

APPLICATION TO PLANNING COMMISSION

Subdivision

Bourbon County Joint Planning Commission

525 High Street, Paris, KY 40361 • (859) 987-2150 • Fax (859) 987-2136

Office Use only:

Application No. MS 23-12 Fee Amount: \$ 150⁰⁰ Date Fee Received: 4/14/2023

CK# 12059

1. APPLICANT Jeffrey K. & Angela S. McAlmond

MAILING ADDRESS 454 Levy Road, KY 40361

PHONE NO. 859-808-2217 (HOME) _____ (WORK)

2. TYPE OF REQUEST (Check one) _____ MINOR SUBDIVISION _____ MAJOR SUBDIVISION
_____ AMENDED SUBDIVISION PLAT CONSOLIDATION

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

4. SUBDIVISION NAME: _____ TOTAL ACREAGE: 41.8 +/- NUMBER OF LOTS: 2

5. EXISTING USE: agriculture ZONING DISTRICT: A-1

6. LOT INFORMATION (as it pertains to individual application):

Acreege of Original Lots: Property 1- 1+2=27.734; 2- 3=14.13 +/- 3- _____ 4- _____ 5- _____

Acreege of Parcel to be divided: 27.734

7. FEE: Refer to Fee Schedule

8. SUPPLEMENTAL INFORMATION: Refer to Article VI of the Subdivision Regulations.

CHECKLIST:

- Attach a Legal Description of the Property (include deed book and page number for all tracts comprising the plat)
- Attach a plan of the proposed use (as described above)
- 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)

Jeffrey K. McAlmond Angela S. McAlmond 4/10/2023
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. You are not required to employ an attorney but you are encouraged to do so.

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)

April 14, 2023

File No. 23-5383

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

RE: Consolidation @ Levy Road (KY 57), Bourbon County

Dear Sirs:

Please find transmitted herewith a consolidation application and plat. The purpose of this plat is to consolidate a 3.364 acre tract with an existing 14.13 acre tract. The land use will remain the same-agricultural.

To our knowledge, the board of adjustments has not taken any prior action in regards to this property.

The adjoining property owners are:

EDDIE A & EUGENA BOWMAN, 582 LEVY RD, PARIS KY 40361
HEATHER ANDERSON, 590 LEVY RD, PARIS KY 40361
MARCO MEDINA, 193 FONTAINE DR, ELIZABETHTOWN KY 42701
JEFFREY K & ANGELA S MCALMOND, 454 LEVY RD, PARIS KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

\$187⁰⁰
RETAX Pd 2/23/06
Richard Stup Gado BCC
R: Mary Elizabeth Valbot PC

BOOK 264 PAGE 531



DEED

THIS DEED made and entered into this 22nd day of February 2006, by and between **THE ESTATE OF HAZEL N. MASTIN, FLOYD C. HARRIS EXECUTOR**, with a mailing address of 568 Lin-Wal Drive, Lexington, Kentucky 40505, party of the first part, and **JEFFREY K. McALMOND AND ANGELA S. McALMOND**, husband and wife, of 454 Levy Road, Paris, Kentucky 40361, parties of the second part;

WITNESSETH:

For and in consideration of the sum of **ONE HUNDRED EIGHTY-SEVEN THOUSAND DOLLARS** (\$187,000.00) paid to the party of the first part by the parties of the second part, the receipt of all of which the party of the first part hereby acknowledges, the party of the first part hereby bargains, sells and conveys unto the parties of the second part, in fee simple, the survivor of them, his or her heirs and assigns forever, with the Covenant of **GENERAL WARRANTY**, all of the first party's right, title and interest in and to the following described real property located in Bourbon County, Kentucky:

TRACT NO. 1:

Lying and being in Bourbon County, Kentucky and more particularly described as follows:

A tract of land located on the waters of Rockbridge Creek, northeast of North Middletown described as follows:

BEGINNING at a stone corner to R. and G. Butler; thence S 12½ E 29.04 poles to a walnut tree in H. Green's line, corner to Butler; thence N 75½ E 51.16 poles to a stone corner to C. Butler; thence S 40¾ E 48.8 poles to an elm tree, corner to C. Butler in H. Caywood's line; thence N 47 E 12.64 poles to a stone, corner to said Caywood; thence N 67½ E 49.88 poles to a stone corner to said Caywood and K. P. Moore;

thence N 8¾ E 19.76 poles to an elm tree in angle of wire fence, corner to said Moore; thence N 26 W 125.52 poles to a stone corner to same; thence S 60¾ W 42.36 poles to a stone, corner to same; thence S 11¾ W 30.26 poles to a stone corner to Mrs. Myers; thence S 39½ W 73.28 poles to the beginning and containing 77 acres, 3 roods and 31.32 poles of land.

TRACT NO. 2:

This tract is located on the south side of the Levy Road about two and seven tenths miles east of North Middletown, Bourbon County, Kentucky.

BEGINNING in the center of the Levy Road corner to J. T. McCray; thence with the center of the Levy Road South 53° 11" W 4.50 chs.; South 51° 07" W 11.78 chs. to the center of the road corner to Will Weathers; thence with Weathers' line, S 44° 05" E 15.64 chs. to a post corner to Weathers and R. and G., Butler; thence with Butlers' line N 45° 41" E 1.30 chs. to a post; S 60° 24" E 6.00 chs. to a post corner to Butler and Tract No. 1; thence with the line of Tract No. 1, N 39° 30" E 9.68 chs. to a post corner to Tract 1 and J. T. McCrary; thence with McCrary's line, N 46° 15" W 2.18 chs. to a post; N 27° 40" W 5.25 chs. to a post; N 32° 23" W 11.76 chs. to the beginning and containing 27.74 acres of land, more or less..

Containing in all 105.68 acres, more or less.

AND BEING the same property conveyed to Markis D. Mastin and Hazel N. Mastin, husband and wife, by Deed dated June 2, 1965, and of record in Deed Book 147, Page 722, Bourbon County Court Clerk's Office. See also Deeds of record in Deed Book 147, Page 720 and Deed Book 141, Page 180, Bourbon County Court Clerk's Office. Said Markis D. Mastin died in 2001 and pursuant to the survivorship clause in said Deed Hazel N. Mastin became the sole owner of the hereinabove-described real property. Said Hazel N. Mastin, being the same person as Hazel B. Mastin, died testate on December 16, 2005 and pursuant to her will of

record in Will Book VV, Page 224, Bourbon County Court Clerk's Office, and the Order of Appointment entered December 21, 2005 in the Bourbon District Court, Probate Action No. 05-P-204, Floyd C. Harris was named and appointed Executor of The Estate of Hazel N. Mastin with full power to sell the hereinabove described real property.

EXCEPTION:

There is **EXCEPTED** from the hereinabove-described real property being Tract No. 1 on the Record Plat for Robert Gayle Martin Property of record in Plat Cabinet B, Slide 94, Bourbon County Court Clerk's Office, containing 3.789 acres conveyed to Robert Gayle Martin, being the same person as Robert G. Martin, and Yvonne G. Martin, husband and wife, by Deed dated May 16, 1989, and of record Deed Book 204, Page 729, Bourbon County Court Clerk's Office. See said Plat for a more particular description. A metes and bounds description is as follows:

BEGINNING at a P-K Nail in a post located S 39° 07' 08" E 1498.17 feet from the common property corner of Robert G. Martin and Markis D. Mastin, said corner being at the center line of the Levy Road; thence with the north lines of the tract herein conveyed and other property of Markis D. Mastin, S 89° 21' 06" E 203.22 feet to an iron pin; thence S 67° 47' 33" E 350.06 feet to an iron pin; thence S 50° 41' 06" E 199.51 feet to an iron pin, a corner to other property of Robert G. Martin; thence with the lines of Robert G. Martin S 75° 28' 59" W 609.37 feet to a P-K Nail in a post; thence N 12° 30' 07" W 423.81 feet to the point of beginning, containing an area of 3.789 acres.

TO HAVE AND TO HOLD the above described property together with all appurtenances and privileges thereunto belonging, unto the parties of the second part, in fee simple, the survivor of them, his or her heirs and assigns forever, with Covenant of **GENERAL WARRANTY** subject, however, to easements and restrictions of record.

REAL ESTATE TAX PAID AMT \$ 90⁰⁰
RICHARD STIPP EADS, BCC
DATE 4-8-19 BY Mary J. Siler DC

BOOK 310 PAGE 152

DEED

THIS DEED OF CONVEYANCE executed this 8th day of April, 2019, by and between JAMES BEATTY and TRACY BEATTY, husband and wife, whose mailing address is 1974 Farmsbury Drive, Reynoldsburg, OH 43068; SENECA BEATTY and PAIGE BEATTY, husband and wife, whose address is 3744 South State Route 48, Ludlow Falls, OH 45339; TESSA BEATTY, single, whose address is 594 Eastpointe Lake Drive, Blacklick, OH 43004; TOM SAWYER, single, whose address is PO Box 821, Tipp City, OH 45371; and CHARLES W. BRADLEY, widowed, whose mailing address is 8333 Seminole Boulevard #437, Seminole, FL 33772, hereinafter Grantors and ANGELA S. MCALMOND and JEFFREY K. MCALMOND, wife and husband, whose mailing address is 454 Levy Road, Paris, KY 40361, hereinafter Grantees. Current year tax billing address is Angela S. McAlmond and Jeffrey K. McAlmond, 454 Levy Road, Paris, KY 40361.

WITNESSETH:

That for and in consideration of the sum of NINETY THOUSAND DOLLARS AND NO CENTS (\$90,000.00), cash in hand paid by Grantees to Grantors, the receipt of which is hereby acknowledged, Grantors have bargained and sold and do hereby grant and convey unto Grantees, for and during their joint lives, with remainder in fee simple to the survivor of them, their heirs and assigns forever, in fee simple, the following described property located in the County of Bourbon, in the Commonwealth of Kentucky:

A certain tract or parcel of land situated in the County of Bourbon and State of Kentucky, on the waters of Rockridge Creek on the North Middletown and Levy turnpike, and bounded as follows:

Beginning at a stone, corner in Wm. McCray's line and corner to Avaline Winston; thence, with said McCray's line N 39 1/2 E 3.86 chains to a stake; thence, N 12-1/4 E 7.60 chains to a stone corner to J. V. Moore (Now Hopkins); thence, with said Hopkins's line N 33 3/4 W 12.24 chains to the center of said turnpike; thence, S 62 1/2 W 5.75 chains to the center of same; thence, S 52 W 3.29 chains to the center of same; a corner to said Winston; thence, with her line S 33 3/8 E 19 chains to the beginning and containing Fifteen (15) acres of land, more or less.

Being the same property conveyed to Tilford Beatty by deed dated October 20, 1955, from Walter G. Beatty and his wife, Lillian Beatty and Sallie Siler and James W. Siler, her husband, of record in Deed Book 134, Page 305, Bourbon

County Clerk's Office, Paris, Kentucky. Tilford Beatty a/k/a Tilford B. Beatty died July 14, 2003, a resident of Bourbon County, Kentucky. Pursuant to his Last Will and Testament, title vested in his wife, Janie C. Beatty, for her natural life and upon her death to his children Mary B. Bradley and James V. Beatty, in fee simple, of record in Will Book TT, Page 526, Bourbon County Court Clerk's Office, Paris, Kentucky. Janie C. Beatty died March 2, 2016, a resident of Bourbon County, Kentucky. James V. Beatty a/k/a James Vernon Beatty predeceased Janie C. Beatty when he died September 2, 2013, a resident of Shelby County, Ohio. *See Affidavit of Descent of record in ~~Will Book 310~~ Book 151, 310* Page 151, Bourbon County Clerk's Office, Paris, Kentucky. At the death of Janie C. Beatty, title vested in Mary B. Bradley (1/2 interest) and James Beatty, Seneca Beatty, Tessa Beatty, and Tom Sawyer (1/2 interest). Mary B. Bradley a/k/a Mary Barnes Bradley died December 27, 2016, a resident of Pinellas County, Florida. Pursuant to her Last Will and Testament, her interest vested in her husband Charles W. Bradley. Will Book CCC, Page 814, Bourbon County Clerk's Office, Paris, Kentucky.

TO HAVE AND TO HOLD, the above described property, together with all appurtenances and privileges thereunto belonging unto the said Grantees, for and during their joint lives, with remainder in fee simple to the survivor of them, their heirs and assigns forever.

Grantors do hereby release and relinquish unto Grantees, their heirs and assigns, all of their right, title and interest in and to the above described property, including dower and curtesy and all exemptions allowed by law, and do hereby covenant to and with said Grantees, their heirs and assigns, that they are lawfully seized in fee simple title to said property and have good right to convey the same as herein done; that said property is free and clear of all encumbrances of whatsoever nature, except as herein stated, and that they will WARRANT GENERALLY the title to said property.

Provided, however, this conveyance and the covenants herein made are expressly subject to all restrictions and easements which may appear of record in the Bourbon County Court Clerk's Office.

Grantees assume and agree to pay all ad valorem taxes assessed against the above described property for the current fiscal year and all subsequent years.

CERTIFICATE OF CONSIDERATION

Being first duly sworn, the undersigned Grantors and Grantees state that the consideration set forth in the foregoing instrument is true and correct, and is the full consideration paid for the property conveyed by the foregoing instrument. The Grantees have