

# 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 23-01 Fee Amount: \$ 175<sup>00</sup> Date Fee Received: 1/6/2023

1. APPLICANT (prospective purchaser) CASH PAMELA & JUSTIN RASMUSSEN

MAILING ADDRESS 440 GUNNERHILL RD PARIS, KY 40361

PHONE # (HOME) 575-650-2667 (OTHER) 801-755-0282

2. OWNER MICHAEL & KIMBERLY NEWBY

MAILING ADDRESS 1102 LEMONS MILL GEORGETOWN, KY

PHONE # (HOME) 859-509-1179 (OTHER) 859-749-7268

3. LOCATION OR PARCEL NUMBER OF PROPERTY AND BRIEF DESCRIPTION OF LAND: 10 acres

consisting of residence

4. ACREAGE: 10 5. ZONING DISTRICT: \_\_\_\_\_

6. IDENTIFY THE CURRENT USE OF EACH BUILDING ON THE PROPERTY \_\_\_\_\_

7. PROPOSED STRUCTURES EXISTING HOUSE & NEW BARN

8. INFRASTRUCTURE: Is public sewer available? Yes/No No If no, has a representative from the Bourbon

County Health Department been on site to determine the suitability for a septic tank? Yes/No

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? FRUIT TREES, BARLEY, SMALL GARDEN

9. FEE: Refer to Fee Schedule CATTLE, HORSE & CHICKENS.

### 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)
- NONE 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)

Michael Lee Newby \_\_\_\_\_ 1/6/23  
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. Individuals are not required to employ an attorney but are encouraged to do so. All business entities require legal representation.

**AFFIDAVIT**

(Land Use)

The Affiant TAMERA & JUSTIN RASMUSSEN, 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.


  
 \_\_\_\_\_  
 Prospective Purchaser

STATE OF Bourbon Kentucky

COUNTY OF Bourbon

Sworn and subscribed to before me by Justin Rasmussen  
Tamera Rasmussen on this  
 the 6<sup>th</sup> day of January, 2023.

My commission expires 5/1/2026.

  
 \_\_\_\_\_  
 NOTARY PUBLIC  
 STATE AT LARGE #KY NP 48725

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 Michael L. Newsby 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.

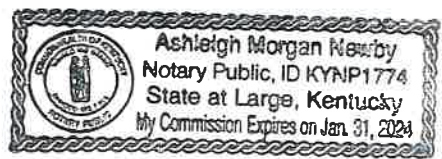
Kimberly A Newsby  
Michael L. Newsby  
 Landowner

STATE OF Kentucky

COUNTY OF Bourbon

Sworn and subscribed to before me by Michael Newsby on this the 10th day of December, 2023.

My commission expires 1/31/24.



Ashleigh Newsby  
 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.

TO: BOURBON COUNTY PLANNING COMMISSION

Agricultural Land Division

440 Bunker Hill Road

Paris, Bourbon County, Kentucky

The purpose of the plat is to create to divide off a 10 acre parcel. The land use will remain the same: agricultural. To our knowledge there has been no previous action taken by the board of adjustment in regards to this property.

Adjoining property owners are:

Victor A Wasson & Ravenna J Wasson

Edward N & Laura McKenna

Billy & Eleanor Dale

Michael Lee & Kimberly Ann Newby

Kevin L Tucker

Timothy A Rice

Patricia Wilson & Regina Ramron

Billy & Alice Hedges

Respectfully Submitted,

5-9-90  
Mailed to:  
I added Kimberly  
Newby  
267 Preston Ave  
Lex. Ky 40502  
Pd. \$450 RETAY  
Betty Jo Newton Heib  
By: Pat Thomas, D.C.



DEED

THIS DEED between Howard D. Woodward and Shelby Joanne Woodward, husband and wife, 177 Bourbon Hills Drive, Paris, Kentucky 40361, Parties of the First Part, and Michael L. Newby and Kimberly A. Newby, husband and wife, 267 Preston Avenue, Lexington, Kentucky 40502, Parties of the Second Part,

WITNESSETH:

That for and in consideration of the sum of \$64,500.00, cash in hand paid, the receipt of which sum is hereby acknowledged by the First Parties, the First Parties have bargained and sold and by these presents do hereby grant and convey equally and jointly unto the Second Parties, for their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns forever, the following described real estate, to-wit:

A certain tract of land lying on the waters of Plum Lick Creek in Bourbon County, Kentucky, and bounded as follows: Beginning at (a) a point in the center of the Plum Lick Pike with its junction with the Mt. Sterling and Flat Rock turnpike; thence with the center of the Mt. Sterling and Flat Rock Pike, N 56 1/4 W 50 poles, N 55 W 38.28 poles to a point in said pike; thence N 78 W 48.36 poles to an iron spike in center of pike, corner to Gillispie; thence S 33 1/4 W 25.88 poles to a stake, corner to same; thence S 31 E 27.84 poles to a stake in Frazier's line; thence N 59 E 28.96 poles to a post, corner to same; thence S 47 E 6.68 poles, corner to same; thence S 88 1/2 E 3.20 poles, corner to same; thence S 4 1/4 W 120.80 poles to center of Plum Lick Pike, corner to same; thence with the middle of said pike N 58 3/4 E 32.52 poles, N 41 E 53.28 poles N 47 E 28 poles, N 35 E 10.68 poles, N 24 E 14.36 poles to the beginning and containing 56.17 acres of land. Also a certain tract of land in Bourbon County, Kentucky, lying near the Plum Lick & Judy Turnpike Road, and bounded as follows: Beginning at a set end fence

JAMES E. PRATER, P.S.C.  
ATTORNEY AT LAW  
416 HIGH STREET  
P.O. BOX 487  
PARIS, KENTUCKY 40361



post (southwest margin of Maggie Terrell's other land, now H. S. Caywood and M. W. Fletcher) and corner to parties hereto; thence S 32 deg. E 882' to a set end (locust) post, corner to Prather; thence with Prather's line as follows: N 6 deg. E 908'; thence N 85 deg. 30" W 53.2' thence N 46 deg. 30" W 111'; thence N 61 deg. W 470' to the point of beginning and containing 6.35 acres of land.

EXCEPTION: There is, however, excepted from the above described real property that certain parcel of real estate containing approximately one-half (1/2) acre of land which was conveyed to Ivan C. McCarty and Juanita McCarty, husband and wife, by deed dated October 3, 1963, of record in the Office of the Bourbon County Court Clerk in Deed Book 144, Page 530, to which deed reference is hereby made for a more particular description of said one-half (1/2) acre of land.

And being the same property conveyed to Howard D. Woodward and Shelby Joanne Woodward, husband and wife, by deed from Shelby Crouch and Florence Gay Crouch, husband and wife, of record in the Office of the Bourbon County Court Clerk in Deed Book 191, Page 245.

TO HAVE AND TO HOLD the hereinabove described real property unto said Second Parties, equally and jointly, for their joint lives, with remainder in fee simple to the survivor of them, his or her heirs and assigns forever, together with all improvements thereon and appurtenances thereof, with Covenant of General Warranty.

IN TESTIMONY WHEREOF, witness the signatures of the First Parties this 20<sup>th</sup> day of March, 1990.

  
Howard D. Woodward

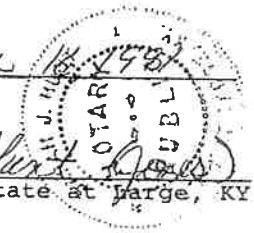
  
Shelby Joanne Woodward

STATE OF KENTUCKY  
COUNTY OF BOURBON

The foregoing instrument was acknowledged before me  
this 20<sup>th</sup> day of March, 1990, by Howard D. Woodward and  
Shelby Joanne Woodward, husband and wife.

My Commission Expires: September 16, 1991

*Sarah J. Hunt*  
Notary Public, State at Large, KY



This instrument was prepared by James E. Prater,  
P.S.C., Attorney at Law, 416 High Street, P.O. Box 487,  
Paris, Kentucky 40361.

*James E. Prater*  
James E. Prater

State of Kentucky, County of Bourbon, Sect.  
I, BETTY JO DENTON HEICK, Clerk of the Bour-  
bon County Court, do certify that the foregoing  
.....  
was, on the 20<sup>th</sup> day of MAR  
1990, at 2:41 P.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 20 day of MAR  
1990  
Clerk *Betty Jo Denton Heick*  
By *Pat Thomas, D. C.*