

# 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. MS23-06 Fee Amount: \$ \_\_\_\_\_ Date Fee Received: \_\_\_\_\_

1. APPLICANT (prospective purchaser) Kathy Artberberry, Manager of Shropshire & Ross Holdings LLC

MAILING ADDRESS 14 Indian Hills Trail, Louisville, KY 40207

CONSULTANT Troy Thompson (OTHER) 859-621-8086

2. OWNER Shropshire & Ross Holdings LLC

MAILING ADDRESS 14 Indian Hills Trail, Louisville, KY 40207

PHONE # (HOME) \_\_\_\_\_ (OTHER) \_\_\_\_\_

3. LOCATION AND BRIEF DESCRIPTION OF LAND: 2974 Houston Antioch Road & 5487 Ware Road  
Deed Book 289, Pages 245 & 252

4. ACREAGE: 95.50 5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS Agricultural

7. PROPOSED STRUCTURES None

### 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? Continue farming

9. FEE: Refer to Fee Schedule

### 10. SUPPLEMENTAL INFORMATION:

#### CHECKLIST:

- 2 Attach a Legal Description of the Property (include deed book and page number for all tracts comprising the plat)
- 5 Attach a plat of the Division
- N/A Attach a narrative of the proposed use (as described above)
- N/A 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)

Kathryn R. Artberberry, Manager February 4, 2023  
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.

**AFFIDAVIT**

(Land Use)

The Affiant KATHY ARTERBERRY, MGR, first being duly sworn, states that:

Shropshire & Ross Holdings LLC

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.

Shropshire & Ross Holdings LLC

By: Kathryn R. Arterberry, Manager  
Landowner

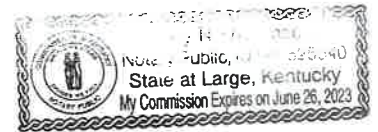
STATE OF KENTUCKY

COUNTY OF BOURBON

Sworn and subscribed to before me by KATHY ARTERBERRY, MGR of Shropshire & Ross Holdings LLC on this

the 4th day of FEBRUARY, 2023.

My commission expires 6/26/2023.



Kay Morgan ID 625640  
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.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into as of November 1, 2012, from

BETTY ANN ROSS, unmarried  
3310 Tates Creek Road, Unit 601  
Lexington, Kentucky 40502 ("Grantor")

to

SHROPSHIRE & ROSS HOLDINGS LLC,  
a Kentucky limited liability company  
14 Indian Hills Trail  
Louisville, Kentucky 40207 ("Grantee").

WITNESSETH

For a nominal consideration, the receipt and sufficiency of which are acknowledged, Grantor hereby conveys to Grantee, in fee simple and with covenant of Special Warranty, the real property located at 2974 Houston Antioch Road, Lexington, Kentucky, which lies in both Fayette County and Bourbon County, Kentucky (the "Property"), which is more particularly described as follows:

That part of the Darnaby Farm situated on the East side of the Houston and Antioch Turnpike partly in Fayette and partly in Bourbon Counties, Kentucky, but the larger part in Fayette County, Kentucky, and is bounded as follows: Beginning in the center of the Houston and Antioch Turnpike Road corner to Berry; thence with Berry's line North 67 degrees 25 minutes East 1370 feet to a post corner to Berry; thence with the line of Berry and Dr. Groves, North 21 degrees 50 minutes West 1353 feet to a stone corner to Groves and Mrs. Smith; thence with the line of Mrs. Smith, South 67 degrees 40 minutes West 1381 feet to the center of the Houston and Antioch Turnpike Road; thence with the center of said road, South 22 degrees 30 minutes East 1360 feet to the place of beginning, and containing forty-two and 83/100 (42.83) acres.

BEING the same property conveyed to Betty Ann Ross, Trustee of the Don Ross Trust Fund A-2 U/A dtd 2/27/92, by Affidavit of Transfer recorded in Deed Book

*Return to Preparer*

2265, Page 663, in the Office of the Clerk of Fayette County, Kentucky and Deed Book 246, Page 739, in the Office of the Clerk of Bourbon County, Kentucky and by Quitclaim Deed of record in Deed Book 2265, Page 666, in the Office of the Clerk of Fayette County, Kentucky and Deed Book 246, Page 745, in the Office of the Clerk of Bourbon County, Kentucky.

Grantor covenants and warrants specially the Property and will forever warrant and defend the Property against the claims and demands of Grantor and all persons claiming by, through or under Grantor, but not otherwise. This conveyance is made subject to all (i) easements, restrictions and stipulations of record, (ii) governmental laws, ordinances and regulations affecting the Property and (iii) liens for real property taxes and assessments due and payable in 2012 and thereafter, which Grantee assumes and agrees to pay.

For purposes of KRS 382.135, Grantor and Grantee, by execution of this Deed, certify that there is no actual consideration being paid for the Property, and that the fair cash value of the property conveyed herein is \$260,000.00.

For purposes of KRS 382.135, the in-care-of address to which the property tax bill for 2012 may be sent to is: 14 Indian Hills Trail, Louisville, Kentucky 40207.

This conveyance is exempt from the real estate transfer tax pursuant to KRS §142.050(7)(k).

IN WITNESS WHEREOF, Grantor and Grantee have executed this Deed as of the date first set forth above but actually on the dates set forth below.

GRANTOR:

Betty Ann Ross  
Betty Ann Ross

Date: November 1, 2012

GRANTEE:

SHROPSHIRE & ROSS HOLDINGS LLC,  
a Kentucky limited liability company

By: Kathryn R. Arterberry, Manager  
Kathryn R. Arterberry, Manager

Date: November 1, 2012

COMMONWEALTH OF KENTUCKY )  
COUNTY OF FAYETTE ) SS:

The foregoing Quitclaim Deed, including the consideration certificate contained therein, was sworn to, subscribed and acknowledged before me on November, 2012, by Betty Ann Ross, known to me or proven by satisfactory identification to be the Grantor.

Jo Barnett 421654  
NOTARY PUBLIC

My commission expires: 7/2/14

COMMONWEALTH OF KENTUCKY )  
COUNTY OF FAYETTE ) SS:

The foregoing Quitclaim Deed, including the consideration certificate contained therein, was sworn to, subscribed and acknowledged before me on November, 2012, by Kathryn R. Arterberry, known to me or whose identity was proven on the basis of satisfactory identification, who acknowledged the execution of the foregoing as the Manager of Shropshire & Ross Holdings LLC, a Kentucky limited liability company, on behalf of the company, the Grantee.

Jo Barnett 421654  
NOTARY PUBLIC

My Commission Expires: 7/2/14

THIS INSTRUMENT PREPARED BY:

Timothy W. Martin  
FROST BROWN TODD LLC  
400 West Market Street, 32<sup>nd</sup> Floor  
Louisville, Kentucky 40202-3363

Timothy W Martin  
(502)589-5400



100210  
Filed on: 11/01/2012 12:00:00 AM  
Book: DEED Number: 289  
Pages: 245 - 247  
Richard Stipp Eads, Bourbon County Clerk  
DC: MARY TALBOT

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RECORDS SECTION  
RECORDED FOR RECORD

State of Kentucky, County of Bourbon, Sit.  
I, RICHARD STIPP EADS, Clerk of Bourbon  
County Court do hereby certify that the foregoing

Deed  
was, on the 1 day of Nov., 2012  
at 1:52 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.

Richard Stipp Eads, SCC

12 NOV -1 PM 3:11

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is made and entered into as of  
NOVEMBER 1, 2012, from

BETTY SHROPSHIRE ROSS, unmarried  
3310 Tates Creek Road, Unit 601  
Lexington, Kentucky 40502 ("Grantor")

to

SHROPSHIRE & ROSS HOLDINGS LLC,  
a Kentucky limited liability company  
14 Indian Hills Trail  
Louisville, Kentucky 40207 ("Grantee").

**WITNESSETH**

For a nominal consideration, the receipt and sufficiency of which are acknowledged, Grantor hereby conveys to Grantee, in fee simple and with covenant of Special Warranty, the real property located at 5487 Ware Road, Lexington, Kentucky, which lies in both Fayette County and Bourbon County, Kentucky (the "Property"), and which is more particularly described as follows:

Beginning at a stone at the corner of a stone wall on the south side of the Ware or Ironworks Pike, marked 1 on the plat attached to and made a part of a certain deed on a partition and division between Laura Shropshire, J. H. Shropshire, and others, and Kate D. Berry and Robert Berry, dated January 4<sup>th</sup>, 1900 and recorded in the Fayette County Clerk's Office in Deed Book 118, page 198, and in the Bourbon County Clerk's Office in Deed Book 82, page 202 to which deed and plat reference is hereby made, and corner to Robert Berry and Mrs. Boggs (now corner to Anna Evans Cooper, who has recently acquired the Robert Berry and Boggs tracts), thence with the line of Mrs. Boggs (now Cooper), N. 66 30 E. 1080 feet to a stone on the south side of said pike, 18 feet northeast on Boggs' (now Cooper's and Weathers' (now Spurr's) corner, and corner to the tract of land conveyed to Laura F. Shropshire and others in the above mentioned deed of partition and division, but afterwards acquired by Mary K. Tebbs and George O. Tebbs, and now owned by Mary K. Jackson (now Tebbs), and being what is



commonly known as the Grayes place, said corner being marked 42 on the aforesaid plat; thence with Jackson's line, N. 16 W. 3263 feet, to a stone, corner to Jackson, and marked 43 on said plat; thence with Jackson's line S 74 W. 1420 feet to a stone in the line of J. M. Darnaby (now Ella B. Rogers), marked 44 on the plat; thence with Darnaby's (now Rogers') line, S. 22 E. 1115 feet to a stone corner to Darnaby (now Rogers') line, S. 67 W. 1366 feet, to a point in the center of the Antioch and Houston Pike and corner to the Sugar Camp Farm of J. M. Darnaby (now Ella B. Rogers), marked 7 on the plat; thence with said Antioch and Houston Pike, S. 24 E. 300 feet to a point in the center of said pike, marked 8 on the plat; thence again with said pike S. 10, 30 E. 2290 feet to a point in the center of said pike, marked 10 on the plat, in line with the center of the Ware or Ironworks Pike and corner to Robert Berry, (now Anna B. Evans Cooper); thence with the Ware or Ironworks Pike N. 40 E. 900 feet, to a point in the center of said pike, marked 11 on the plat; thence again with said pike, N. 60 E. 230 feet, to a point in the center of the pike marked 12 on the plat; thence a third time with said pike N. 79 E. 800 feet, to the first mentioned point on the south side of the pike, marked 1 on the plat, which was the place of beginning, and containing 174.95 acres.

BEING the same property conveyed to Betty Shropshire Ross by Deed Book 523, Page 210, in the Office of the Clerk of Fayette County, Kentucky and Deed Book 131, Page 185, in the Office of the Clerk of Bourbon County, Kentucky.

Grantor covenants and warrants specially the Property and will forever warrant and defend the Property against the claims and demands of Grantor and all persons claiming by, through or under Grantor, but not otherwise. This conveyance is made subject to all (i) easements, restrictions and stipulations of record, (ii) governmental laws, ordinances and regulations affecting the Property and (iii) liens for real property taxes and assessments due and payable in 2012 and thereafter, which Grantee assumes and agrees to pay.

For purposes of KRS 382.135, Grantor and Grantee, by execution of this Deed, certify that there is no actual consideration being paid for the Property, and that the fair cash value of the property conveyed herein is \$1,050,000.00.

For purposes of KRS 382.135, the in-care-of address to which the property tax bill for 2012 may be sent to is: 14 Indian Hills Trail, Louisville, Kentucky 40207.

This conveyance is exempt from the real estate transfer tax pursuant to KRS §142.050(7)(k).





COMMONWEALTH OF KENTUCKY )  
COUNTY OF FAYETTE )SS:

The foregoing Quitclaim Deed, including the consideration certificate contained therein, was sworn to, subscribed and acknowledged before me on November 1, 2012, by Kathryn R. Arterberry, known to me or whose identity was proven on the basis of satisfactory identification, who acknowledged the execution of the foregoing as the Manager of Shropshire & Ross Holdings LLC, a Kentucky limited liability company, on behalf of the company, the Grantee.

[Signature]  
Notary Public 4211654  
My Commission Expires: 7/2/14

THIS INSTRUMENT PREPARED BY:

Timothy W. Martin  
FROST BROWN TODD LLC  
400 West Market Street, 32<sup>nd</sup> Floor  
Louisville, Kentucky 40202-3363  
[Signature]  
(502)589-5400

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State of Kentucky, County of Bourbon, Sec. 1,  
I, RICHARD STIPP EADS, Clerk of Bourbon  
County Court, do certify that the foregoing

Deed  
was, on the 1 day of Nov., 2012  
at Bill 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.

[Signature]  
Richard Stipp Eads, SCC



100220  
Filed on: 11/01/2012 12:00:00 AM  
Book: DEED Number: 289  
Pages: 252 - 255  
Richard Stipp Eads, Bourbon County Clerk  
DC: MARY TALBOT

LIST OF ADJOINING PROPERTY OWNERS

Address of Property Located Adjoining Subject Property	Name of Property Owner Adjoining Subject Property	Property Owner's Address If Different From Property Address
1. 6021 Ware Road	Bonnie Jean & Robert G Eads Jr.	3115 Houston-Antioch Rd Lexington, KY 40516
2. 4132 Houston-Antioch Rd	Mary Scarpetta	4132 Houston-Antioch Rd Lexington, KY 40516
3. 4131 Houston-Antioch Rd	T.B. & Betty Banahan	4131 Houston-Antioch Rd Lexington, KY 40516
4. 5487 Ware Road (Fayette)	Shropshire & Ross Holdings LLC	14 Indian Hills Trail Louisville, KY 40207
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
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