

APPLICATION TO BOURBON COUNTY JOINT PLANNING COMMISSION
Subdivision

Bourbon County Joint Planning Commission
525 High Street, Paris, KY 40361 • (859) 987-2150

Office Use only:

Application No. M522-13 Fee Amount: \$ _____ Date Fee Received: _____

1. APPLICANT William Garland Esquire Gambill

MAILING ADDRESS 154 Woodmont Dr. Paris, KY 40361

PHONE NO. 859-749-7542 (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: _____ TOTAL ACREAGE: 15.463 NUMBER OF LOTS: 2

5. EXISTING USE: Farm ZONING DISTRICT: R3, R4, R5

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

Acreeage of Original Lots: Property 1- 15.463 2- 40.156 3- _____ 4- _____ 5- _____

Acreeage of Parcel to be divided: 15.463

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)

William Gambill
APPLICANT SIGNATURE

4-13-22
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.

Dear Bourbon County Joint Planning Commission,

Please accept this application as a subdivision of property for the construction of Cleveland Drive connector Rd as part of the Paris-Bourbon County Industrial Park. The purpose is to divide Tract 1B (2.193 acres) leaving the remainder of Tract 1A (13.271 acres).

To my knowledge, there have been no prior actions taken by the Board of Adjustment taken on this property.

Sincerely,

A handwritten signature in blue ink, appearing to read "William Garland Esquire Gambill". The signature is fluid and cursive, with a large initial "W" and "G".

William Garland Esquire Gambill

THIS QUITCLAIM DEED, made and entered into this 31st day of July, 2015, by and between **C. CLEVELAND GAMBILL A/K/A CROMWELL CLEVELAND GAMBILL AND ROSEMARIE GAMBILL**, husband and wife, whose mailing address is 362 South Mill Street, Lexington, KY 40508 (collectively, "Grantors"), and **WILLIAM GARLAND ESQUIRE GAMBILL, ADMINISTRATOR WITH WILL ANNEXED OF THE ESTATE OF EDWARD L. GAMBILL, JR.**, whose address is 154 Woodmont Drive, Paris, KY 40361 ("Grantee").

WITNESSETH:

WHEREAS, the hereinafter described property (the "Property") was devised in equal shares to Edward Little Gambill, Jr., also known as Edward L. Gambill, Jr., and Cromwell Cleveland Gambill, also known as C. Cleveland Gambill, by the joint will of their father, Edward Little Gambill, Sr. (a/k/a Dr. Edward L. Gambill and Dr. E. L. Gambill), and mother, Margaret Cleveland Gambill, dated December 30, 1965, probated as to Edward Little Gambill, Sr., who died April 24, 1972, on May 3, 1972, in the Fayette County Court and recorded in Will Book 64, at page 182, in the Fayette County Clerk's Office, and of record in Will Book AAA, page 622 in the Bourbon County Clerk's office and probated as to Margaret Cleveland Gambill, who died June 15, 1998, on October 28, 1998, in the Fayette County District Court and recorded in Will Book 197, at page 212, in the aforesaid Clerk's Office, and recorded in Will Book TT, at page 674, in the Bourbon County Clerk's Office;

WHEREAS, Edward L. Gambill, Jr., the owner of a ½ undivided interest in the Property, died June 4, 2007, and by his last will and testament dated May 29, 1999, probated in the Bourbon District Court on December 9, 2008, a copy of which is recorded in the Fayette County Clerk's

Return to:
Richard A. Nunnally
STOLL KEENON OGDEN PLLC

ATTORNEYS AT LAW
300 WEST VINE STREET, SUITE 2100
LEXINGTON, KENTUCKY 40507-1801

Office in Will Book 332, at page 515, provided that the residuary of his estate, which included his ½ undivided interest in the Property, passed into trusts for the benefit of his three adult sons, William Garland Esquire Gambill, David Allen Gambill and Edward L. Gambill, III;

WHEREAS, a number of issues have arisen regarding the Property and the status and administration of the spendthrift trusts, and a number of claims, issues and disputes have been asserted in various litigation among the parties;

WHEREAS, in order to resolve all issues, claims and disputes, the parties entered into a Settlement Agreement dated December 20, 2014 (the "Settlement Agreement"), wherein, among other provisions, it was agreed that a Quitclaim Deed (the "Quitclaim Deed") be executed by the Edward L. Gambill, Jr. Testamentary Trust, the Estate of Edward L. Gambill, Jr., William Garland Esquire Gambill, David Allen Gambill, Edward L. Gambill, III, and the spouses of William Garland Esquire Gambill and David Allen Gambill, conveying any and all of their respective interests in the Property to the Grantee.

WHEREAS, James M. Lovell, Bourbon County Master Commissioner, was appointed to execute the Settlement Agreement and the Quitclaim Deed on behalf of the Edward L. Gambill, Jr. Testamentary Trust, by order entered on April 7, 2015, in *Gambill v. Gambill*, Bourbon Co. Civil Action No. 13-CI-00045 in the Second Division of the Bourbon Circuit Court;

WHEREAS, William Garland Gambill, also known as William Garland Esquire Gambill, was appointed Administrator with Will Annexed of the Estate of Edward L. Gambill, Jr., by order of the Bourbon District Court entered on December 9, 2008, in *In re: Estate of Edward L. Gambill, Jr.*, Bourbon Co. Probate Action No. 07-P-00079, in the Probate Division of the Bourbon District Court (the "Gambill Estate Action");

WHEREAS, AnnDru Gambill is the duly appointed and serving limited guardian and limited conservator for her son, Edward L. Gambill, III, pursuant to orders of the Bourbon District Court

entered October 22, 2014, and was authorized to execute the Settlement Agreement and the Quitclaim Deed by order entered on February 10, 2015, in the Gambill Estate Action.

NOW THEREFORE, for and in consideration of the terms of the Settlement Agreement, the receipt of which is hereby acknowledged, Grantors hereby remise, release, grant, convey and forever quitclaim unto the Grantee, in fee simple, his successors and assigns, all of their respective right, title and interest in and to those certain tracts or parcels of land located in Bourbon County, Kentucky, and being more particularly described in EXHIBIT A attached hereto and made a part hereof.

TO HAVE AND TO HOLD, the same unto the Grantee, in fee simple, his successors and assigns, by way of quitclaim. This conveyance is specifically made subject to any mortgages, easements and restrictions of record affecting said property, and taxes and assessments for the current year, which mortgages, taxes and assessments and those of succeeding years, Grantee assumes and agrees to pay.

This deed is a deed of partition and exempt from transfer tax pursuant to KRS 142.050(7)(g).

CONSIDERATION CERTIFICATE

The parties hereto state that the consideration reflected in the deed is the full consideration paid for the Property, and the estimated fair cash value of the Property is \$711,400, which is one-half (1/2) of the 2015 Bourbon County Ad Valorem Property Tax Assessment, determined by the Bourbon County PVA, for the assessed property prior to the division effectuated by this Deed. Grantee joins in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135. The tax bill for the year in which this transfer is made shall be sent in-care-of Grantee at 154 Woodmont Drive, Paris, KY 40361.

IN TESTIMONY WHEREOF, witnesseth the signatures of the parties as of the date first above written.

GRANTORS:

C. Cleveland Gambill
C. CLEVELAND GAMBILL A/K/A
CROMWELL CLEVELAND GAMBILL

Rosemarie Gambill
ROSEMARIE GAMBILL

GRANTEE:

William Garland Esquire Gambill
WILLIAM GARLAND ESQUIRE GAMBILL,
ADMINISTRATOR WITH WILL ANNEXED
OF THE ESTATE OF EDWARD L.
GAMBILL, JR.

STATE OF Kentucky
COUNTY OF Fayette

The foregoing Deed and Consideration Certificate was subscribed, sworn to and acknowledged before me this 31st day of July, 2015, by C. CLEVELAND GAMBILL A/K/A CROMWELL CLEVELAND GAMBILL, as Grantee.

My Commission expires 7.21.18

May M. Schaefer
NOTARY PUBLIC
Notary ID # 515661

STATE OF Kentucky
COUNTY OF Jay

The foregoing Deed and Consideration Certificate was subscribed, sworn to and acknowledged before me this 31st day of July, 2015, by ROSEMARIE GAMBILL, as Grantee.

My Commission expires 7.21.18.

May M. Schaefer
NOTARY PUBLIC
Notary ID # 515661

STATE OF Kentucky
COUNTY OF Jay

The foregoing Consideration Certificate was subscribed and sworn to before me this 31st day of July, 2015, by WILLIAM GARLAND ESQUIRE GAMBILL, ADMINISTRATOR WITH WILL ANNEXED OF THE ESTATE OF EDWARD L. GAMBILL, JR., as Grantor.

My Commission expires 7.21.18.

May M. Schaefer
NOTARY PUBLIC
Notary ID # 515661

THIS INSTRUMENT PREPARED BY:

Walter Morris
Walter R. Morris, Jr.
WYATT, TARRANT & COMBS, LLP
Lexington Financial Center
250 West Main Street, Suite 1600
Lexington, Kentucky 40507
859.233.2012

61375525.3
7/27/2015 3:20 pm

EXHIBIT A**Parcel 1**

Being all of New Tract 1 as shown by the Minor Subdivision Plat for Dr. E.L. Gambill Estate of record in Plat Cabinet C, Slide 369, in the Bourbon County Clerk's office.

Being a part of the same property conveyed by Cromwell C. Cleveland and Gene Rickey Cleveland, his wife, to Margaret C. Gambill, by deed dated August 5, 1953, of record in Deed Book 132, Page 268, in the Bourbon County Clerk's Office. Also being a part of the same property conveyed to Dr. E. L. Gambill, by deed dated June 12, 1946, of record in Deed Book 126, Page 9, in the Bourbon County Clerk's Office.

Parcel 2

Being all of New Tract 2 as shown by the Minor Subdivision Plat for Dr. E.L. Gambill Estate of record in Plat Cabinet C, Slide 369, in the Bourbon County Clerk's office.

Being a part of the same property conveyed by James Norris and Marguerite L. Norris, his wife, to Dr. E. L. Gambill and Margaret C. Gambill, his wife, by deed dated March 19, 1951, of record in Deed Book 131, Page 442, in the Bourbon County Clerk's Office. Also being a part of the same property conveyed to Dr. E. L. Gambill, by deed dated June 12, 1946, of record in Deed Book 126, Page 9, in the Bourbon County Clerk's Office.

Edward L. Gambill, also known as Edward Little Gambill, Sr., also known as Dr. E. L. Gambill, died April 24, 1972, and by his Will dated December 30, 1965, probated May 3, 1972, in the Fayette County Court and recorded in the Fayette County Clerk's Office in Will Book 64, at page 182 and of record in Will Book AAA, page 622 in the Bourbon County Clerk's office, devised one-half of his property, real or personal, to his wife Margaret Cleveland Gambill. The residue of his estate he devised to his wife for and during her natural life with the remainder devised equally to Edward Little Gambill, Jr. and Cromwell Cleveland Gambill. Margaret Cleveland Gambill died June 15, 1998, and by her Will dated December 30, 1965, probated October 28, 1998, in the Fayette County District Court and recorded in the Fayette County Clerk's Office in Will Book 197, at page 212, and of record in Will Book TT, Page 674, in the Bourbon County Clerk's office, devised all of her property equally to Edward Little Gambill, Jr. and Cromwell Cleveland Gambill. The said Edward Little Gambill, Jr., having died testate on June 4, 2007 and pursuant to Item IV of his Last Will and Testament of record in Will Book XX, Page 145, in the Bourbon County Clerk's office, fifty percent (50%) of said property was devised to his wife, Dana Gambill, should she survive him, and fifty percent (50%) or one hundred percent (100%) interest, should his wife predecease him, to a testamentary trust for the benefit of his three sons, David Allen Gambill, William Garland Esquire Gambill and Edward L. Gambill, III. The said Dana Gambill having predeceased Edward Little

Gambill, Jr. on March 4, 2005, as evidenced by her Will of record in Will Book 252, Page 319, in the Fayette County Clerk's office, and of record in Will Book ~~AAA~~ Page ~~627~~, in the Bourbon County Clerk's office, and upon the death of Edward Little Gambill, Jr. all of the interest in said property passed to a testamentary trust, for the benefit of his three sons, David Allen Gambill, William Garland Esquire Gambill and Edward L. Gambill, III. William Garland Esquire Gambill was appointed Administrator with Will Annexed of the Estate of Edward L. Gambill, Jr. by order of the Bourbon District Court entered on June 12, 2007.

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

Deed
was, on the 4 day of Aug, 2015
at 9:58 A.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, BCC

LOGGED FOR THE COUNTY
RICHARD STIPP EADS
BOURBON COUNTY CLERK
2015 AUG 14 AM 9:58



119534
Filed on: 08/04/2015 12:03:03 PM
Lock: DEED Number: 298
Pages: 285 - 291
Richard Stipp Eads, Bourbon County
CC: MARY TALBOT



1953 E. C. CLEVELAND'S HEIRS
 AUGUST TO: DEED INT. LAND
 5 MARGARET C. GAMBILL

THIS DEED made and entered into this ___ day of August, 1953, between CROMWELL C. CLEVELAND and GENE RICKEY CLEVELAND, his wife, of Newport News, Virginia, parties of the first part, and MARGARET C. GAMBILL, of Lexington, Kentucky, party of the second part;

WITNESSETH, THAT whereas E. C. CLEVELAND, died intestate, a resident of Bourbon County, Kentucky, on the 6th. day of August, 1937, owning a parcel of land, located in Bourbon County, Kentucky, containing 132.22 acres, of which the tract of land, herein conveyed is a part thereof:

AND WHEREAS E. C. Cleveland, left surviving him, as his heirs at law, two children, namely, Cromwell C. Cleveland and Margaret C. Gambill; And whereas the two children of E. C. CLEVELAND, have agreed upon a division of said land, between the two;

NOW THEREFORE, for the purpose of concluding this agreement, and in consideration of second party together with her husband, this day, conveying to Cromwell C. Cleveland, all of second party's interest in a tract of land containing 66.11 acres, said tract being a part of the 132.22 acres above mentioned, and of the further consideration of second part and her husband paying to Cromwell C. Cleveland, the sum of Four Thousand Six Hundred and Fifty Dollars (\$4650.00), the receipt of the payment of which is acknowledged by first parties upon the delivery, of this deed, the first parties herein, namely Cromwell C. Cleveland and his wife, Gene Rickey Cleveland, do hereby grant and convey to second party, Margaret C. Gambill, and to her heirs and assigns, all of first party's interest, in the following described tract of land, situated on the South side of the Paris and Georgetown Road, about one mile West of Paris, and in Bourbon County, Kentucky, and more fully described by metes and bounds as follows:

Beginning at a point in the center of the Paris-Georgetown Pike and corner to Cromwell C. Cleveland; thence with the line of Cleveland for three calls S 18° 3' W 1854.6 feet, S 71° 57' E 487.9 feet and S 18° 17' W 399.7 feet to a point in the line of Dr. Gambill; thence with Gambill for two calls N 85° 29' E 1110 feet and N 08° 43' E 2131 feet to the center of the aforesaid Paris-Georgetown Pike; thence with the center of the Paris-Georgetown Pike for two calls N 85° 23' W 975 feet and N 83° 16' W 222.2 feet to the beginning and containing 66.11 acres and is a part of the same land, which E. C. Cleveland acquired by deed from John L. Hopkins dated April 8, 1910, and of record in Deed Book 95, page 256, in the office of the Clerk of the Bourbon County Court; and a part of the land which E. C. Cleveland owned at the time of his death: the said E. C. Cleveland having died intestate, a resident of Bourbon County, Kentucky, on the 6th. day of August, 1937, leaving as his only heirs at law, two children, namely Margaret C. Gambill and Cromwell C. Cleveland, and they acquired same, upon the death of their father by inheritance.

See affidavit of inheritance attached to the deed from Margaret C. Gambill to Cromwell C. Cleveland, of even date herewith.

The first parties reserve to themselves and their heirs and assigns, the

*Deed to:
Margaret C.
Gambill
11-30-72*

and so long thereafter as Margaret C. Gambill owns the tract of land. The line constructed shall be placed a least 18 inches deep and the ditch well filled, and shall not disturb a growing crop in building same. First party may construct said gas line at a time which he shall specify provided that he complies with the requirements already herein set forth. And first party reserves to himself, his heirs and assigns, the right to enter in this land, to repair or maintain this line after construction.

TO HAVE AND TO HOLD the above described parcel of land, and all of first party's interest therein, together with all improvements thereon, and appurtenances thereto, subject to the gas line reservation, unto MARGARET C. GAMBILL, and her heirs and assigns, forever, with covenants of GENERAL WARRANTY.

Witness our hands the day and year above written.

Cromwell C. Cleveland
Gene Rickey Cleveland

STATE OF KENTUCKY: COUNTY OF BOURBON:

I, BUCKNER WOODFORD, JR. a Notary Public, duly appointed and qualified as such, with authority to take acknowledgements in the county and state aforesaid, hereby certify, that on this day, to-wit the 5th. day of August, 1953, in the County of Bourbon and State of Kentucky, the foregoing deed from Cromwell C. Cleveland and wife to Margaret C. Gambill, was presented before me by Cromwell C. Cleveland and Gene Rickey Cleveland, and after due execution by each of them, was acknowledged by Cromwell C. Cleveland to be his act and deed and was also acknowledged by Gene Rickey Cleveland, to be her act and deed. My commission as Notary Public expires April 1, 1956.

Witness my hand and seal of office, this 5th. day of August, 1953.

(SEAL)

Buckner Woodford, Jr., Notary Public,
Bourbon County, Kentucky

STATE OF KENTUCKY: COUNTY OF BOURBON: SCT.

I, ED. D. PATON, Clerk of the Bourbon County Court, do certify that the foregoing Deed---Stamped \$5.50---was, on the 8th. day of August, 1953, at 11:30 A.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 8th. day of August, 1953.

Ed. D. Paton, Clerk