

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:

Application No. MS22-19 Fee Amount: \$150 Date Fee Received: 5/13/2022

1. APPLICANT Pete R. Dailey, III

MAILING ADDRESS P.O. Box 5144, Paris, KY 40362-5144

PHONE NO. 707-8803 (HOME) (WORK)

2. TYPE OF REQUEST (Check one) MINOR SUBDIVISION MAJOR SUBDIVISION AMENDED SUBDIVISION PLAT X CONSOLIDATION

3. PLEASE CIRCLE: Paris/ Bourbon County/ North Middletown/ Millersburg

4. SUBDIVISION NAME: TOTAL ACREAGE: 586.636 NUMBER OF LOTS: 3

5. EXISTING USE: agricultural ZONING DISTRICT: A-1

6. LOT INFORMATION (as it pertains to individual application): 1A+1B=50.259; 1B+2=85.589; 3A+3B=450.788 Acreage of Original Lots: Property 1- 2- 3- 4- 5- Acreage of Parcel to be divided: 50.259

7. FEE: Refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION: Refer to Article VI of the Subdivision Regulations.

CHECKLIST:

- X Attach a Legal Description of the Property (include deed book and page number for all tracts comprising the plat) X Attach a plan of the proposed use (as described above) X Attach a narrative of the proposed use (as described above) X Attach a narrative describing any prior actions taken by the Board of Adjustment on this property X Attach a list of adjoining property owners (name and address)

APPLICANT SIGNATURE [Signature] DATE 5/11/22

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)

May 13, 2022

File No. 22-5083

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

RE: Consolidation @ Escondida Road, Bourbon County

Dear Sirs:

Please find transmitted herewith a consolidation application and plat. The purpose of this plat is to consolidate a 17.000 acre parcel with an existing 203.168 acre parcel; and to consolidate a 33.259 acre parcel with an existing 52.330 acre parcel. The land use will remain the same-agricultural.

To our knowledge, the board of adjustments has not taken any prior action in regards to this property.

The adjoining property owners are:

LAUREN N & AARON JOSEPH BELT, 691 LIBERTY HILL DR, LEXINGTON KY 40509
WILLIAM JUSTICE SCOTT, 1855 CLINTONVILLE RD, PARIS KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

153/22

Picked up
Pete Dailey
11/5-3-79

COMMONWEALTH OF KENTUCKY
COUNTY OF BOURBON

THIS INDENTURE, made this 15 day of March, in the year of our Lord, One Thousand Nine Hundred and Sixty-eight, between JOHN BURDEN and HELEN BURDEN, his wife, Parties of the First Part, of Bourbon County, Kentucky, and PETE R. DAILEY III and BETTYE LEE B. DAILEY, his wife, equally and jointly, with survivorship rights, of the County of Fayette, State of Kentucky, Parties of the Second Part

WITNESSETH:

That for and in consideration of other good and valuable considerations and the sum of One Dollar (\$1.00) in hand paid to them at and before the delivery of these presents, the receipt whereof is hereby acknowledged, the Parties of the First Part have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Parties of the Second Part for and during their joint natural lives, with remainder in fee simple to the survivor of them and his or her heirs and assigns forever, that property situated in Bourbon County, Kentucky, and more particularly described as follows:

That certain tract of land lying on the west side of the Escondida Road in Bourbon County, Kentucky, and more particularly described as follows:

Beginning at a point on the western margin of the Escondida Road, a corner to Burden, and thence running first with the western margin of the Escondida Road and thence with the line of Royse N 38° 50' E 1471.0 ft. to a corner to Royse and Clay; thence with the line of Clay N 72° 35' West 1531.0 ft. to a post; thence with the line of Clay N 18° 40' E 1178.0 ft. to a post, thence continuing.



with the line of Clay N 71° 35' W 1861.0 ft. to a corner to Clay and Leach; thence with the line of Leach South 20° 02' W 1290.0 ft. to an iron pin, a corner to Leach and Burden; thence with the line of Burden S 47° 50' East 2205.0 ft to a locust tree; thence with the line of Burden S 50° 00' E 960.0 ft. to the point of beginning and containing 108.80 Acres of land.

BEING the same property conveyed to First Parties herein by Cecil Foley et ux by deed dated January 11, 1965, of record in Deed Book 147, page 17, Bourbon County Court Clerk's Office.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining to the only proper use, benefit and behoof of the said Parties of the Second Part for and during their joint lives with remainder in fee simple to the survivor of them and his or her heirs, executors, administrators and assigns forever, with Covenant of General warranty of Title.

IN TESTIMONY WHEREOF, the said Parties of the First Part have hereunto set their hands the day and year first above written.

John Burden
John Burden

Helen Burden
Helen Burden

This instrument was prepared by the undersigned attorney whose address is 426 Main St., Paris, Ky.

James S. Wilson, Jr.
James S. Wilson, Jr.

\$45.00 RE TAX
Paid 2-11-05
Richard Stupp Eads, BCC
By: Jeanna Jones, DC

BOOK 259 PAGE 524



DEED

THIS DEED OF CONVEYANCE, made and entered into this the 12 day of January, 2005, by and between, Thomas A. Payne, a single person, 3256 Carriage Lane, Lexington, Kentucky 40517, Grantor, and, Peter R. Dailey III, a single person, 733 Escondida Road, Paris, Kentucky 40361, Grantee.

WITNESSETH

That for and in consideration of the sum of Forty Five Thousand Dollars (\$45,000.00), cash in hand paid, the receipt of all of which is hereby acknowledged, the Grantor has bargained and sold and do hereby grant and convey unto the Grantee, his heirs and assigns forever, the following described real property situated in Bourbon County, Kentucky, and being more particularly described as follows:

All that certain tract of land in Bourbon County, Kentucky, at Escondida Station on the L & N R. R. and more particularly described as follows:

Beginning at a point in the center of the Frankfort and Iron Works Pike in the west right-of-way of the L & N R. R. corner to Tract No. 2, belonging to Dallas Royse (now Rust); thence with the center line of said pike N 87 deg. 37' W 601.3 feet to a point in the center of said pike where the east right-of-way line of an abandoned lane intersects center of said pike, said pike being in the line of Tract No. 2; thence with said right-of-way line of said lane, N 38 deg. 22' E 959.9 feet to a fence post at the end of said lane and corner to Douglas K. Clay, Jr.; thence with said Clay S. 57 deg. 59'E 120.8 feet to a fence post in the west right-of-way line of the L & N R. R. corner to Clay; thence with the west right-of-way line of said railroad, S 07 deg. 46' W 720.8 feet to the beginning, containing 6.28 acres, more or less.

Being a part of the same property conveyed to Chester Payne and Mary Payne, his wife, as tenants in common, by C. W. Warner & Jack Congelton, Inc., et. al., by Deed dated November 14, 1978, and recorded in Deed Book 180, Page 382 in the Bourbon County Clerk's Office (the "Office"). Mary Payne died intestate a resident of Bourbon County, Kentucky, on March 7, 1997, leaving her interest in the property to her husband, Chester Payne and her sons Chester L. Payne, Jr. and Thomas A. Payne, as her heirs at law as set forth in that certain Affidavit of Descent of record in Deed Book 241, page 421 in the Office. Chester Payne, a

RECORDED FOR BOURBON COUNTY CLERK'S OFFICE

05 FEB 11 PM 3:17

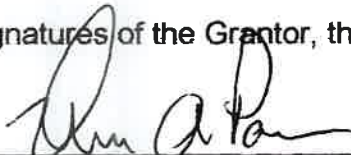
widower, conveyed his interest in and to the Property, to Thomas A. Payne, a married person and Chester L. Payne, Jr., a married person, by deed dated September 1, 2000, of record in Deed Book 241, Page 423, in the Office.

Chester L. Payne, Jr., conveyed his undivided one-half (1/2) interest in the same property to Thomas A. Payne, a single person, by deed from Chester L. Payne, Jr, and Diane Payne, his wife, dated May 22, 2003 and of record in Deed Book 251, page 342, Bourbon County Clerk's office.

TO HAVE AND TO HOLD the above described property, together with the appurtenances thereunto belonging to the Grantee, Peter R. Dailey III, his heirs and assigns forever, with covenants of general warranty.

The Grantor does hereby release and relinquish unto the Grantee, his heirs and assigns, all of his right, title and interest in and to the above described property, including all exemptions allowed by law and does hereby covenant to and with said Grantee, his heirs and assigns, that he is lawfully seized in fee simple of said property and have good right to sell and convey the same as herein done; that the title to said property is clear, perfect and unencumbered and that he will **WARRANT GENERALLY** the said title.

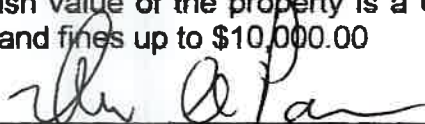
IN TESTIMONY WHEREOF, witness the signatures of the Grantor, this the day and year first above written.



THOMAS A. PAYNE

CONSIDERATION CERTIFICATE

We, THOMAS A. PAYNE, Grantor, and, PETER R. DAILEY III Grantee, do hereby certify, pursuant to KRS Chapter 382, that the property herein conveyed is transferred with monetary consideration of Forty Five Thousand Dollars (\$45,000.00). We further certify that the full estimated fair cash value of the interest of the property herein conveyed is \$45,000.00. We further certify our understanding that falsification of the stated consideration or full estimated fair cash value of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00



THOMAS A. PAYNE

REAL ESTATE TAX PAID AMT \$ 1,200.00
RICHARD STIPPEADS, BCC
DATE 3/5/21 BY A. Jay Hurst, DC

BOOK 316 PAGE 632

AFTER RECORDING RETURN TO:
JACK MARTIN GOINS
ATTORNEY AT LAW
315 Pleasant Street
Paris, Kentucky 40361

DEED

THIS DEED made and entered into this 12th day of February, 2021, by and between HELEN B. JONES, single, of 1855 Clintonville Rd., Paris, KY 40361, party of the first part, and WILLIAM JUSTICE SCOTT, single, of 1855 Clintonville Rd., Paris, KY 40361, party of the second part; transfer year taxes in care of William Scott, 1855 Clintonville Rd., Paris, KY 40361.

WITNESSETH:

For and in consideration of the sum of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) paid to the party of the first part by the party of the second part, the receipt of all of which the party of the first part hereby acknowledges, the party of the first part hereby bargains, sells and conveys unto the party of the second part, in fee simple, his heirs and assigns forever, and with the Covenant of GENERAL WARRANTY, all of the first party's right, title and interest in and to the following described real property located in Bourbon County, Kentucky:

PARCEL ONE:

ALL that certain tract of land lying and being in Bourbon County, Kentucky, on the east side of the Clintonville-Paris Pike about 2½ miles north of Clintonville, on the waters of Green Creek and Kennedy Creek, and more particularly described as follows:

BEGINNING at an iron spike in the Clintonville-Paris Pike, in the center thereof, a corner to Sophia Johnson (colored); thence S 71 deg. 21' E 504.9 feet to a fence post, corner to said Johnson; thence S 25 deg. 46' W 95 feet passing a corner to said Johnson and Jess Southern in all 103.8 feet to a fence post, corner to S. M. Childers in the line of said Southern; thence N 85 deg. 09' 30" E 3566.4 feet with the line of said Childers to a fence post, a corner to Childers in the line of Tom Williams; thence N 1 deg. 35' W 171.7 feet to a stake, a corner to said Williams; thence S 41 deg. 01' E 1561.8 feet with the line of said Williams to a stake, corner to O. L. Hamilton Sr., Tract No.1, in the line of said Williams; thence N 20 deg. 18' E 2035.6 feet passing an iron pin, a corner to said Tract No. 1, and another tract of said O. L. Hamilton Sr., referred to as Tract No. 2, in all 3486.5 feet to a stake, a corner to said Tract No. 2 in the lie of

Douglas Clay; thence with the line of said Clay N 71 deg. 22' W 231.3 feet to a stake in said line; thence N 71 deg. 52' W 1736.0 feet with said Clay's line to a fence post, corner to Lee Stephenson in the line of said Clay; thence S 20 deg. 24' W 1209.4 feet with the line of said Stephenson to a fence post, a corner to said Stephenson; thence 72 deg. 04' W 843.1 feet with the line of said Stephenson to a fence post, a corner to N. E. Miller in the line of said Stephenson; thence with the line of said Miller S 21 deg. 39' W 867.1 feet to a fence post, a corner to said Miller; thence with the line of said Miller S with the center of said Pike S 19 deg. 06' W 613.1 feet to an iron spike in said center of said Pike; thence S 19 deg. 13' W 459.3 feet to the place of beginning, containing an area of **247.62** acres, more or less.

AND BEING the same property conveyed to Charles M. Jones and Helen B. Jones, husband and wife, by Deed dated January 25, 1999, and of record in Deed Book 234, Page 716, Bourbon County Court Clerk's Office. **AND BEING** the same property conveyed to Charles M. Jones and Helen B. Jones, husband and wife, by Deed of Correction dated January 16, 2004, and of record in Deed Book 254, Page 676. Charles M. Jones died intestate on July 16, 2017, and pursuant to the laws of descent and distribution for the Commonwealth of Kentucky, as more particularly set out in the Affidavit of Descent filed August 21, 2020 in Deed Book 314, Page 743, his one-half interest in the property passed to his sole heirs at law, namely his wife Helen B. Jones, and his daughter Nicole Jones Scott. Nicole Jones Scott, single, conveyed her interest in the property to Helen B. Jones, single, by Deed dated February 12, 2021, and of record in Deed Book 316, Page 1029.

PARCEL TWO:

BEING all of Tract No. 2 of the Consolidation Plat for George S. Hofmeister Family Trust Property, Clintonville Road dated March 27, 2006 of record in Plat Cabinet C, Slide 234, Bourbon County Court Clerk's Office, containing 203.168 acres. See said Plat for a more particular description. A metes and bounds description is as follows:

BEGINNING at a found iron pin located in the northwest corner of other property of Charles M. & Helen B. Jones (Deed Book 234, Page 716); thence with the lines of other property of Charles M. & Helen B. Jones S 73° 21' 02" E 1189.58 feet to a found iron pin; thence S 73° 38' 49" E 771.25 feet to a found iron pin, a corner to property of Pete R. Dailey III (Deed Book 153, Page 212 & Deed Book 259, Page 524); thence with the lines of Pete R. Dailey III S 72° 44' 42" E 1852.46 feet to a found iron pin; thence S 17° 23' 52" W 1167.94 feet to a found iron pin; thence S 51° 41' 55" E 19.63 feet to a P-K Nail in a 24" Hackberry; thence S 73° 53' 03" E 1511.61 feet to a found iron pin; thence S 74° 44' 23" E 37.48 feet to a found iron pin; thence S 59° 11' 36" E 119.99 feet to a set iron pin located in the west right-of-way line of CSX Railroad; thence with the west right-of-way line of CSX Railroad for eight calls: N 06° 02' 35" E

220.68 feet; N 01° 56' 59" E 201.91 feet; N 04° 10' 30" W 188.75 feet; N 10° 09' 06" W 188.65 feet; N 16° 37' 29" W 190.56 feet; N 22° 25' 11" W 188.62 feet; N 28° 02' 26" W 185.65 feet; N 33° 49' 45" W 179.89 feet to a found iron pin; thence N 35° 57' 36" W 417.30 feet to a found iron pin; thence N 54° 02' 24" E 51.73 feet to a found iron pin; thence N 35° 57' 36" W 1406.54 feet to a found iron pin; thence S 54° 02' 24" W 25.00 feet to a found iron pin; thence N 35° 57' 36" W 915.63 feet to a found iron pin; thence N 54° 02' 24" E 25.00 feet to a found iron pin; thence N 35° 57' 36" W 1805.05 feet to a set iron pin, a corner to other property of George S. Hofmeister Family Trust (Deed Book 240, Page 908 & Deed Book 254, Page 409); thence with the lines of the tract herein described and other property of George S. Hofmeister Family Trust S 37° 30' 06" W 1244.17 feet to a set iron pin; thence S 41° 46' 40" E 66.26 feet to a set iron pin; thence S 41° 52' 13" W 1887.00 feet to a set iron pin; thence S 18° 46' 00" W 1207.48 feet to a set iron pin, a corner to other property of Charles M. & Helen B. Jones; thence with the lines of Charles M. & Helen B. Jones S 73° 57' 34" E 25.03 feet to a point; thence N 18° 46' 00" E 1206.98 feet to the point of beginning; containing an area of 203.168 acres. This description prepared by J. D. Williams Jr., LPLS 316, according to a survey conducted on April 3, 2006 by J. D. Williams Engineers-Surveyors, Inc.

AND BEING the same property conveyed to Charles M. Jones and Helen B. Jones, husband and wife, by Deed dated April 26, 2006, and of record in Deed Book 265, Page 475, Bourbon County Court Clerk's Office. Helen B. Jones became sole owner upon the July 16, 2017 death of Charles M. Jones pursuant to the survivorship clause in said Deed.

TO HAVE AND TO HOLD the above described property together with all appurtenances and privileges thereunto belonging, unto the party of the second part, in fee simple, his heirs and assigns forever, with Covenant of **GENERAL WARRANTY** subject, however, to easements and restrictions of record.

IN TESTIMONY WHEREOF the party of the first part has hereunto signed her hand on this date, which is first above written.

The undersigned, Helen B. Jones, single, Grantor herein, and William Justice Scott, single, Grantee herein, do hereby certify, pursuant to K.R.S. 382, that the above stated consideration in the amount of \$1,200,000.00 is the true, correct and full consideration paid for the property herein conveyed.