

STATE OF KENTUCKY
SHERIFF OF BOURBON COUNTY
COURT HOUSE

CERTIFICATE OF APPROVAL FOR RECORDING

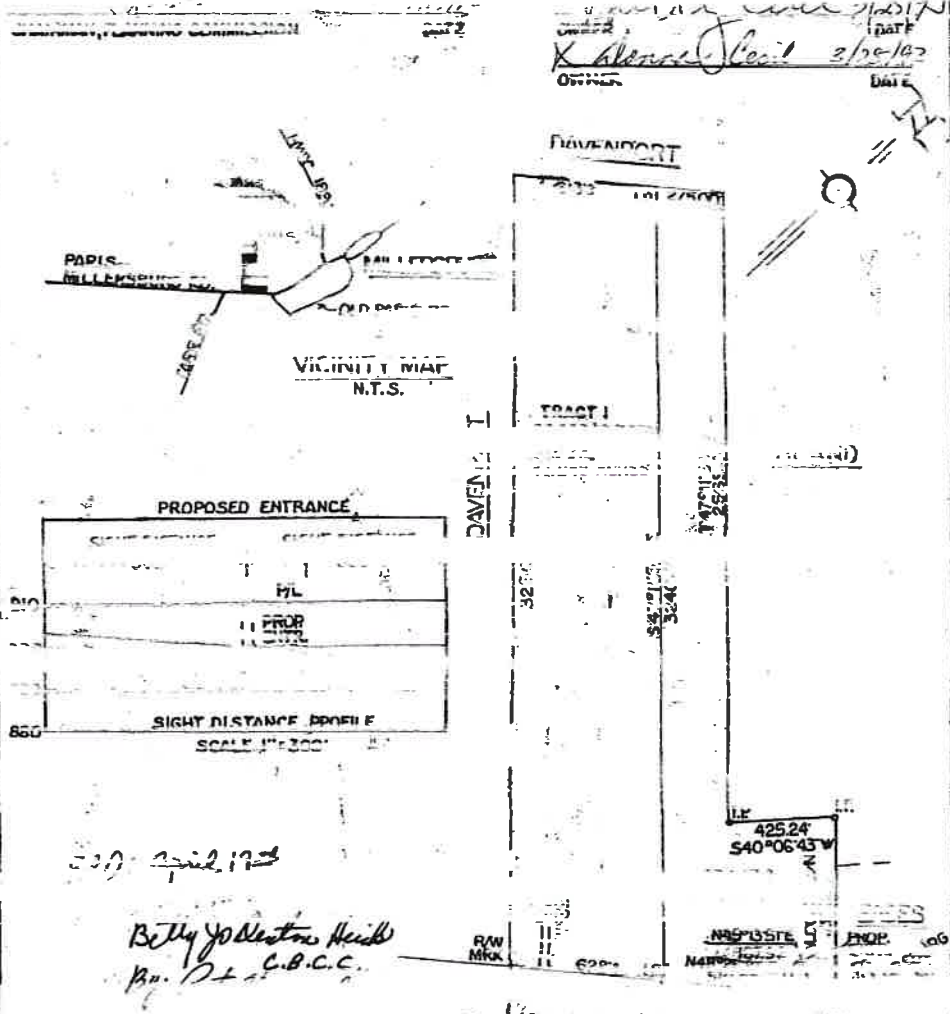
I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON HAS BEEN FOUND TO COMPLY WITH THE REQUIREMENTS OF THE BOURBON COUNTY JOINT PLANNING COMMISSION.

OWNER'S CERTIFICATE

I (WE) DO HEREBY CERTIFY THAT I (AM) (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADAPT THIS AS MY(COUR) PLAN OF SAID PROPERTY:

Betty Jo Denton Heick
Owner
Date: *3/20/02*

B177AB



ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADE BY ME OR UNDER MY SUPERVISION, BY THE METHOD OF...

BOURBON COUNTY JOINT PLANNING COMMISSION
Will E. Bell - 334-93

HAROLD CECIL
P.O. BOX 5 - MILLERSBURG RD.

Betty Jo Denton Heick
C.B.C.C.

LOGGED FOR CHECKS
BETTY JO DENTON HEICK
APR 11 19
CLERK, BOURBON COUNTY
COURT RM. 101

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File
Heick
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Cecil



DEED OF CONVEYANCE

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THIS DEED, between Marci F. Smith, single, 2101 Millersburg Road, Paris, KY 40361, Grantor, (in whose care the state and county tax bill for the aforesaid calendar year may be sent); and the COMMONWEALTH OF KENTUCKY, for the use and benefit of the TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, Frankfort, Kentucky 40622, Grantee;

WITNESSETH: That the said Grantor, in consideration of Fifty-Seven Thousand Eight Hundred Twenty-Five Dollars (\$57,825.00) cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do hereby sell, grant and convey to the Grantee, its successors and assigns forever, the following property and property rights, viz:

Parcel 44 Tract A

Being a tract of land lying in Bourbon County along U.S. 68 approximately 5.75 miles north of the intersection of U.S. 68 and the Paris Bypass, and more particularly described as follows:

Beginning at a point in the southwest property line and in the proposed right of way and controlled access line of U.S. 68, said point being 125.44 feet right of U.S. 68 at Station 399+54.50; thence with the southwest property line North 45 Degrees 28 Minutes 19 Seconds West a distance of 249.00 feet to a point in the proposed right of way and controlled access line of U.S. 68, said point being 120.22 feet left of U.S. 68 at Station 399+14.42; thence with the proposed right of way and controlled access line of U.S. 68 for two calls: North 49 Degrees 42 Minutes 20 Seconds East a distance of 135.93 feet to a point 120.00 feet left of U.S. 68 at Station 400+50.00; thence North 55 Degrees 52 Minutes 26 Seconds East a distance of 108.45 feet to a point in the northwest property line, said point being 124.97 feet left of U.S. 68 at Station 401+88.37; thence with the northwest property line South 46 Degrees 00 Minutes 20 Seconds East a distance of 172.76 feet to a point in the north property line, said point being 45.00 feet right of U.S. 68 at Station 402+18.07; thence with the northeast property line North 43 Degrees 20 Minutes 40 Seconds East a distance of 411.22 feet to a point 20.05 feet left of U.S. 68 at Station 403+22.75; thence with the east property line South 46 Degrees 00 Minutes 21 Seconds East a distance of 155.61 feet to a point in the proposed right of way and controlled access line of U.S. 68, said point being 124.56 feet right of U.S. 68 at Station 406+47.39; thence with the proposed right of way and controlled access line of U.S. 68 for three calls: South 82 Degrees 54 Minutes 27 Seconds West a distance of 151.44 feet to a point 100.00 feet

DEED OF CONVEYANCE

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right of U.S. 68 at Station 405+00.00; thence South 49 Degrees 20 Minutes 38 Seconds West a distance of 451.36 feet to a point 135.00 feet right of U.S. 68 at Station 400+50.00; thence South 59 Degrees 30 Minutes 31 Seconds West a distance of 95.98 feet to the point of beginning.

The above described parcel contains 2.604 acres of fee simple right of way. It is understood between the parties hereto and made a covenant herein that the above described parcel is conveyed in fee simple.

Parcel 44 Tract B

Being a tract of land lying in Bourbon County along U.S. 68 approximately 5.75 miles north of the intersection of U.S. 68 and the Paris Bypass, and more particularly described as follows:

Beginning at a point in the west property line and proposed right of way line of U.S. 68, said point being 200.00 feet left of U.S. 68 at Station 399+01.42; thence for two calls: North 57 Degrees 38 Minutes 30 Seconds East a distance of 148.91 feet to a point 190.00 feet left of U.S. 68 at Station 400+50.00; thence South 36 Degrees 12 Minutes 54 Seconds East a distance of 60.00 feet to a point in the proposed right of way and controlled access line of U.S. 68, said point being 130.00 feet left of U.S. 68 at Station 400+50.00; thence with the proposed right of way and controlled access line of U.S. 68 South 49 Degrees 42 Minutes 20 Seconds West a distance of 135.93 feet to a point in the proposed right of way and controlled access line of U.S. 68, said point being 120.32 feet left of U.S. 68 at Station 399+14.42; thence with the proposed right of way line of U.S. 68 North 45 Degrees 28 Minutes 19 Seconds West a distance of 80.74 feet to the point of beginning.

The above described parcel contains 9,922 square feet of temporary easement for frontage road construction; said easement terminates and reverts upon completion of same.

Parcel 44 Tract C

Being a tract of land lying in Bourbon County along U.S. 68 approximately 5.75 miles north of the intersection of U.S. 68 and the Paris Bypass, and more particularly described as follows:

Beginning at a point in the proposed right of way line of U.S. 68, said point being 200.69 feet right of U.S. 68 at Station 399+66.77; thence with the proposed right of way line of U.S. 68 North 45 Degrees 28 Minutes 20 Seconds West a distance of 76.25 feet to a point

DEED OF CONVEYANCE

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in the proposed right of way and controlled access line of U.S. 68, said point being 125.44 feet right of U.S. 68 at Station 399+54.50; thence with the proposed right of way and controlled access line of U.S. 68 North 59 Degrees 30 Minutes 31 Seconds East a distance of 95.98 feet to a point in the proposed right of way and controlled access line of U.S. 68, said point being 135.00 feet right of U.S. 68 at Station 400+50.00; thence South 7 Degrees 35 Minutes 51 Seconds East a distance of 62.65 feet to a point 190.00 feet right of U.S. 68 at Station 400+20.00; thence South 42 Degrees 26 Minutes 01 Seconds West a distance of 54.29 feet to the point of beginning.

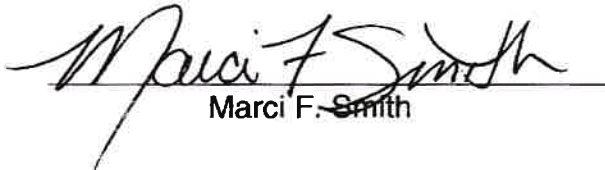
The above described parcel contains 4,838 square feet of temporary easement for frontage road construction; said easement terminates and reverts upon completion of same.

The above described property being a portion of the same property conveyed to the Grantor herein by Fred T. Franklin and Judith A. Franklin, husband and wife, by deed bearing date of March 1, 2005, which is duly recorded in Deed Book 259 at Page 768 in the office of the County Clerk of Bourbon County, Kentucky.

The proposed public road extends from Bourbon/Nicholas Co. Paris-Carlisle Road (FD04 C009 5722602R and FD04 C091 5722602R) the plans for which are on file in the office of the Transportation Cabinet in Frankfort, Kentucky. The acquisition of the right of way of this project was authorized by the Kentucky Department of Highways Official Order No. 104323. Access to the aforesaid highway shall be partially controlled, access shall be allowed only where specifically shown on the aforesaid plans as required to be set forth by 603 KAR 5:120.

TO HAVE AND TO HOLD said property unto the Grantee, its successors and assigns, with all the rights and privileges thereunto belonging with the covenants of General Warranty.

IN TESTIMONY WHEREOF the Grantor has executed this Deed of Conveyance on this, the 10 day of June, 2011.


Marci F. Smith

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)

January 14, 2022

File No. 21-4918

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

RE: Ag Land Division @ #2101 Old Millersburg Road & #2175 Millersburg Road (US 68),
Bourbon County

Dear Sirs:

Please find transmitted herewith an Agricultural Land Division Application and plat. The current owner would like to sell the 14.793 acre parcel that was created by the Kentucky Dept. of Transportation when they acquired her land and built the "new" Millersburg Road (US 68). 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:

LLOYD C & LISA M CAMPBELL, 2255 MILLERSBURG RD, PARIS KY 40361
JAMES WENDELL PAIGE, 2021 MILLERSBURG RD, PARIS KY 40361
KATHERINE P DAVENPORT, 2051 MILLERSBURG RD, PARIS KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures