

APPLICATION TO BOURBON COUNTY JOINT PLANNING COMMISSION

Zoning Map Amendment

Bourbon County Joint Planning Commission

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

Office Use only:

Application No. ZMA22-07 Fee Amount: \$ 400.00 Date Fee Received: 10/5/2022

1. APPLICANT Richard T Hadden and Paulette G. Hadden

MAILING ADDRESS 3494 Maysville Rd, Paris, Ky 40361

PHONE NO. (859) 338-3961 (HOME) (WORK)

2. TYPE OF REQUEST: Map Amendment

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

4. LOCATION OF REQUEST: 3494 Maysville Rd, Paris Ky TOTAL ACREAGE: 11.5

5. EXISTING USE: farm ZONING DISTRICT FROM: TO:

6. DESCRIPTION OF PROPOSAL: Complete transaction annexing property from Bourbon Co. to Millersburg Annex (farm)

7. FEE: refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION: (1) A legal description (or deed) of the property. (2) Any request for a zoning map amendment to any single or two family residential zone shall be required to submit a site plan; any request for a zoning map amendment to any other zone shall be required to submit a conceptual development plan in accordance with all applicable requirements of the Zoning Ordinance. (3) A narrative response to address the findings necessary for the map amendment. Before any map amendment is granted, the planning commission must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court: (Refer to Article 5 of the Zoning Ordinance- Amendments).

- a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.
b. That there have been major changes of an economical, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive plan and which have substantially altered the basic character of such area.

CHECKLIST:

- Attach a Legal Description of the Property
Attach a narrative to address the necessary findings for the ZMA (as described above)
Attach a site plan or conceptual development plan
Attach a list of adjoining property owners (name and address)
Post a notice of the ZMA on the property at least 14 days prior to the public hearing in accordance with KRS 100.212

I hereby certify that the information contained in this application and supporting attachments is true and correct. I acknowledge that the paid fee will not be returned after legal notices have been submitted.

Richard T Hadden / Paulette G Hadden Oct 4, 2022
APPLICANT SIGNATURE 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. An individual applicant may choose to have an attorney represent them. All entities must be represented by an attorney.

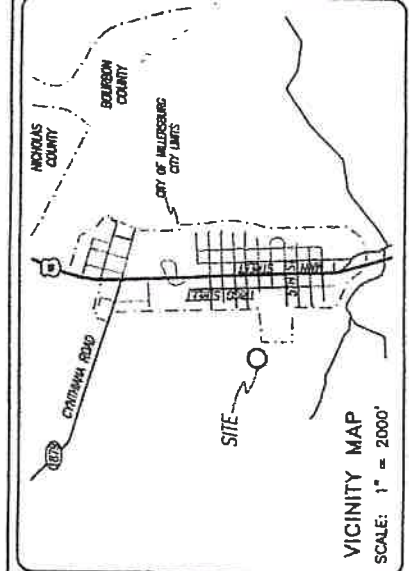
The Planning Commission makes the following findings:

RE: 11.498 Acre Tract, Millersburg, KY
Parcel No. 051-00-00-037.00

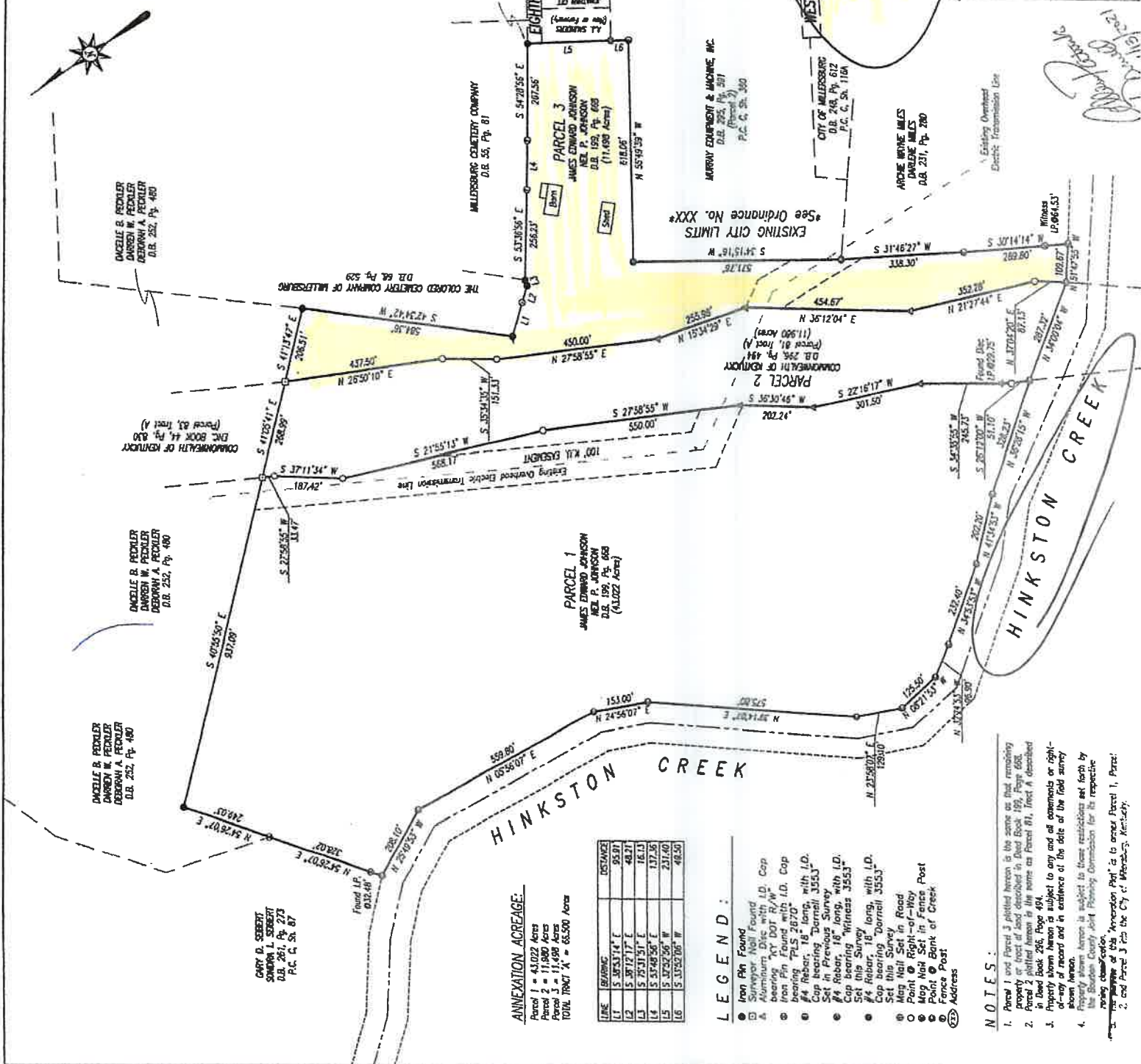
The new Millersburg Bypass (US 68) has presented major changes, both physical and economic, to the property in question. The Bypass cut this 11.498 acre tract off of its parent tract and this tract was annexed into the city of Millersburg in 2019; however, zoning was not changed.

The Bypass has altered the basic character of the area. US 68 has severed many farms since it has been rerouted. The 2017 comprehensive plan indicates that the future use of the 11.498 acres as "Industrial". The property is accessed off of a residential street, Eighth Street, plus from the Bypass. The property is only 110 feet wide throughout the majority of it. Having a piece of property that is zoned "Industrial", that is only 110 feet wide, and is accessed from a residential street is inappropriate.

Based upon the above findings, the 11.498 acres in the city of Millersburg, the Commission supports the zone change to "A" in the City of Millersburg.



MAIN
ANNEXATION OF MILLERSBURG
8th Street Extension



2021 JAN 14 PM 4:16

PLATTED: 09/25/18 @ \$300 BY APD

CITY OF MILLERSBURG KENTUCKY
 MILLERSBURG BYPASS (US 68) & WEST 8TH STREET

ANNEXATION PLAT

DARNELL ENGINEERING, INC.
 P.O. Box 175
 Cynthiana, Kentucky 41031
 (605) 234-8657

DATE	SCALE	DRAWN BY	CHECKED BY
08/29/18	1" = 200'	JOHNSON	MILLERS
FILE NO.	FIELD BOOK	PROJECT NO.	DATE
18-0933	3553	181-3	12/06/18

Added to record in Paris, Kentucky at 114 Main January 14 2021 by the Bourbon County Clerk, Richard Hogg, Esq., BCC

ANNEXATION ACREAGE:

Parcel 1 = 41,022 Acres
Parcel 2 = 11,880 Acres
Parcel 3 = 11,508 Acres
TOTAL TRACT X = 64,410 Acres

LINE	BEARING	DISTANCE
L1	S 85°31'14" E	95.01
L2	S 87°17'17" E	44.91
L3	S 75°31'51" E	16.11
L4	S 54°48'56" E	137.26
L5	S 32°32'06" W	231.00
L6	S 33°52'06" W	48.50

LEGEND:

- Iron Pin Found
- Surveyor Nail Found I.D. Cap
- Aluminum Disc with I.D. Cap
- bearing "X" DOT R/W
- Iron Pin Found I.D. Cap
- Iron Pin Found I.D. Cap
- Cap bearing "Darnell 3553"
- Set in Previous Survey
- #4 Rebar, 18" long, with I.D. Cap bearing "Witness 3553"
- Set this Survey
- #4 Rebar, 18" long, with I.D. Cap bearing "Darnell 3553"
- Set this Survey
- Cap bearing "Road"
- Cap bearing "Right-of-Way"
- Cap bearing "Fence Post"
- Cap bearing "Point of Creek"
- Cap bearing "Fence Post"
- Cap bearing "Address"

NOTES:

1. Parcel 1 and Parcel 3 attached hereto is the same as that remaining in Parcel 1, as shown on Plat No. 18-0933, Page 600.
2. Property of Millersburg in the name of Parcel 81, Tract A, described in Deed Book 236, Page 494.
3. Property shown hereto is subject to any and all easements or right-of-way of record and in evidence of the title of the field survey shown hereto.
4. Property shown hereto is subject to those restrictions set forth by the Bourbon County Joint Planning Commission for its respective zoning categories.
5. "Accession Plat" is to enter Parcel 1, Parcel 2, and Parcel 3 into the City of Millersburg, Kentucky.

REAL ESTATE TAX PAID AMT \$ 70⁰⁰
 RICHARD STIPPEADS, BCC
 DATE 5/10/2022 BY A. Jaythrust DC

2022 MAY 10 PM 3:50
 RICHARD STIPPEADS
 BOURBON COUNTY CLERK

THIS DEED AND CONSIDERATION CERTIFICATE, made and entered into on this the 4th day of May, 2022, by and between **JAMES EDWARD JOHNSON and NEIL P. JOHNSON**, husband and wife, whose address is 141 Muirfield Lane, Dothan, Alabama 36305, hereinafter referred to as parties of the first part; and **RICHARD T. HADDEN and PAULETTE G. HADDEN**, husband and wife, whose mailing and in-care of tax mailing address is c/o Richard T. Hadden and Paulette G. Hadden, 510 Dobbin Drive, Paris, Kentucky 40361, hereinafter referred to as parties of the second part.

WITNESSETH:

THAT for and in consideration of the sum of **SEVENTY THOUSAND AND 00/100 DOLLARS (\$70,000.00)** cash in hand paid by the parties of the second part, the receipt of all of which is hereby acknowledged, the parties of the first part have this date bargained and sold and do hereby grant and convey unto the parties of the second part, for and during their joint lives with the remainder in fee simple to the survivor of them, his or her heirs and assigns forever, the following described property, together with all improvements thereon and appurtenances thereunto belonging, located in the Commonwealth of Kentucky, and more fully described as follows, to-wit:

Being all of Parcel 3 consisting of 11.498 acres as shown on the annexation plat for City of Millersburg, Kentucky, Millersburg Bypass (US 68) and West 8th Street, Bourbon County, Kentucky, of record in Plat Cabinet D, Slide 56 in the office of the Bourbon County Clerk and also further described as follows:

All that certain tract or parcel of land, lying and being located in Millersburg, Bourbon County, Kentucky: and situated on the east side of Millersburg Bypass (US 68) and the west side of Eighth Street; and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin" is a set #4 rebar, eighteen (18") inches in length, with an orange cap stamped "Darnell 3553." All bearings stated

RETURN TO:

McBRAYER PLLC
 201 EAST MAIN ST., STE 900
 LEXINGTON, KY 40507

herein are referenced to Kentucky North Zone State Plane. All deed and plat references stated herein are found in the office of the Bourbon County Clerk, unless otherwise stated.

Beginning at an iron pin in the northwest right-of-way of Eighth Street, a corner to Millersburg Cemetery Company (D.B. 55, Pg. 81); said point being located N.59°14'51"E. 1,625.18 feet from a point at the intersection of the east right-of-way of Millersburg Bypass with the northeast bank of Hinkston Creek; thence in part with the said west right-of-way of said Eighth Street and A.J. Saunders (Now or Formerly) S.32°52'56"W. 231.40 feet to a found iron pin, a corner to Murray Equipment & Machine, Inc. (D.B. 295, Pg. 591; P.C. C, Sh. 360); thence with said Murray Equipment and Machine, Inc. for three calls as follows: 91) S.33°52'06"W. 49.50 feet to an iron pin, (2) N.55°49'39"W. 618.06 feet to a found iron pin, and (3) S.34°15'16"W. 571.76 feet to a found iron pin, a corner to Archie Wayne Miles & Darlene Miles (D.B. 231, Pg. 280); thence with said Miles S.31°46'27"W. 338.30 feet to a fence post and S.30°14'14"W. passing an iron pin bearing "Witness 3553" at 225.27 feet, in all 289.80 feet to a point on the east bank of Hinkston Creek; thence with said bank of said creek N.51°47'55"W. 109.67 feet to a point, a corner to Commonwealth of Kentucky (D.B. 296, Pg. 494) in the east right-of-way of Millersburg Bypass (US 68); thence with said Commonwealth of Kentucky and with said right-of-way of said road for seven calls as follows: (1) N.37°04'20"E. 87.13 feet to a point, (2) N.21°27'44"E. 352.28 feet to a found aluminum disc bearing "KY DOT R/W", (3) N.36°12'04"E. 454.67 feet to a found aluminum disc bearing "KY DOT R/W", (4) N.15°34'29"E. 255.98 feet to a found aluminum disc bearing "KY DOT R/W", (5) N.27°58'55"E. 450.00 feet to a point, (6) N.35°34'35"W. 151.33 feet to a point, and (7) N.26°50'10"E. 437.50 feet to a found Surveyor Nail, a corner to Dacelle B. Peckler, Darren W. Peckler, & Deborah A. Peckler (D.B. 252, Pg. 480); thence with said Peckler S.41°13'47"E. 206.51 feet to an iron pin, a corner to The Colored Cemetery Company of Millersburg (D.B. 68, Pg. 529); thence with said Colored Cemetery Company of Millersburg for four calls as follows: (1) S.42°34'42"W. 584.36 feet to an iron pin, (2) S.38°53'14"E. 95.91 feet to a mag nail set in a fence post, (3) S.38°12'17"E. 48.21 feet to an iron pin, and (4) S.75°31'51"E. 16.13 feet to an iron pin, a corner to Millersburg Cemetery Company (D.B. 55, Pg. 81); thence with said Millersburg Cemetery Company for three calls as follows: (1) S.53°36'56"E. 256.23 feet to a fence post, (2) S.53°48'56"E. 137.36 feet to a fence post, and (3) S.54°28'56"E. 267.56 feet to the point of beginning containing an area of 11.498 acres more or less, and being subject to any and all easements or right-of-way of record and in existence and in accordance with a survey and plat by Darnell Engineering, Inc. on August 29, 2018. See Plat recorded in Plat Cabinet D, Slide 56 .

Said premises being known and designated as 3494 Maysville Road; and

Being part of the same property conveyed to James Edward Johnson and Neil P. Johnson,

husband and wife, by deed dated the 15th day of June, 1987 and of record in Deed Book 199, Page 668 in the office of the Bourbon County Clerk.

TO HAVE AND TO HOLD the above-described property unto the said parties of the second part, for and during their joint lives with the remainder in fee simple to the survivor of them, his or her heirs and assigns forever.

The said parties of the first part do hereby release and relinquish unto the said parties of the second part, their heirs and assigns, all of their (first parties') right, title and interest in and to the said property, including all exemptions as allowed by law and do hereby covenant to and with the said parties of the second part, their heirs and assigns, that they (first parties) are lawfully seized in fee simple of said title and have good and lawful right to sell and convey same as is herein done and that the title to said property is free, clear and unencumbered and that they will WARRANT GENERALLY the said title.

PROVIDED, HOWEVER, this conveyance is subject to all restrictions and easements which may appear of record pertaining to the property herein conveyed. Parties of the second part agrees to pay taxes for the 2022 year and all subsequent years.

The parties hereto state the consideration reflected in this deed is the full consideration paid for the property. The parties of the second part join this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN WITNESS WHEREOF, the parties hereto have executed this instrument on the day and year first above written.

James Edward Johnson
JAMES EDWARD JOHNSON

Neil P. Johnson
NEIL P. JOHNSON

STATE OF Alabama)

COUNTY OF Houston)

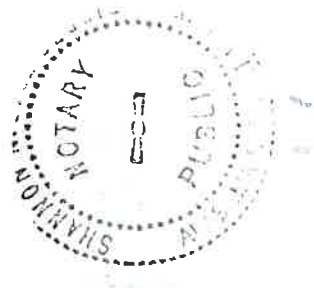
The foregoing Deed and Consideration Certificate was subscribed, sworn to and acknowledged before me this 3rd day of May, 2022, by James Edward Johnson and Neil P. Johnson, husband and wife, parties of the first part.

Shannon Nicole Reggie
NOTARY PUBLIC
Printed Name: Shannon Nicole Reggie

(SEAL)

NOTARY ID # _____ (if applicable)

My Commission Expires: September 22, 2025



IN WITNESS WHEREOF, the parties hereto have executed this instrument on the day and year first above written.

Richard T. Hadden
RICHARD T. HADDEN

Paulette G. Hadden
PAULETTE G. HADDEN

COMMONWEALTH OF KENTUCKY)

COUNTY OF Scott)

The foregoing Deed and Consideration Certificate was subscribed, sworn to and acknowledged before me this 4 day of May, 2022 by Richard T. Hadden and Paulette G. Hadden, husband and wife, parties of the second part.

Mary Estes Haggin
NOTARY PUBLIC, STATE AT LARGE, KENTUCKY
MARY ESTES HAGGIN

NOTARY ID #: KYNP39406

My Commission Expires: 11/11/2025

Mary Estes Haggin
THIS INSTRUMENT PREPARED BY:

MARY ESTES HAGGIN
McBRAYER PLLC
201 East Main Street, Suite 900
Lexington, Kentucky 40507
(859) 231-8780

STATE OF KENTUCKY
COUNTY OF BOURBON, Sct.
I, RICHARD STIPP EADS, Clerk of Bourbon County Court,
do certify that the foregoing DEED
was on 5/10/2022 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, CLERK

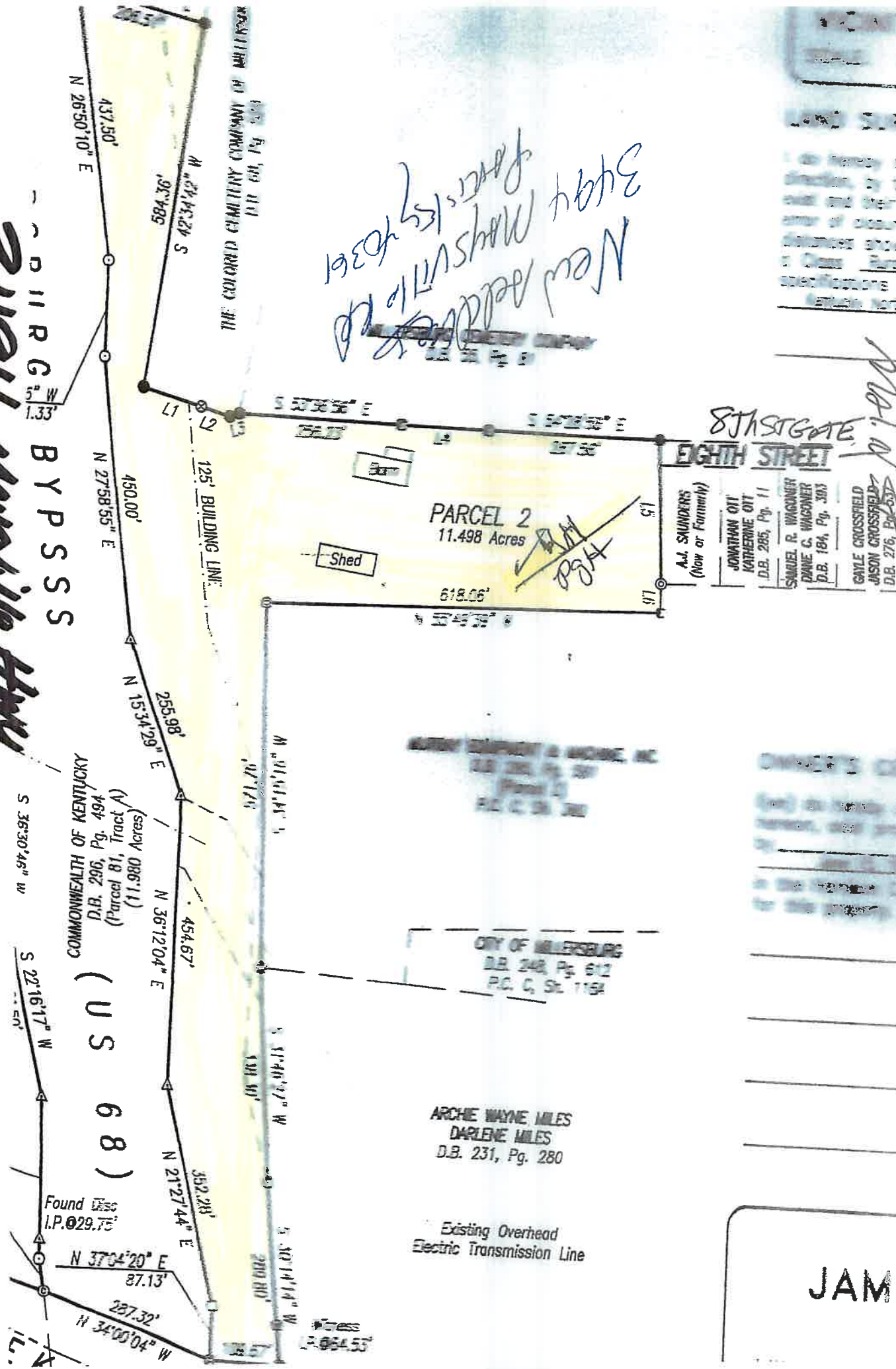
Richard Stipp Eads, BCC



3494 Massville Hwy
Paris Ky 40361

BYPASS

*New Address
 3494 Massville Hwy
 Paris, KY 40361*



PARCEL 2
 11.498 Acres

Shed

EIGHTH STREET

Ad. SAUNDERS (Now or Formerly)	JONATHAN OIT KATHERINE OIT D.B. 285, Pg. 11	SAMUEL R. WAGNER DIANE C. WAGNER D.B. 184, Pg. 383	GWILE CROSSFIELD JASON CROSSFIELD D.B. 276, Pg. 332
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CITY OF MILLERSBURG
 D.B. 248, Pg. 612
 P.C. C, St. 1194

ARCHIE WAYNE MILES
DARLENE MILES
 D.B. 231, Pg. 280

Existing Overhead
 Electric Transmission Line

JAMI

VOLUNTARY CONSENT TO ANNEXATION

*into City
of Millersburg
Feb 5th 2019*

TO THE MAYOR AND CITY COUNCIL OF THE
CITY OF MILLERSBURG, KENTUCKY

Comes the undersigned and respectfully represent that I, we, are the owners of
certain real estate described in Exhibit A attached hereto.

Further that I, (we) hereby request and consent to annexation into the City of
Millersburg, Kentucky the property more fully described in the attached description and
map. The property is suitable for urban purposes without unreasonable delay by reason of
population density, commercial, industrial, institutional, or governmental use of land, or
subdivision of land. The property is adjacent to the City of Millersburg and it is desirable
for the undersigned and the City of Millersburg that this property be annexed into the City
and, I (we) do hereby waive any objection to a proposed Ordinance annexing said
property described in Exhibit A, into the City of Millersburg and that we, in fact, do
hereby request and voluntarily consent to said annexation.

Sincerely,

[Handwritten signature]
Neil S. Johnson

STATE OF AL
COUNTY OF HOUSTON

Subscribed, sworn to and acknowledged before me this the 5th day of
Feb., 2019 by Terry Ann Dunning.

My commissioner expires: 11-15-2020

[Handwritten signature]
Terry Ann Dunning

NOTARY PUBLIC



Physical Address W 4TH ST MLBG
Mailing Address TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS
FRANKFORT KY 40622

Physical Address MILLERSBURG-CYNTHIANA RD
Mailing Address PECKLER DARREN W & DEBORAH A
151 N ALTA AVE
DANVILLE KY 40422

Physical Address W 8TH ST - MLBG
Mailing Address THE COLORED CEMETERY COMPANY
MILLERSBURG KY 40348

Physical Address 302 W 11TH ST - MLBG
Mailing Address MILLERSBURG CEMETERY COMPANY
MILLERSBURG KY 40348

Physical Address W 8TH ST - MLBG
Mailing Address SAUNDERS A J
3308-B NORTHCREST RD
DORAVILLE GA 30340-4012

Physical Address 501 TRIGG ST - MLBG
Mailing Address MILLERSBURG EQUIPMENT & MACHINE INC
46226 NATIONAL RD
ST CLAIRSVILLE OH 43950

Physical Address 208 W 8TH ST - MLBG
Mailing Address NEWTON ROBERT C
P O BOX 354
MILLERSBURG KY 40348

Physical Address 302 W 4TH ST - MLBG
Mailing Address MILES ARCHIE W & DARLENE
302 W 4TH ST - MILLERSBURG
PARIS KY 40361