

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. ALD22-29 Fee Amount: \$ 175⁰⁰ Date Fee Received: 12/9/2022

CK12116

1. APPLICANT (prospective purchaser) Cooper & Audrey Swiney

MAILING ADDRESS 645 Spears Mill Rd, KY 40361

PHONE # Cooper- (859) 707-9645; Audrey-(859) 707-1673

2. OWNER Tim & Christine Pope

MAILING ADDRESS 964 Peacock Road, Paris, KY 40361

PHONE # Christine - (859)588-7751 and Tim (859)585-6788

3. LOCATION AND BRIEF DESCRIPTION OF LAND: Monson Road (KY 1771), flat to gently rolling

4. ACREAGE: 5.000 5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS none

7. PROPOSED STRUCTURES Manufactured home

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? livestock pasture

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)

Audrey Swiney
APPLICANT SIGNATURE

Cooper Swiney

12-8-22
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.

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 9, 2022

File No. 19-4268

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

RE: Ag Land Division @ Monson Road (KY 1771), 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 5.000 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:

J & T CARR; A & D CARR, 763 KY HIGHWAY 982 WEST, CYNTHIANA KY 41031
GLEN L & LINDA F MOTLEY, 291 MONSON LN, CYNTHIANA KY 41031
LARRY T PERRAUT SR, 1116 KY HWY 1771, CYNTHIANA KY 41031-1771
ROBERT WAYNE CLIFFORD, 1809 KY HWY 1940, CYNTHIANA, KY 41031
ELIZABETH M & JAMES S CLYDE, 283 COOK PK, CYNTHIANA, KY 41031

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

AFFIDAVIT
(Land Use)

The Affiant Tim & Christine Pope first being duly sworn, states that:

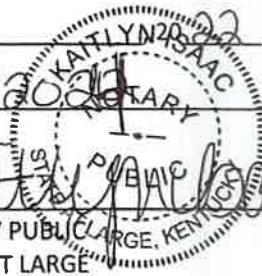
1. He (she) is the owner of one of the parcels of land shown in the attached application.
2. An agricultural use is now and will be made of the property as set out in K.R.S. 100.111 (2).
3. Any residence on the premises or hereafter constructed on the premises will be occupied by a person, and their 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 Kentucky
COUNTY OF Bourbon

Sworn and subscribed to before me by Christine & Timothy Pope on this
the 8th day of December

My commission expires 9/27/2022


Katelyn Isaac # KYNP14866

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 Cooper & Audrey Swiney, 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.

Cooper & Audrey Swiney
Prospective Purchaser

STATE OF Kentucky

COUNTY OF Bourbon

Sworn and subscribed to before me by Cooper & Audrey Swiney on this
the 8th day of December, 2022

My commission expires 9/27/2024

Kaitlyn Isaac
NOTARY PUBLIC
STATE AT LARGE, KENTUCKY

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.

LODGED FOR RECORD
RICHARD STIPP EADS
BOURBON COUNTY CLERK

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

REMAX
REAL ESTATE TAX PAID AMT \$ 468.00
RICHARD STIPP EADS, BCC
DATE 5-1-2019 BY DORNA B BROWN DC

DEED

THIS DEED made and entered into this 27th day of April, 2018, by and between **MILTON T. HILANDER and MARYALICE H. HILANDER**, husband and wife, of 2532 Bethlehem Rd., Paris, KY 40361, parties of the first part, and **TIM POPE and CHRISTINE POPE**, husband and wife, of 964 Peacock Rd., Paris, KY 40361, parties of the second part; transfer year taxes in care of Tim Pope and Christine Pope, 964 Peacock Rd., Paris, KY 40361.

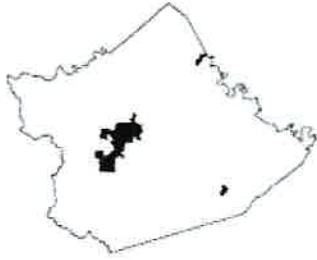
WITNESSETH:

For and in consideration of the sum of **FOUR HUNDRED SIXTY-SEVEN THOUSAND SIX HUNDRED TWENTY-FIVE DOLLARS (\$467,625.00)** (The majority of this property (approximately 100 acres) lies in Bourbon County – transfer tax will only be paid in Bourbon County) paid to the parties of the first part by the parties of the second part, the receipt of all of which the parties of the first part hereby acknowledge, the parties of the first part hereby bargain, sell and convey unto the parties of the second part, in fee simple, to the survivor of them, his or her heirs and assigns forever, and with the Covenant of **GENERAL WARRANTY**, all of the first parties' right, title and interest in and to the following described real property located in Harrison (*approximately 45 acres*) and Bourbon (*approximately 100 acres*) Counties, Kentucky:

All that tract or parcel of land situated on the west side of Monson Road 0.6 miles north of Lake Road and being bounded on the south by the remainder of the parent tract (Dorothy Ford, DB 116, P 108) and on the west by the property of L. T. Bradford (no deed found) and on the north by the property of Anna McKee (DB 192 P 64, Harrison Co.) and Larry T. Perraut (DB 181 P 311, Harrison Co.) and Larry T. Perraut (DB 204 P 543) and Marvin Darland (DB 229 P 263) and being more particularly bounded and described as follows, to-wit: Beginning at a set magnetic nail in the center of Monson Road in the line of Darland extended; thence with the centerline for 12 calls: 1) S 13°51'58" W 179.49 feet to a set mag. Nail 2) S 14°08'32" W 99.75 feet to a set mag. Nail 3)

S 15°45'42" W 96.77 feet to a set mag. Nail 4) S 21°05'33" W 103.61 feet to a set mag. Nail 5) S 24°37'33" W 110.40 feet to a set mag. Nail 6) S 28°29'13" W 158.86 feet to a set mag. Nail 7) S 26°53'36" W 103.13 feet to a set mag. Nail 8) S 22°02'40" W 100.18 feet to a set mag. Nail 9) S 17°22'00" W (direction previously omitted) 105.39 feet to a set mag. Nail 10) S 13°11'22" W 102.95 feet to a set mag. Nail 11) S 10°26'46" W 88.12 feet to a set mag. Nail 12) S 07°36'26" W 148.95 feet to a set mag. Nail; thence for 12 calls along an existing fence through the parent tract 1) N 80°30'11" W 535.18 feet to a set iron pin 2) N 80°13'46" W 200.21 feet to a set iron pin 3) N 85°32'12" W 155.80 feet to a set iron pin 4) N 81°39'14" W 120.63 feet to a set iron pin 5) N 77°57'17" W 135.81 feet to a set iron pin 6) N 79°26'06" W 219.93 feet to a set iron pin 7) S 14°29'55" W 20.71 feet to a set iron pin 8) N 81°32'59" W 499.21 feet to a set iron pin 9) N 75°11'28" W 554.57 feet to a set iron pin 10) N 80°22'54" W 384.91 feet to a set iron pin 11) N 77°16'26" W 428.96 feet to a set iron pin 12) N 67°36'57" W 218.17 feet to a found set stone N 82°31'44" W 2.02 feet from a set reference iron pin; thence with Bradford for two calls 1) N 10°37'54" E 1193.68 feet to a fence corner 2) N 10°12'19" E 589.28 feet to a mag. Nail set in a new fence corner post; thence McKee and Perraut 1) N 89°30'39" E (incorrectly previously W) 2001.68 feet to a set iron pin; thence for two calls with Perraut 1) S 09°12'49" E (incorrectly previously W) 564.56 feet to a set iron pin 2) S 80°33'19" E 746.68 feet to a set iron pin; thence with Darland for two calls 1) S 10°59'11" W 159.82 feet to a set iron pin 2) S 74°48'09" E 900.81 feet to the beginning and containing 145.97 acres excepting 0.96 acres for the right of way of Monson Road leaving a net acreage of 145.01 and being a portion of DB 116 P 108 (110.07 acres) and 34.94 acres DB 104 P 129, as recorded in the Bourbon County Court Clerk's Office, Paris, Kentucky. This description results from a field survey performed by John Fritts L.S. 2164 of the Office of J and S Surveying, Georgetown, KY. No search of records was made to find easements or rights of way which might affect the subject property. See plat of survey dated the 10th day of December, 2000, recorded in Plat Cabinet C, Slide 55, Bourbon County Clerk's Office, and Plat Cabinet 4, Sheet 441A, Harrison County Clerk's Office. The division of land shown by this description is agricultural as defined by KRS 100.111 and the Bourbon County Planning and Zoning regulations. Each tract created by this division contains at least 50 acres and 250 feet of road frontage and does not involve a new road. Current fence lines supersede any discrepancies in calls herein.

AND BEING the same property conveyed to Milton T. Hilander and Maryalice H. Hilander, husband and wife, by Deed dated June 9, 2014, and of record in Deed Book 333, Page 235, Harrison County Court Clerk's Office, and in Deed Book 294, Page 600, Bourbon County Court Clerk's Office.


BOURBON COUNTY JOINT PLANNING OFFICE

525 High Street
Paris, KY, 40361
859.987.2150

www.bourboncountyplanning.com

Permit #: 368

Permit Type:

Address: MONSON RD 249

City: PARIS

State: KY

Zip: 40361

Owner: POPE TIM & CHRISTINE

Owner Address: 964 PEACOCK RD

Owner City: PARIS

Owner State: KY

Owner Zip: 40361

Owner Phone: 859-588-7751

Owner Email:

Receipt #: 256

Date: 12/09/2022

Paid By: Check

Description: Paid Check #12116 for ALD 22-29

Payment Type: Check

Payment Type Description: #12116

Accepted By: Micki Sosby

Fees Paid

| Fee Name | Fee Type | Description | Factor | Total Fee Amount | Amount Paid |
|----------------------------|-------------|-------------|--------|------------------|-----------------|
| Agricultural Land Division | Application | | 0.00 | 175.00 | 175.00 |
| | | | | Total: | \$175.00 |