

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 24-19 Fee Amount: \$ 1750 Date Fee Received: 6/14/2024

1. APPLICANT (prospective purchaser) Gary Kinard

MAILING ADDRESS 843 Millersburg Road, Paris, KY 40361

PHONE # (HOME) Gary- (803) 347-4747

2. OWNER Gary Kinard & Angela Kinard

MAILING ADDRESS 843 Millersburg Road, Paris, KY 40361

PHONE # : Gary-(803) 347-4747

3. LOCATION AND BRIEF DESCRIPTION OF LAND: flat to gently rolling; Millersburg Road (US 68)

4. ACREAGE: 19.572 5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS house (unlivable)

7. PROPOSED STRUCTURES barn

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? vegetable garden, crops, 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)

June 14, 2024

File No. 24-5757

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

RE: Ag Land Division @ #843 Millersburg Road, 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 19.572 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:

KRISTA D & JENNINGS HAMPTON, 721 MILLERSBURG RD, PARIS KY 40361
MAZEPPA LLC, 2223 N MIDDLETOWN, PARIS KY 40361

Respectfully Submitted,

Darnell Engineering, Inc.

Cc: File

Enclosures

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 24-18 Fee Amount: \$ 175⁰⁰ Date Fee Received: 6/14/2024

1. APPLICANT (prospective purchaser) Gary Kinard

MAILING ADDRESS 843 Millersburg Road, Paris, KY 40361

PHONE # (HOME) Gary- (803) 347-4747

2. OWNER Gary Kinard & Angela Kinard

MAILING ADDRESS 843 Millersburg Road, Paris, KY 40361

PHONE # : Gary-(803) 347-4747

3. LOCATION AND BRIEF DESCRIPTION OF LAND: flat to gently rolling; Millersburg Road (US 68)

4. ACREAGE: 19.572

5. ZONING DISTRICT: A-1

6. IDENTIFY CURRENT USE OF BUILDINGS house (unlivable)

7. PROPOSED STRUCTURES barn

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? vegetable garden, crops, livestock

9. FEE: Refer to Fee Schedule

10. SUPPLEMENTAL INFORMATION:

CHECKLIST:

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Gary Kinard
APPLICANT SIGNATURE

6-14-24
DATE

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AFFIDAVIT

(Land Use)

The Affiant Gary Kinard & Angela Kinard, 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.

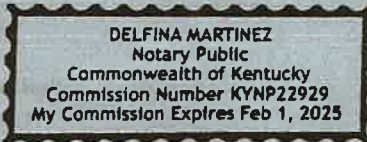
 
 Landowner

STATE OF Kentucky

COUNTY OF Fayette

Sworn and subscribed to before me by Gary Kinard on this
the 14th day of June, 2024.

My commission expires Feb. 1, 2025.




 NOTARY PUBLIC
 STATE AT LARGE

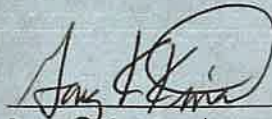
K.R.S. 100.111 (2) "Agricultural Use" means the use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard, 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.

AFFIDAVIT

(Land Use)

The Affiant Gary Kinard, 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.



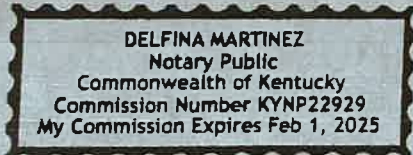
 Prospective Purchaser


STATE OF Kentucky

COUNTY OF Fayette

Sworn and subscribed to before me by Gary Kinard on this
the 14th day of June, 2024.

My commission expires Feb, 1, 2025.





 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.

REAL ESTATE TAX PAID AMT \$ 650⁰⁰
CYNTHIA SANTANA WILSON, BCC
DATE 4/25/24 BY METALLOT DC

AFTER RECORDING RETURN TO:
JACK MARTIN GOINS
ATTORNEY AT LAW
315 Pleasant Street
Paris, Kentucky 40361

DEED

THIS DEED made and entered into this 22nd day of April, 2024, by and between **ESTATE OF SARAH ELLEN LEER a/k/a Sarah C. Leer**, by and through **COURTLAND HUNT LEER**, Administrator, of 1481 Tates Creek Rd., Lexington, KY 40502, party of the first part, and **GARY KINARD and ANGELA KINARD**, husband and wife, of 843 Millersburg Rd., Paris, KY 40361, parties of the second part; transfer year taxes in care of Gary Kinard and Angela Kinard, 843 Millersburg Rd., Paris, KY 40361.

WITNESSETH:

For and in consideration of the sum of **SIX HUNDRED FIFTY THOUSAND DOLLARS** (\$650,000.00) 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, to the survivor of them, his or her heirs and assigns forever, and 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:

Beginning at a point in the center line of U.S. Highway 68, said point being 562 feet north of the intersection of the Jackstown Road, a corner to James Marsh; thence with said Marsh N 42*30' W 838.6 feet to a rock fence corner; thence N 06*19' E at 314 feet passing a corner to said Marsh and J.B. Moore in all 1219.7 feet to a point in the fence; thence with said Moore N 06*24' E 584.1 feet to a fence post; thence S 60*40' E 198.0 feet to a point in the fence; thence S 60*35' E 618.7 feet to a hackberry in the fence; thence S 40*20' W 540.2 feet to a fence post; thence S 48*52' E 1023.9 feet to a point in the center of U.S. Highway No. 68, corner to said Moore; thence with

center of said highway S 39°33' W 1199.1 feet to the place of beginning, containing an area of **38.72 acres**, more or less, but subject to legal highways; and the improvements thereon being commonly known and designated as **843 Millersburg Road**, Paris, Kentucky.

EXCEPTED THEREFROM is Parcel 8 Tract A containing **4.691 acres** conveyed from Sara C. Leer, single, to Commonwealth of Kentucky, for the use and benefit of the Transportation Cabinet, Department of Highways, by Deed dated June 15, 2011, of record in Deed Book 284, Page 730, and to which said Deed reference is hereby made for a more particular metes and bounds description thereof.

AND BEING THE REMAINING PART OF the same property conveyed to Sarah C. Leer, single, by Deed dated January 14, 1998, and of record in Deed Book 230, Page 462, Bourbon County Clerk's Office. Sarah Ellen Leer a/k/a Sarah C. Leer died intestate in the year 2023 and her son Courtland Hunt Leer was appointed Administrator of her Estate pursuant to Order appointing Administrator filed June 22, 2023, and was given the authority to sell the real estate as Administrator pursuant to Order filed March 21, 2024, both Orders in Case No. 23-P-00894, Fayette County District Court, Probate Division. See attached certified copies of said Orders.

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, to the survivor of them, his or her heirs and assigns forever, with Covenant of **GENERAL WARRANTY** subject, however, to easements and restrictions of record.

IN TESTIMONY WHEREOF the party of the first part has hereunto signed his hand on this date, which is first above written.

The undersigned, Estate of Sarah Ellen Leer a/k/a Sarah C. Leer, by and through Courtland Hunt Leer, Administrator, Grantor herein, and Gary Kinard and Angela Kinard, husband and wife, Grantees herein, do hereby certify, pursuant to K.R.S. 382, that the above stated consideration in the amount of \$650,000.00 is the true, correct and full consideration paid for the property herein conveyed.