

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 23-03 Fee Amount: \$ 175⁰⁰ Date Fee Received: 2/10/2023

1. APPLICANT (prospective purchaser) Terri Wells

MAILING ADDRESS 6080 Greenwich Pike, Lexington, KY 40511

PHONE # 615-738-1230 (OTHER) _____

2. OWNER Five Miles North, LLC

MAILING ADDRESS 6080 Greenwich Pike, Lexington, KY 40511

PHONE # 615-738-1230 (OTHER) _____

3. LOCATION AND BRIEF DESCRIPTION OF LAND: Elizabeth Station Road (KY 1876), flat to gently rolling

4. ACREAGE: 43.917 5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS none

7. PROPOSED STRUCTURES none

8. INFRASTRUCTURE:

Does the Division involve a new street? Yes/No Yes Is public water available? Yes/No Yes

What agricultural use will you make of this property? livestock

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)

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 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)

February 10, 2023

File No. 23-5310

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

RE: Ag Land Division @ Elizabeth Station Road (KY 1876), 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 43.917 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:

FIVE MILES NORTH LLC, 6080 GREENWICH PIKE, LEXINGTON KY 40511
CHUCK AND LORI ALLEN, 1301 FORUM WAY SOUTH, FORT WORTH TX 76140

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

AFFIDAVIT

(Land Use)

The Affiant Five Miles North, LLC, 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.

_____ Jeri Wells
Landowner

STATE OF KENTUCKY

COUNTY OF AT LARGE

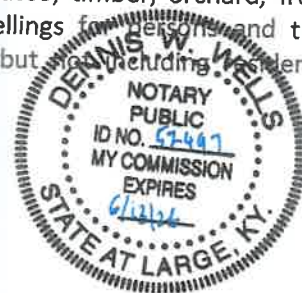
Sworn and subscribed to before me by Terrin Wells on this
the 8th day of February, 20 23.

My commission expires 6/13/26.

NOTARY PUBLIC
STATE AT LARGE

Dennis W. Wells
KYNP52497

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 Terri Wells 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

Terri Wells

STATE OF KY

COUNTY OF AT LARGE

Sworn and subscribed to before me by Terri Wells on this
the 8th day of FEBRUARY, 20 23.

My commission expires 6/13/26.

Terri Wells

NOTARY PUBLIC KYNP52497
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, oil and 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 also including residential building development for sale or lease to the public.



REALESTATE TAX PAID AMT \$ 2600.00
RICHARD STIPPEADS, BCC
DATE 11/6/2020 BY A. Jay Hunt

RECORDED FOR RECORD
RICHARD STIPPEADS
BOURBON COUNTY CLERK
2020 NOV -6 PM 2:37

DEED

THIS DEED AND CONSIDERATION CERTIFICATE, made and entered into on this the 6th day of November 2020, by and between Bluestone Farms, LLC, a Kentucky limited liability company, of 881 Ocean Drive, Apt. 11E, Key Biscayne, Florida 33149, First Party, and Five Miles North, LLC, a Kentucky limited liability company, with an address of 6080 Greenwich Pike, Lexington, Kentucky 40511, Second Party. Further, the address to which the property tax bill for the year in which the property is transferred may be sent is 6080 Greenwich Pike, Lexington, Kentucky 40511.

WITNESSETH:

THAT for and in consideration of the sum of TWO MILLION SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$2,600,000.00), cash in hand paid by Second Party to First Party, the receipt of which is hereby acknowledged, First Party has BARGAINED and SOLD and does hereby GRANT and CONVEY unto Second Party, in fee simple, its successors and/or assigns forever, the following described property located in Fayette County, and Bourbon County, Commonwealth of Kentucky and more fully described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above-described property, together with all appurtenances and privileges thereunto belonging, unto Second Party, in fee simple absolute, its successors and assigns forever.

FIRST PARTY does hereby release and relinquish unto Second Party, its successors and/or assigns forever, all of First Party's right, title and interest in and to the said property, including all exemptions as allowed by law and does hereby covenant to and with Second Party,

Return to:
FOWLER BELL PLLC
300 W. Vine Street, Ste 600
Lexington, KY 40507-1751

EXHIBIT A**TRACT 1:****LEGAL DESCRIPTION**

of the

98.8038 Acre Tract**Located in Bourbon County, Kentucky**

All that tract or parcel of land situated west of Greenwich Pike; north of Hume-Bedford Road; and situated in Bourbon County, in the Commonwealth of Kentucky, and which is more particularly described and bounded as follows, to wit:

COMMENCING AT A POINT, said point being at the intersection of the center lines of Greenwich Pike and Hume-Bedford Road, and said point being monumented by a mine spike (set), thence, proceeding with the center line of the aforesaid Greenwich Pike, N28°24'06"E 1045.95 feet to the TRUE POINT OF BEGINNING; thence, departing from said center line and following the boundary line, which is common to both Fayette County and Bourbon County, N17°39'41"W 230.80 feet to a point; thence N06°53'28"W 120.74 feet to a point; thence, N02°22'11"W 105.49 feet to a point; thence, N01°38'09"E 79.28 feet to a point; thence, N06°04'52"W 49.02 feet to a point; thence, with a curve to the left having a radius of 63.36 feet, an arc distance of 112.81 feet, and a chord bearing and distance of N50°18'42"W 98.49 feet to a point; thence, continuing with the aforesaid boundary line, which is common between Fayette County and Bourbon County, for twenty-three calls, S83°36'00"W 47.57 feet to a point, S85°35'40"W 98.78 feet to a point, N87°38'53"W 62.01 feet to a point, S89°59'14"W 86.97 feet to a point, S89°18'18"W 128.20 feet to a point, S86°46'16"W 104.07 feet to a point, S83°27'12"W 93.78 feet to a point, S86°30'03"W 150.21 feet to a point, N86°22'21"W 112.97 feet to a point, N88°17'08"W 82.70 feet to a point, N80°01'11"W 49.90 feet to a point, N63°42'43"W 35.86 feet to a point, N45°18'24"W 84.05 feet to a point, N40°20'39"W 115.08 feet to a point, N56°23'29"W 104.97 feet to a point, N51°02'08"W 214.80 feet to a point, N29°29'55"W 85.71 feet to a point, N22°53'30"W 61.71 feet to a point, N10°48'54"W 88.38 feet to a point, N22°53'30"W 98.73 feet to a point, N41°18'55"W 58.51 feet to a point, N46°38'54"W 146.87 feet to a point, N47°48'47"W 164.54 feet to a point, said point being at a corner to a 40.4304 acre, P.D.R. tract; thence, departing from the boundary, which is common to Fayette County and Bourbon County and severing another portion of the Walmac Stud Management, LLC's holdings in Bourbon County, N88°28'23"E 124.66 feet to a point monumented by an Iron Pin (set); thence, N07°08'54"E 1101.91 feet to a point monumented by an Iron Pin (set); thence, S76°17'00"E 2872.14 feet to a point monumented by a Mag Nail (set) in the center line of the aforementioned Greenwich Pike; thence, following said center line, for three calls S28°30'42"W 2162.48 feet to a point monumented by a P.K. Nail (found), and S28°24'06"W

59.69 feet to the point of beginning and containing an area of 98.8038 acres.

Being the same property conveyed to Bluestone Farms, LLC, a Kentucky limited liability company, deed dated the 26th day of July, 2007, recorded in Deed Book 271, Page 638 in the Bourbon County Clerk's office.

TRACT 2:

LEGAL DESCRIPTION
of the
135.5949 Acre Tract
Located in Fayette County, Kentucky

All that tract or parcel of land situated west of Greenwich Pike; north of Hume-Bedford Road; and south of Bourbon County, and located in Fayette County, and in Commonwealth of Kentucky, and which is more particularly described and bounded as follows, to wit:

BEGINNING AT A POINT, said point being at the intersection of the center lines of Greenwich Pike and Hume-Bedford Road, and said point being monumented by a mine spike (set), thence, proceeding with the center line of the aforesaid Hume-Bedford Road for five calls, N89°49'14"W 423.18 feet to a point monumented by a Mag Nail (set); S89°37'35"W 269.84 feet to a point monumented by a Mag Nail (set); S89°34'32"W 695.74 feet to a point monumented by a Mag Nail (set); S89°32'44"W 666.75 feet to a point monumented by a Mag Nail (set); and S89°12'45"W 680.05 feet to a point monumented by a P.K. Nail (found); thence, departing from said center line and proceeding with the easterly property line of the Elkhorn Oaks, Inc. property (D.B. 2356, PG. 296) N05°22'17"E 2461.15 feet to a point monumented by an Iron Pin (set) at a corner to a 40.4304acre P.D.R. tract; thence, following the southerly property line of said P.D.R. tract, N88°28'23"E 1011.56 feet to a point in the common boundary between Fayette and Bourbon counties, thence, following said county line for twenty-nine calls, S47°48'47"E 164.54 feet to a point, S46°38'54"E 146.87 feet to a point, S41°18'55"E 58.51 feet to a point, S22°53'30"E 98.73 feet to a point, S10°48'54"E 88.38 feet to a point, S22°53'30"E 61.71 feet to a point, S29°29'55"E 85.71 feet to a point, S51°02'08"E 214.80 feet to a point, S56°23'29"E 104.97 feet to a point, S40°20'39"E 115.08 feet to a point, S45°18'24"E 84.05 feet to a point, S63°42'43"E 35.86 feet to a point, S80°01'11"E 49.90 feet to a point, S88°17'08"E 82.70 feet to a point, S86°22'21"E 112.97 feet to a point, N86°30'03"E 150.21 feet to a point, N83°27'12"E 93.78 feet to a point, N86°46'16"E 104.07 feet to a point, N89°18'18"E 128.20 feet to a point, N89°59'14"E 86.97 feet to a point, S87°38'53"E 62.01 feet to a point, N85°35'40"E 98.78 feet to a point, N83°36'00"E 47.57 feet to a point; thence, with a curve to the right having a radius of 63.36 feet, an arc length of 112.81 feet, and a chord bearing and distance of S50°18'42"E 98.49 feet to a point, S06°04'52"E 49.02 feet to a

point, S01°38'09"W 79.28 feet to a point, S02°22'11"E 105.49 feet to a point, S06°53'28"E 120.74 feet to a point, and S17°39'41"E 230.80 feet to a point in the center line of the aforementioned, Greenwich Pike, said point being located 59.23 feet S28°24'06" W from a P.K. Nail (found) in the center line of the aforementioned Greenwich Pike; thence, following said center line, S28°24'06"W 1045.92 feet to the point of beginning and containing an area of 135.5949 acres.

Being further described as Lot 1 of the Final Record Plat of Walmac Farm of record in Plat Cabinet N, Slide 146 in the Office of the Fayette County Clerk.

Being the same property conveyed to Bluestone Farms, LLC, a Kentucky limited liability company, deed dated the 26th day of July, 2007, recorded in Deed Book 2746, Page 54 in the Fayette County Clerk's office.

TRACT 3:

LEGAL DESCRIPTION
of the
45.7302 Acre Tract
Located in Bourbon County, Kentucky

Being all of Parcel 1 consisting of 45.7302 acres as shown on the Consolidation Minor Plat of Walmac Farm, Elizabeth Station Pike in Bourbon County, Kentucky of record in Plat Cabinet C, Slide 270 in the office of the Bourbon County Clerk.

Being the same property conveyed to Bluestone Farms, LLC, a Kentucky limited liability company, deed dated the 30th day of November, 2007, recorded in Deed Book 273, Page 378 in the Bourbon County Clerk's office.

STATE OF KENTUCKY
COUNTY OF BOURBON, Sct
I, RICHARD STIPP EADS, Clerk of Bourbon County Court,
do certify that the foregoing DEED
was on 11/6/2020 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

