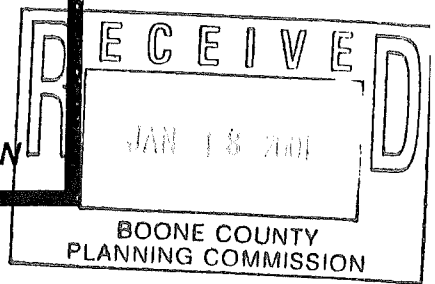


61-WBOA-002-A

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

1. _____ Boone _____ Florence X Walton _____ Union

(Check One)

2. _____ Conditional Use Permit X Variance _____ Appeal
_____ Change in Non-Conforming Use

3. Applicant's Name TERRY FRANK (CLARISEY FRANK ARCHITECTURE)

Phone Number 513-891-4976 Fax No. 513-891-4932

Applicant's Address 7450 MONTGOMERY RD
GINCINNATI OH 45236
City State Zip

4. Description of Request: TO ALLOW REDUCED SETBACK (5') AT
SW CORNER OF PROPERTY

5. Name of Development ALL SAINTS CATHOLIC CHURCH

6. Location of Development MARY GRUBBS HIGHWAY, & SCHOOL RP. &
NEEDMORE ST., & BEATRICE AVE

7. Acreage Under Review 5.8911

8. Lot Number and Name of Subdivision (if part of a subdivision)

CLEAN SUBDIVISION LOTS 16-51 & 95

9. Owner of Property DIOCESE OF COVINGTON

Phone Number of Owner 283-6258 10.

Address of Property Owner 947 DONALDSON RD EPLANDER KY
City State Zip

11. Proposed Use(s) on Site CHURCH & SCHOOL

12. Total Square Footage of Existing and/or Proposed Buildings (EX-33,357) PROP 22,500

13. Current Zoning on Property PF, SR-1, UR-1

14. Deed Book _____ Page No. _____ Group No. SEE ATTACHED SHEET

15. Is the site subject to a zone change? NO

If yes, give date of approval _____

16. Have you submitted a Site Plan with this request? YES

17. Have you submitted a list of adjoining property owners with this request? YES

18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature] (CLARISEY FRANK ARCH.)

Property Owner's Signature: [Signature] (Boone County Planning Commission Chairman)

(over)

Book 69, 69, 113, 183, 258, 286, 741
Page 390, 391, 120, 253, 246, 69, 211

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 1-18-01 Fee Received \$300.00 LT# 26486
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

Action of Walton BOA: Conditional Use and Variances approved with the conditions that the two access points on Needmore Street are removed (as shown on the concept plan) and that all other necessary permits and approvals are obtained (especially the shared parking spaces and bufferyard).
7. _____

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail**

www.boonecountyky.org

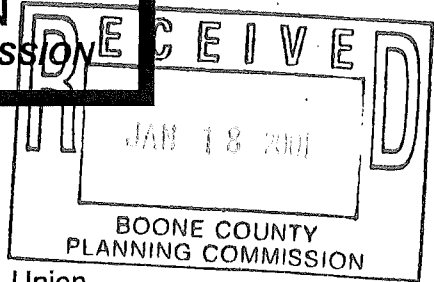
NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations
SECTION A (To be completed by applicant)

- 1. (Check One)
 Boone Florence Walton Union
- 2. (Check One)
 Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
- 3. Applicant's Name TERRY FRANK (CLARISSE FRANK ARCHITECTURE)
 Phone Number 513-891-4556 Fax No. 513-891-4532
 Applicant's Address 7450 MONTGOMERY RD.
CINCINNATI OH 45236
 City State Zip
- 4. Description of Request: TO ALLOW INCREASED BUILDING HEIGHT
- 5. Name of Development ALL SAINTS CATHOLIC CHURCH
- 6. Location of Development MARY GUEPERS HIGHWAY & SCHOOL RD. ?
NEED MORE ST & PEATICE AVE
- 7. Acreage Under Review 5.8911
- 8. Lot Number and Name of Subdivision (if part of a subdivision)
GLENN SUBDIVISION LOTS 16-51 & 85
- 9. Owner of Property PIECE OF COVINGTON
- 10. Phone Number of Owner 283-6258
 Address of Property Owner 947 DONALDSON RD EPLANDER KY
 City State Zip
- 11. Proposed Use(s) on Site CHURCH & SCHOOL
- 12. Total Square Footage of Existing and/or Proposed Buildings (EX 33351) PROP 22,500
- 13. Current Zoning on Property PF, SF-1 & UF-1
- 14. Deed Book _____ Page No. _____ Group No. SEE ATTACHED SHEET
- 15. Is the site subject to a zone change? NO
- 16. If yes, give date of approval _____
- 16. Have you submitted a Site Plan with this request? YES
- 17. Have you submitted a list of adjoining property owners with this request? YES
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature] (CLARISSE FRANK ARCH.)

Property Owner's Signature: [Signature] (Bridget Con [Name])

BOOK 69, 69, 113, 183, 258, (over) 286, 741
PAGE 390, 391, 120, 253, 246, 69, 211

2081

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 1-18-01 Fee Received \$ 300.00 PA 26486
2. Is application complete? _____ Yes _____ No _____
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____
Action of Walton BOA: Conditional Use and Variances approved with the conditions
7. that the two access points on Needmore Street are removed (as shown on the concept plan) and that all other necessary permits and approvals are obtained (especially the shared parking spaces and bufferyard).

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail**

www.boonecountyky.org

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

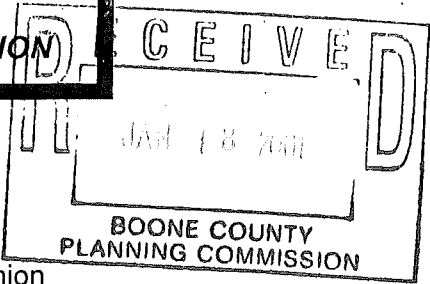
Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

BCPC: 12/00

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION



See Boone County Zoning Regulations SECTION A (To be completed by applicant)

- 1. (Check One) Boone Florence X Walton Union
2. (Check One) X Conditional Use Permit Variance Appeal
3. Applicant's Name TERRY FRANK (CLARISSEY FRANK ARCHITECTURE)
Phone Number 513-891-4536 Fax No. 513-891-4532
Applicant's Address 7450 MONTGOMERY RD CINCINNATI OH 45236
4. Description of Request: TO OBTAIN CONDITIONAL USE APPROVAL FOR CHURCH USE IN SR-1 & UR-1 ZONES TO ALLOW CONSTRUCTION OF NEW CHURCH BUILDING & CONVERT EXIST. HOUSE TO CHURCH OFFICE.
5. Name of Development ALL SAINTS CATHOLIC CHURCH
6. Location of Development MARY GRUBBS HIGHWAY & SCHOOL ROAD & NEEDMORE ST. & PEARCE AVE.
7. Acreage Under Review 5.8911
8. Lot Number and Name of Subdivision (if part of a subdivision) COLEMAN SUBDIVISION LOTS 16-51 & 85
9. Owner of Property DIOCESE OF COVINGTON
Phone Number of Owner 283-6258 10. Address of Property Owner 947 DONALDSON FARM LEXINGTON KY
City State Zip
11. Proposed Use(s) on Site CHURCH & SCHOOL
12. Total Square Footage of Existing and/or Proposed Buildings (EX-39357) PROP. 22,500
13. Current Zoning on Property RF, SR-1, UR-1
14. Deed Book Page No. Group No. SEE ATTACHED SHEET
15. Is the site subject to a zone change? NO
If yes, give date of approval
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature] (CLARISSEY FRANK ARCH)

Property Owner's Signature: [Signature] (Baldi, Com. Chairman)

(over)

Book 69, 69, 113, 183, 258, 286, 741
Page 390, 391, 120, 253, 246, 69, 211

2082

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 1-18-01 Fee Received \$ 512.00 RA 26486
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:

Approved
 Approved with Conditions (See #6)
 Denial (See #7)

6. Conditions of Approval:

Action of Walton BOA: Conditional Use and Variances approved with the conditions that the two access points on Needmore Street are removed (as shown on the concept plan) and that all other necessary permits and approvals are obtained (especially the shared parking spaces and bufferyard).

7.

**Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail**

www.boonecountyky.org

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

APPLICANT: Clarisey Frank Architecture

LOCATION: Between Mary Grubbs Highway, School Road,
Needmore Street, and Beatrice Avenue
Walton, Kentucky

ZONING: Public Facilities (PF), Urban Residential One (UR-1),
Suburban Residential One (SR-1)

DATE: February 7, 2001

Proposal

The applicant is requesting a Conditional Use Permit in order to allow the construction of a new church building, additional parking stalls, and the conversion of a residence into a church office. In addition, the applicant has applied for two variances to allow the new church building to encroach into the side yard setback and to exceed the height limitations. The site contains 5.89 acres and is located on property between Mary Grubbs Highway, School Road, Needmore Street, and Beatrice Avenue. The property is zoned Public Facilities (PF), Urban Residential One (UR-1), and Suburban Residential One (SR-1). The applicant submitted Exhibits A, B, C, D, E, F, G, H, I, and J as part of the application.

Exhibit A - Rendering of church design.

Exhibit B - Land addition plat.

Exhibit C - Letter from Clarisey Frank Architecture, Ltd.

Exhibit D - Letter from Deters, Benzinger, & LaVelle, PSC

Exhibit E - Aerial Photograph

Exhibit F - Plat of Glenn Subdivision

Exhibit G - List of property owned by the Diocese of Covington- All Saints Church

Exhibit H - Deeds to property.

Exhibit I - Site Plan of the property.

Exhibit J - Plans showing the front, rear and south elevations of the proposed church.

Applicable Regulations

Article 9, Section 933 and Article 9, Section 953 of the Boone County Zoning Regulations permits, "***Churches, synagogues, temples, and other places of religious assembly for worship (Site Plan Review required).***" as a conditional use in both the Suburban Residential One (SR-1) and Urban Residential One (UR-1) Districts.

Article 12, Section 1211 of the Boone County Zoning Regulations permits, *“Churches or religious assembly uses including apartment dwelling units related to the religious use”* as a principally permitted use within the Public Facilities (PF) District.

Article 30, Section 3007 of the Boone County Zoning Regulations states that *“property involving a conditional use and/or variance shall be subject to the Boone County Planning Commission Site Plan review and approval if required by an individual zoning district.”*

Article 31, Section 3121 of the Boone County Zoning Regulations requires that, *“The side yard setback from the side yard right-of-way shall be a minimum of one-half (1/2) the required front yard setback.”*

Article 31, Section 3124 of the Boone County Zoning Regulations specifies exceptions to height regulations by stating the following, *“Height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.”*

Article 32, Section 3216 of the Boone County Zoning Regulations requires *a minimum of fifty feet (50’) between a signalized intersection and a local road.*

Article 32, Section 3223 of the Boone County Zoning Regulations states, *“Whenever the use of a parcel of land changes, or two or more parcels of land are assembled under one purpose, plan, entity, or usage, the existing access permit (s) shall become void. The Planning Commission may require the reconstruction, relocation, or closure of the access point(s), based on the new property use. Any such new or re-authorized access point must be in compliance with all applicable sections of this regulation, and may require the submission of a traffic study in accordance with Section 3240 of this order.”*

Article 33, Section 3300 of the Boone County Zoning Regulations states that *“No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this order.”*

Article 33, Section 3325 of the Boone County Zoning Regulations requires that *one space per five seats* are required for churches and other places of religious assembly.

Article 33, Section 3320 of the Boone County Zoning Regulations states that, *“Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap. The use of joint parking in lieu of required parking will require a written agreement between property owners and a parking study to be approved by the Zoning Administrator.”*

Article 33, Section 3321 of the Boone County Zoning Regulations regulates the number and location of access points and specifies, *“Where the frontage of a tract of land is greater than 500 feet, an additional access point is permitted for each additional 500 feet of frontage, provided all access points are otherwise in compliance with all applicable sections of these regulations.”*

Article 36, Section 3620 of the Boone County Zoning Regulations requires, *“When a use adjoins a street, regardless of whether it is public or private, landscaping shall be required from Buffer Yard A”*.

Article 36, Section 3645 of the Boone County Zoning Regulations requires a buffer yard of 20 feet when a UR-1 developing use is adjacent to a SR-1 district.

Conditional Use Regulations

The Board should evaluate the applicant’s request as it relates to the criteria necessary for granting a Conditional Use Permit stated in Section 262 and the following criteria from Section 933 and 953 of the Boone County Zoning Regulations:

Findings listed in Section 262:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County’s comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 9, Section 933 of the Boone County Zoning Regulations allows churches as a conditional use in the SR-1 district provided:

- a. the activity is an integral and subordinate function of a permitted use; or
- b. the activity will not contradict the low density character of the district; and
- c. the arrangement of uses, buildings, or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

Article 9, Section 953 of the Boone County Zoning Regulations allows churches as a conditional use in the UR-1 district provided:

- a. the activity is an integral and subordinate function of a permitted use of the neighborhood; or
- b. the activity will not contradict the compact, but single family character of the district; and
- c. the arrangement of uses, buildings, or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district.

Variance Regulations

Article 2, Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's request as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations. In making these findings, the Board shall consider whether:
 - a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - b. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Surrounding Land Uses and Zoning

Property included as part of the All Saints Church site is zoned: (1) Urban Residential One (UR-1) where most of the new church construction will be taking place, (2) Public Facilities (PF) on the north and east portion of the site where new parking is proposed and the existing school and church are located, and (3) SR-1 where the residential structure will be converted to church office space and new parking spaces will be added to the north. Adjacent properties, not owned by the church, are residential in nature. In addition to the right-of-ways for Needmore Street and Beatrice Avenue, vacant lots and single family homes zoned both SR-1 and UR-1 are located to the north and east. To the south are vacant properties zoned UR-1 and the right-of-way for Mary Grubbs Highway. The right-of-way for School Road and a single family home, zoned Commercial Services (C-3), are located to the west of the site.

Staff Concerns/Comments

1. Article 33, Section 3325 of the BCZR requires one (1) parking space per every five (5) seats for churches and other places of religious assembly. As the church is designed to seat 600 persons, a total of 120 parking spaces are needed for this use. The applicant is proposing to construct an additional 74 parking spaces or 61.7% of the required space as part of this site plan. The church currently owns adjacent parking lots that have 98 existing spaces for a total of 172 parking spaces. These existing spaces are used to serve other uses located on church property. As the applicant has not provided the total number of spaces to serve the new church addition and house to be converted to a church office,

spaces to be used as shared parking must be approved by the Zoning Administrator in accordance with Article 33, Section 3320 of the BCZR.

2. The existing church property contains three (3) access points along Needmore Street and one (1) access point along Beatrice Avenue. In order to add an additional access point to the property, the applicant has agreed to remove two (2) access points along Needmore Street (as shown on the site plan) in order to meet the requirements of Section 33, 3321 of the BCZR which permits a site one (1) access point per every 500 feet of road frontage.
3. Article 36, Section 3325 requires a buffer yard of twenty feet (20') when a UR-1 developing use is adjacent to a SR-1 district. The site plan depicts only Buffer Yard "A", or ten foot (10') buffer yard (50% less than required) between the church located in the UR-1 district and the adjacent single family residence located in the SR-1 district. In addition, a ten foot (10') buffer yard is required along the frontages of Needmore Street, School Road, and Mary Grubbs Highway in accordance with Article 36, Section 3620. The applicant does not depict the required buffer along Needmore Street and shows less than a ten foot (10') buffer in some locations along Mary Grubbs Highway.
4. In addition to the application for a conditional use permit, the applicant applied for a reduction in the side yard setback from 15 feet (one half of the required front yard setback in accordance with Article 31, Section 3121 of the BCZR) to 8 feet, a reduction of 46.7%. In addition, the applicant requested a variance from the building height regulation. The height of the overall structure is 74.5 feet, not including the spire or steeple which is exempt from height regulations in accordance with Article 31, Section 3124 of the Boone County Zoning Regulations. Therefore the applicant is requesting a 29.5 feet or 65.5% variance from the height requirement of 45 feet in order to accommodate the construction of the new church.
5. Finally, it is important to note that the site plan submitted for the proposed use depicts lots and adjustment of lot lines that have not been approved by the Boone County Planning Commission.

Conclusion

KRS 100.237 and Sections 260 and 1013 of the Boone County Zoning Regulations give the Walton Board of Adjustment and Zoning Appeals the authority to grant a conditional use permit to for a church in both the Suburban Residential One (SR-1) and Urban Residential One (UR-1) Districts. In addition, KRS 100. 100.241 to 100.247 and Section 250 of the Boone County Zoning Regulations give the Walton Board the authority to grant variances from side yard setbacks and height requirements.

From reviewing the site plan and visiting the site, it is the staff's opinion that the proposed use has the potential to negatively impact traffic circulation patterns and adjacent residential uses if the site is not developed in a manner which minimizes access points, is appropriately landscaped and buffered from the existing residential uses, and provides adequate parking in conformance with the Boone County Zoning Regulations.

Therefore, should the board consider approval of this request, it is recommended that the following conditions of approval apply:

1. the applicant must obtain plat approval for the proposed lots from the Boone County Planning Commission in accordance with KRS 100.277 and the Boone County Subdivision Regulations,
2. the applicant must obtain approval for joint use of the parking spaces from the Zoning Administrator as required by Article 33, Section 3320 of the Boone County Zoning Regulations,
3. removal of two (2) existing access points on Needmore Street as shown on the site plan submitted by the applicant;
4. the required buffer yards are installed in accordance with Article 36, Sections 3620 and 3645 of the Boone County Zoning Regulations,
5. a site plan depicting appropriate buffer yards, landscaping, parking, signage, etc, must be reviewed and approved by the staff of the Boone County Planning Commission in accordance with Article 30 of the Boone County Zoning Regulations.

Respectfully submitted,

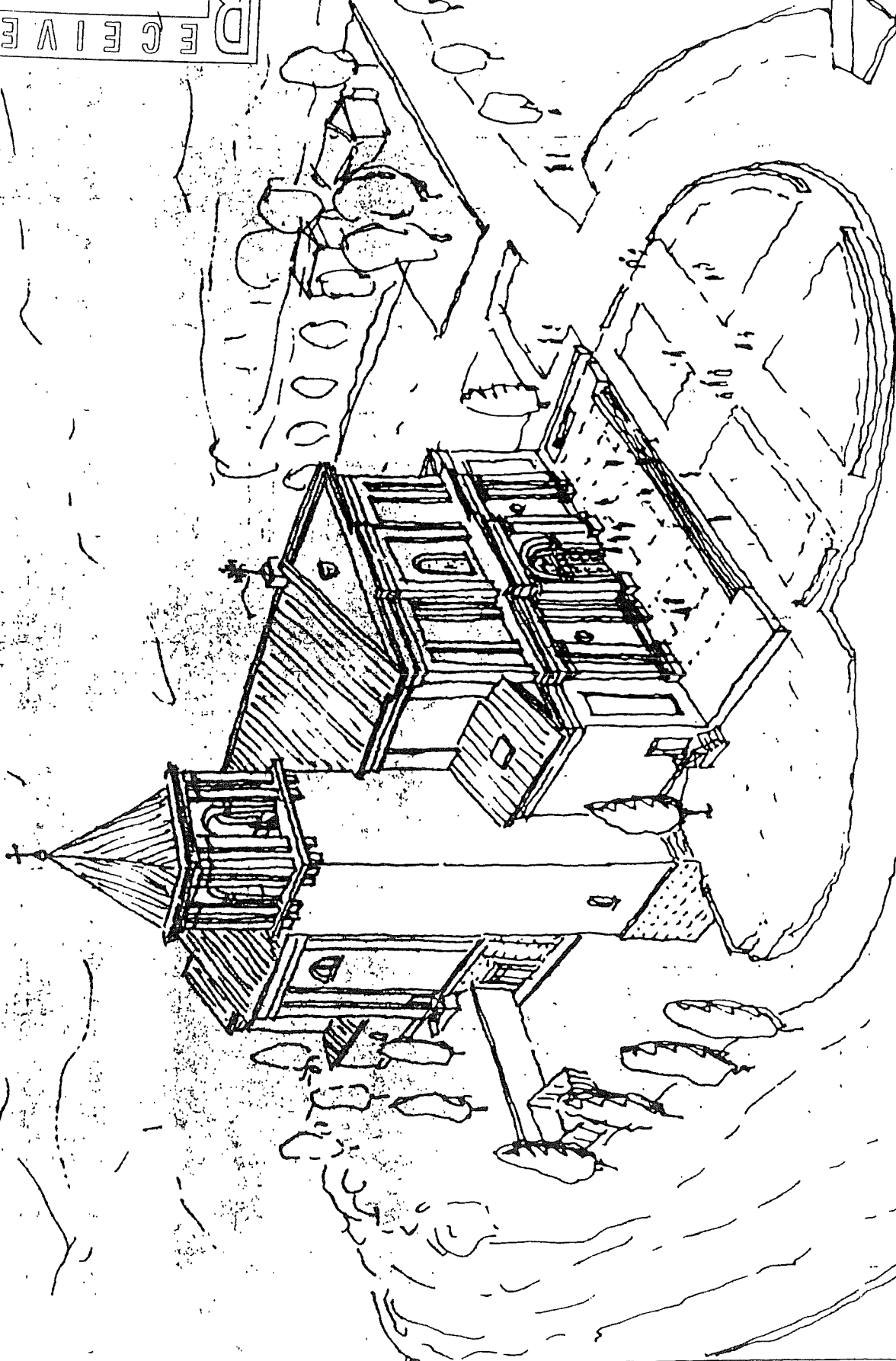


Lara B. Robertson, AICP

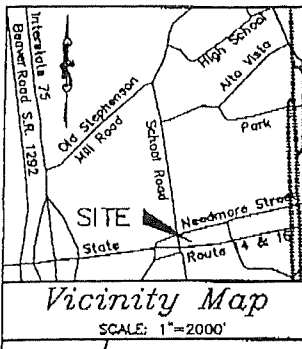
Attachments

- Exhibit A - Rendering of church design.
- Exhibit B - Land addition plat.
- Exhibit C - Letter from Clarisey Frank Architecture, Ltd.
- Exhibit D - Letter from Deters, Benzinger, & LaVelle, PSC
- Exhibit E - Aerial Photograph
- Exhibit F - Plat of Glenn Subdivision
- Exhibit G - List of property owned by the Diocese of Covington- All Saints Church
- Exhibit H - Deeds to property.
- Exhibit I - Site Plan of the property.
- Exhibit J - Plans showing front, rear and south elevations of the proposed church.
- Exhibit K - All Saints Church Zoning Map

RECEIVED
18
BOONE COUNTY
PLANNING COMMISSION



RECEIVED
 JAN 18 2001
 BOONE COUNTY
 PLANNING COMMISSION



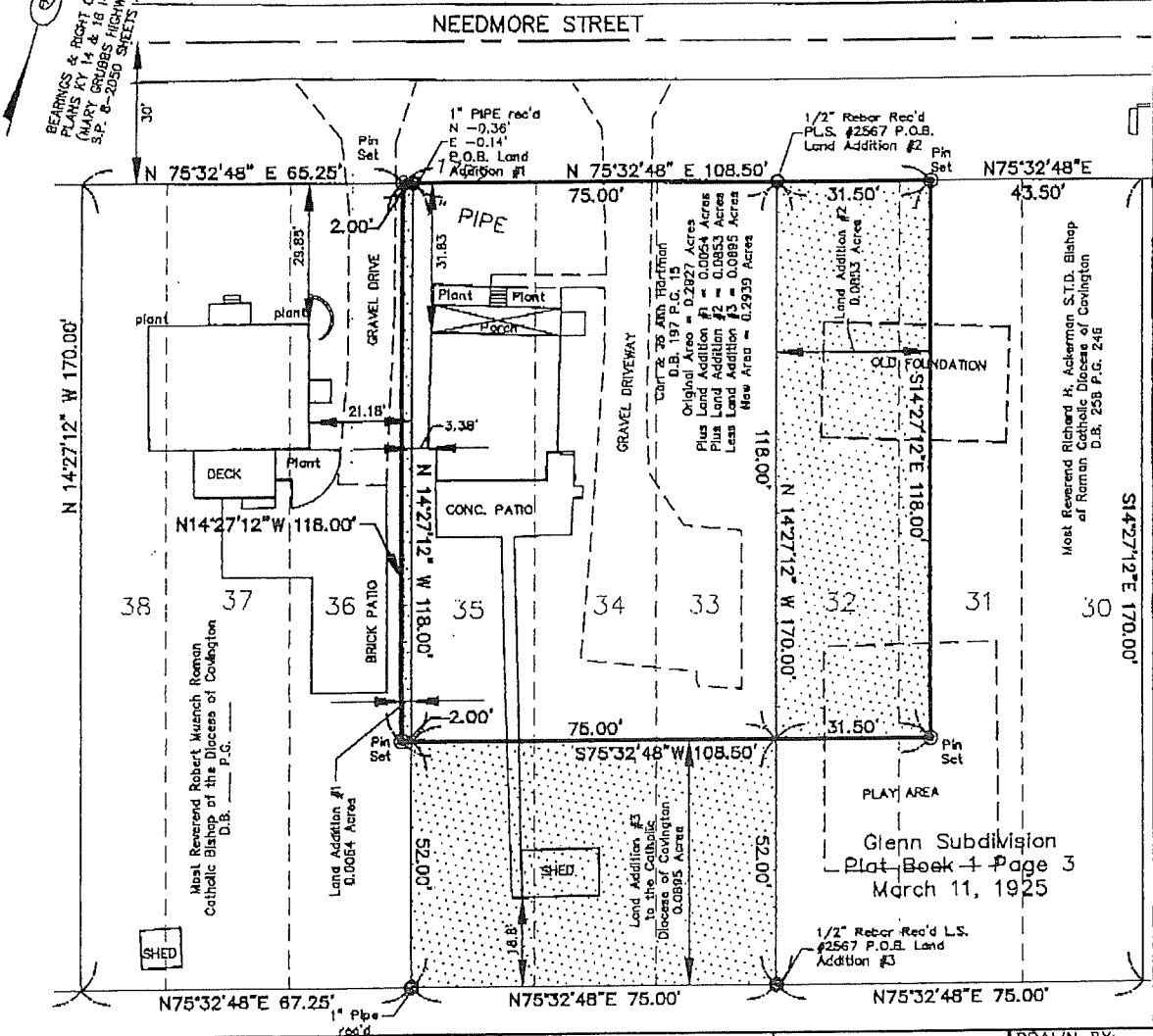
I hereby certify that I am a duly qualified and Licensed Kentucky Surveyor. In accordance with KRS 322.020 that this plat depicts a survey performed by me, or under my direct supervision, in accordance with the Code of Professional Practice and Conduct for Professional Engineers and Professional Surveyors, by the method of random traverse on December 19, 2000. The unadjusted precision ratio of the traverse was 1:24,708 and was not adjusted for closure. The survey shown hereon is a Class A survey and the accuracy and precision of said survey meets all the specifications of this class. This plat meets or exceeds the minimum requirements of 201 KAR 18.150.

Brian R. Cox P.L.S. 3381 Date

NOTE: \odot PIN SET is a 5/8" rebar with plastic cap stamped "B.R. COX 3381"
 THIS PLAT SHALL BE VOID IF NOT FILED WITH THE BOONE COUNTY CLERK FOR RECORDING PURPOSES WITHIN TWO (2) YEARS OF PLANNING COMMISSION APPROVAL.
 I CERTIFY THAT THIS PLAT OF LAND IN AND OF ITSELF DOES NOT MEET THE CURRENT ZONING REGULATIONS FOR USE AND IS BEING TRANSFERRED FOR NON-BUILDABLE PURPOSES.

APPROVED FOR RECORDING THE TRANSFER OF PROPERTY ONLY BY THE BOONE COUNTY PLANNING COMMISSION THIS _____ DAY OF _____ 200__.

GRAPHIC SCALE



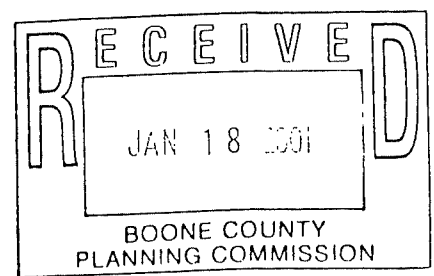
<p>CARDINAL ARCHITECTURE ENGINEERING LAND SURVEYING</p>	<p>LAND ADDITION PLAT prepared for <i>All Saints Church</i> 46 Needmore Street, City of Walton Boone County, State of Kentucky</p>	DRAWN BY: TRP
		DATE: 12-22-00
		SCALE: 1" = 30'
		FILE NO. 99-069

ONE MOOCK ROAD
 WILDER, KENTUCKY
 41071 (859) 581-9600

CLARISEY FRANK

ARCHITECTURE LTD.

7450 Montgomery Road. Cincinnati, Ohio 45236
891.4556 fax 891.4532



Transmittal

To:	Boone County Planning Commission 2995 Washington St. Burlington, KY 41005	Date:	1/18/01
Attn:	Todd Morgan	Project:	All Saints Church Walton, KY
		From:	Terry Frank

We are sending you:

- Application form for Conditional Use Permit
- Application form for Variance (reduced setback)
- Application form for Variance (increased building height)
- (2) Concept Site Plan
- Concept Site Plan, 11x17
- (2) Building elevations sheets 3.01 & 3.02
- Building elevations sheets 3.01 & 3.02, 11x17
- Land Addition Plat 12/22/00 (Cardinal)
- Adjacent Property Owners Deed Book list & deed copies
- Adjacent Property Owners Address List
- Aerial photo of site
- Copy of Glenn Subdivision parcels
- Copy of letter from Jed Deters of Deters, Benzinger, & LaVelle
- Check for application fee

Remarks:

Mr. Morgan,

The reconfiguration (land swap) of the Hartman property and All Saints property has been agreed to by both parties and the plat for the transfer was approved by the Planning Commission on January 12, 2001. Please call if you have any questions or need any additional information.

Thank you,

Terry Frank

Copy to: Very Rev. John Schulte

DETERS, BENZINGER & LAVELLE, P.S.C.

Attorneys at Law

THOMAS MORE PARK

2701 TURKEYFOOT ROAD

COVINGTON, KENTUCKY 41017

TELEPHONE (606) 341-1881

TELECOPIER (606) 341-1469

OTHER OFFICES

CINCINNATI, OHIO

HAMILTON, OHIO

(513) 241-4110

(513) 868-3663

PLEASE REPLY TO:

Covington

August 28, 2000

The Tribunal of the Diocese of Covington

P. O. Box 18548

Erlanger, Kentucky 41018-0548

Attn: Very Rev. John R. Schulte, J. C. L.

Re: All Saints Parish / Board of Adjustments

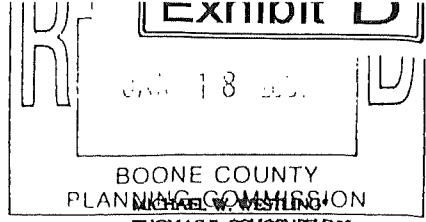
Dear Father,

Please find enclosed herewith a list, by Deed Book and Page, of all the property at All Saints owned by the Diocese of Covington. The actual deeds are attached to the list for a complete legal description of the entire tract. The Hartman lot is included in the adjoining owners list for now.

I have also enclosed a list of adjoining property owners. There was what I believe to be an error in the legal description in the deed to 45 Needmore Street, the Smith property. The deed only describes a part of lot 4 but should have included lot 5 as well. I added the Puckets to the list because they sold this property to the Smiths. If Puckets did not sell lot 5 to the Smiths, they still own it and need to be notified.

It appears to me, by viewing the Property Valuator's maps, that All Saints owns the property directly to the south on the other side of Mary Grubbs Highway. When the new Highway came through, the south portion of the Diocese's property was cut off but remains titled in the Diocese. It also appears to me that this same thing happened with the Berkemeier property to the southeast.

CHARLES H. DETERS*
GERALD E. BENZINGER
JOHN C. LAVELLE*
RICHARD G. MEYER
JAMES A. DRESSMAN III*
KURT A. PHILIPPS, JR.*
STEPHEN J. BREWER*
ROBERT M. HOFFER
JOSEPH A. CLEVES, JR.*
ROBERT G. STEVENS
DANIEL T. MISTLER
DAVID V. KRAMER
MARK D. GUILFOYLE*
ELIZABETH GRAHAM WEBER*
MATHEW R. KLEIN, JR.*



BOONE COUNTY
PLANNING COMMISSION

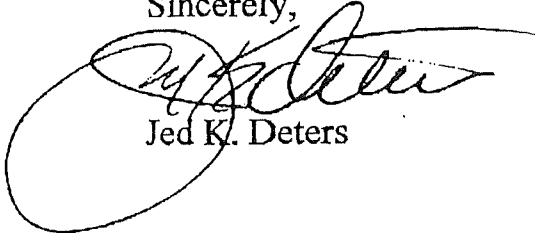
THOMAS R. SCHOENFELD**
JED K. DETERS
EDWARD M. ZERHUSEN
R. STEPHEN BURKE*
WILLIAM J. MORAN, JR.**
PATRICK R. HUGHES*
DAVID W. BURLEIGH*
THOMAS W. RUMPKE
RACHEL PAYNE VARDIMAN*
JAMES A. DIETZ
KELLY A. SCHOENING*†
JEREMY J. DETERS*
DAVID B. BREWER*
GARY E. HOLLAND, JR.**

JAMES A. DRESSMAN, JR.
OF COUNSEL

* Also admitted in Ohio
** Admitted in Ohio
† Also admitted in Indiana

Please call if I can be of further assistance in this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jed K. Deters', written in a cursive style. The signature is positioned above the printed name and is partially enclosed by a large, loopy underline that extends to the left.

Jed K. Deters

Property Owned by the Diocese of Covington
All Saints Church

Deed Book 69, Page 390

Dated 9-15-30

Recorded 11-26-30

Legal Desc. Lots 22, 23, 24, and 25 Glenn Sub.
 Plat Book 3, page 1
 Group No. 3

Deed Book 69, Page 391

Dated 10-24-28

Recorded 11-26-30

Legal Desc. Lots 16, 17, 18, and 19 Glenn Sub. Group No. 3
 Lots 41 thru 62, inclusive, Glenn Sub. Group Nos. 5 & 6
 Lot 85, Glenn Sub. Group No. 8
 Plat Book 3, page 1

Deed Book 113, Page 120

Dated 5-11-54

Recorded 5-19-54

Legal Desc. Lots 20 and 21 Glenn Sub. Group No. 3
 Plat Book 3, Page 1

Deed Book 183, Page 253

Dated 10-24-68

Recorded 10-24-68

Legal Desc. Lots 26, 27, 28, and 29 Glenn Sub.
 Group No. 3
 Plat Book 3, page 1

Deed Book 258, Page 246

Dated 4-30-79

Recorded 5-2-79

Legal Desc. Lot 30, 31, and 32 Glenn Subdivision,
 Group Nos. 3 & 4
 Plat Book 3, Page 1

Deed Book 286, Page 69

Dated 6-16-81

Recorded 6-18-81

Legal Desc. Lots 39 and 40, and pt. of 38, Glenn Subdivision
 Group Nos. 4 & 5
 Plat Book 3, Page 1

Deed Book 741, Page 211

Dated 5-10-99

Recorded 5-12-99

Legal Desc. Lots 36 and 37, and pt. of 38, Glenn Subdivision
 Group No. 4
 Plat Book 3, Page 1

69/390

Exhibit H

I, A. G. McMullen, Clerk of the County Court in and for the County and State aforesaid, do certify that the foregoing instrument of writing from Henry Earl Haney and wife and Beatrice Glenn to George W. Flynn was this day presented to me, certified as above and lodged for record, at 3:15 o'clock P.M. Whereupon, the same with the foregoing and this certificate have been duly recorded in my office.

Given under my hand, this 26th day of November, 1930,

A. G. McMullen Clerk.
By Dontha Reyle D.C.

KNOW ALL MEN BY THESE PRESENTS, That George W. Flynn, (a widower), of Boone County Kentucky, for and in consideration of One Dollar and other valuable considerations, paid and given by the Rt. Rev. Francis W. Howard, Roman Catholic Bishop of the Diocese of Covington, Kentucky, the receipt whereof is hereby acknowledged, do hereby bargain, sell and convey to the said Rt. Rev. Francis W. Howard, Roman Catholic Bishop of the Diocese of Covington, Kentucky, for the use and benefit of All Saints Church at Walton, Kentucky, and his successors in office and assigns forever, the following described real estate, viz:- Certain lots in what is known as the Glenn Subdivision to the Town of Walton, in Boone County, Kentucky, on the Walton and Verona Turnpike, and known as lots Nos. 24 and 25 in the said subdivision, and being the same lots conveyed to George W. Flynn ^{By} and D. P. Riley a single man, and Beatrice Glenn, deed dated February 15th, 1930 and recorded in Deed Book No. 69 page No. 388 in the office of the county Clerk of Boone County at Burlington, Kentucky. Also Lots 22 and 23 in the same subdivision, being the same lots conveyed to George W. Flynn by Henry Earl Haney and Susan Haney, his wife, deed dated Feb. 5th, 1930, and recorded in Deed Book No. 69, page 389 in the office of the County Clerk of Boone County at Burlington, Kentucky. The map or plat of the said Glenn Subdivision is recorded in Plat Book No. 1, Page 3, in the office of the County Clerk of Boone County at Burlington, Kentucky. Together with all the privileges and appurtenance to the same belonging, to have and to hold the same to the said Rt. Rev. Francis W. Howard, Roman Catholic Bishop of the Diocese of Covington, Ky. for the use and benefit of All Saints Church at Walton, Ky. and his successors in office, and assigns forever with covenants of general warranty. In witness whereof the said George W. Flynn, (a widower), has hereunto set his hand this 15th day of September, 1930.

George W. Flynn.

I, Hattie E. Metcalfe, a Notary Public in and for the county and state aforesaid, do certify that the foregoing instrument of writing from George W. Flynn, (a widower), to the Rt. Rev. Francis W. Howard, Roman Catholic Bishop of the Diocese of Covington, Ky. for the use and benefit of All Saints Church at Walton, Ky. and his successor in office, was this day presented to me in my county by the parties and then and there acknowledged by the said George

W. Flynn (a widow), to be his last and deed. Whereupon the same and this certificate are certified to the proper office for record. My commission expires May 17th, 1932.

Given under my hand and seal of office this 4th day of October, 1930.

Hattie E. Metcalfe, Notary Public.
Boone County, Kentucky.

69/391

STATE OF KENTUCKY)
COUNTY OF BOONE)

I, A. G. McMullen, Clerk of the County Court in and for the County and State aforesaid, do certify that the foregoing instrument of writing was this day produced to me, certified as above and lodged for record at 3:15 P.M. Whereupon, the same with the foregoing and this certificate have been duly recorded in my office.

Given under my hand, this 26th day of November, 1930;

A. G. McMullen Clerk.
By Dorothea Ryle D.C.

~~69/391~~

27

KNOW ALL MEN BY THESE PRESENTS, That George W. Flynn, a single man, for and in consideration of One (\$1.00) Dollar and other good and valuable considerations to him paid by the Rt. Rev. Francis W. Howard, Roman Catholic Bishop of the Diocese of Covington, Ky., for the use and benefit of All Saints Church at Walton, Ky., and his successors in office, the receipt whereof is hereby acknowledged, do hereby bargain, sell and convey to the said _____ heirs, and assigns forever, the following described real estate, lying and being in Boone County, Kentucky: Situated in what is known as Glenn Subdivision on the Walton and Verona Turnpike, near Walton, Ky., in Boone County, Kentucky, a map or plat of said Subdivision of town lots being recorded in Plat Book No. K, page 3, in the office of the County Clerk of Boone County at Burlington, Ky. and the property hereby conveyed is known on the plat or map of said subdivision as Lots Nos. 17, 18 and 19, and being the same property conveyed to George W. Flynn by Samuel K. Rust and Lulu B. Rust, et al., by deed dated the 21st day of September, 1928, and recorded in Deed Book No. 47, page 101 in the office of the Clerk of the Boone County Court, at Burlington, Ky. It is expressly understood and agreed that the property hereby conveyed is never by the second party, or by anyone who may hereafter hold title to said property, by or through him, to be leased, sold or conveyed to anyone having negro blood in their veins. Also the following lots or parcels of land situated in what is known as Glenn Subdivision of town lots near the Town of Walton, Ky. on the Walton and Verona Turnpike subdivision of town lots near the town of Walton, Ky. the tracts of land being hereby conveyed containing in the aggregate about nine acres, more or less. the lots being on the map or plat of said subdivision as lots Nos. 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63. Said map or plat being recorded in Plat Book No. 1, page 3, in the office of the County Clerk of Boone County, Ky and being the same property conveyed to George W. Flynn, by W. B. Johnson and wife etq al., by deed dated 29th day of September, 1928, and recorded in Deed Book No. 67, page _____ of the Boone County Records at Burlington, Ky. It is expressly understood and agreed that the property hereby conveyed is never by the second party, or by anyone who may hereafter hold title to said property, by or through him, to be

leased, sold or conveyed to anyone having negro blood in his veins. Together with all the privilege and appurtenances to the same belonging, to have and to hold the same unto the said The Rt. Rev. Francis W. Howard, Bishop of the Diocese of Covington, Ky., for the use and benefit of St. _____ Church and his successors in office. at _____ Ky., and heirs and assigns forever, with covenants of general warranty. In witness whereof the said Grantors George W. Flynn, a single man, hereunto sets his hand this 24 day of October, 1928.

George W. Flynn

STATE OF KENTUCKY)
) SCT
COUNTY OF BOONE)

I, A. G. McMullen, Clerk of the County Court for the County and State aforesaid, do certify that the foregoing instrument of writing from George W. Flynn to The Rt. Rev. Francis W. Howard, was on the 24th day of October, 1928, produced to me in said county and acknowledged and delivered by George W. Flynn party grantor thereto to be his act and deed.

Given under my hand this 24th day of October, 1928.

A. G. McMullen, Clerk.

STATE OF KENTUCKY)
) SCT
COUNTY OF BOONE)

I, A. G. McMullen, Clerk of the County Court for the County and State aforesaid, certify that the foregoing instrument of writing was on the 26th day of November, 1930 at 3:15 P.M. lodged in my office for record, whereupon the same with the foregoing and this certificate have been duly recorded in my office.

Given under my hand, this 26th day of November, 1930.

A. G. McMullen Clerk.

By Doctra Ryfle D.C.

KNOW ALL MEN BY THESE PRESENTS, That C. Lee King and Maud Hamilton King, his wife, for and in consideration of One Dollar and other good and valuable considerations to them paid by W. T. Upton and Ida Upton, his wife, the receipt whereof is hereby acknowledged, do hereby bargain, sell and convey to the said W. T. Upton and Ida Upton, his wife, heirs and assigns forever, the following described Real Estate, in the County of Boone, and Commonwealth of Kentucky, to-wit: Lying and being in Boone County, State of Kentucky, on the waters of Big Bone Creek; Beginning at a spring a corner of M. Floyd and thence with his line N 85 1/2 E 39.4 poles to a state; thence N 154.7 poles to Scott's line; thence S 89 1/2 W 128 2/10 poles passing between two beech trees on the bank of Big Bone Creek; thence down with the meanders of said creek S 30 W 22 poles S 42 W 53 poles S 14 poles; W 21 poles; S 63 E 38 poles S 9 E 18 poles; thence S 51 W 30 poles S 9 W 18 poles; S 12 E 36 poles; S 7 W 28 poles; S 18 W 20 poles; S 16 E 32 poles; S 76 E 23 poles to the mouth of Spring Branch; thence up said branch N 42 1/2 E 26 poles; N 49 E 13 poles; N 26 1/2 E 14 poles; N 53 E 11 poles; N 54 E 15 poles; N 12 W 15 poles; N 52 1/2 E 15 poles; S 88 E 12 poles; N 51 1/2 E 9 poles; N 26 1/2 E 14 poles; N 57 1/2 E 21 poles to

Know All Men These Presents:

CLERK'S OFFICE
SHORT FORM
DEED

113/120

That HERMAN CALDWELL AND MAUDE CALDWELL, HIS WIFE,

for and in consideration of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATIONS to THEM paid by MOST REVEREND WILLIAM T. MULLOY, ROMAN CATHOLIC BISHOP FOR THE DIOCESE OF COVINGTON, KENTUCKY, the receipt whereof is hereby acknowledged, do hereby BARGAIN, SELL AND CONVEY to the said

MOST REVEREND WILLIAM T. MULLOY, ROMAN CATHOLIC BISHOP FOR THE DIOCESE OF COVINGTON, KENTUCKY, HIS SUCCESSOR IN OFFICE ~~hereby and assigns~~ forever, the following described Real Estate, in the ~~XXXXXX~~.....;

Boone County of ~~Kan~~ and Commonwealth of Kentucky, to-wit:

Group No.....

Present Street Address Plat No.....

LOTS TWENTY (20) AND TWENTY-ONE (21) OF GLENN'S SUB-DIVISION ON THE WALTON-VERONA PIKE NEAR THE TOWN OF WALTON, AS SHOWN BY PLAT OF SAID SUBDIVISION RECORDED IN PLAT BOOK 1, PAGE 3 OF THE BOONE COUNTY RECORDS AT BURLINGTON, KENTUCKY.

BEING THE SAME PREMISES CONVEYED TO THE GRANTORS BY DEED FROM STANLEY KNOX AND ELIZABETH KNOX DATED JUNE 21, 1952, RECORDED IN DEED BOOK 103, PAGE 430, BOONE COUNTY RECORDS AT BURLINGTON, KENTUCKY.

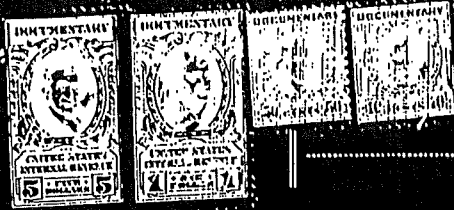
Together with all the PRIVILEGES AND APPURTENANCES to the same belonging. TO HAVE AND TO HOLD the same to the said MOST REVEREND WILLIAM T. MULLOY, ROMAN CATHOLIC BISHOP FOR THE DIOCESE OF COVINGTON, KENTUCKY, HIS SUCCESSOR IN OFFICE,

HEREBY assigns forever, the Grantor S, THEIR heirs, executors and administrators, HEREBY COVENANTING with the grantee HIS SUCCESSOR ~~hereby and assigns~~, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that THEY will WARRANT AND DEFEND the same against all legal claims whatsoever.

50
575

IN WITNESS WHEREOF, The said Grantors, **HERMAN CALDWELL AND MAUDE CALDWELL,**
HIS WIFE, HAVE

hereunto set **THEIR** hands, this 11 day of May in the year 19 54



Herman Caldwell
Maude Caldwell

STATE OF KENTUCKY }
COUNTY OF ~~BOONE~~ *Kenton* } SGT.

I, *E. J. Walton* Notary Public
in and for said County and State, do certify that the foregoing instrument of writing
from **HERMAN CALDWELL AND MAUDE CALDWELL, HIS WIFE,**
to: **MOST REVEREND WILLIAM T. NULLOY, ROMAN CATHOLIC BISHOP FOR
THE DIOCESE OF COWINGTON, KENTUCKY,**
was this day produced to me by the parties; in said County and State, and then and there acknowledged
by said

HERMAN CALDWELL AND MAUDE CALDWELL, HIS WIFE,
to be their act and deed,
Given under my hand and seal of office, this 11 day of May 19 54
My commission expires the day
of A. D. 19
(SEAL) *E. J. Walton*
Notary Public.

COMMONWEALTH OF KENTUCKY, }
COUNTY OF ~~BOONE~~ *KENTON*, } SGT.

I, **SAM WURST**, Clerk of the County Court, for the County aforesaid, do hereby certify that this
instrument of writing from
HERMAN CALDWELL AND MAUDE CALDWELL, HIS WIFE,
to
**MOST REVEREND WILLIAM T. NULLOY, ROMAN CATHOLIC BISHOP
FOR THE DIOCESE OF COWINGTON, KENTUCKY,**
was this day presented to me in my office,
certified as above, and this day left for record at 9:00 A. M.
Whereupon the same, the foregoing certificate, and this certificate were duly recorded in my office.
Given under my hand this 19th day of May in the year 19 54

Sam Wurst, Clerk
By *Alberta C. Greene*, D. C.

WARRANTY DEED

From
HERMAN CALDWELL AND MAUDE CALDWELL, HIS WIFE,

To
MOST REVEREND WILLIAM T. NULLOY, ROMAN CATHOLIC BISHOP FOR THE DIOCESE OF COWINGTON, KENTUCKY

Acknowledged
Clerk,
D. C.

Left for Record 5-19-54-9 AM

Recorded in Deed Book No. 113 Page 120
Fee 3.00 Tax 6.00

GENERAL INDEX
GROUP
WM. R. BAUERREIS, Index Clerk

E. J. Walton
Sam Wurst
COWINGTON, KY. *Co. Ky.*

183/253

Know All Men By These Presents:

CLERK'S OFFICE
LONG FORM
DEED.

That ALFRED C. HUME and LULA B. HUME, his wife, CHARLES JOHNSON; a widower, MARIE SWINFORD and her husband, JAMES SWINFORD; ELIZABETH BLACK and her husband, Bernard Black

Six Thousand Five Hundred and no/100 (\$6,500.00) Dollars for and in consideration of One Dollar and other good and valuable considerations to them paid by the grantees herein, the receipt of which is acknowledged, do hereby bargain, sell, mortgage and convey to:

MOST REVEREND RICHARD H. ACKERMAN, ROMAN CATHOLIC BISHOP OF THE DIOCESE OF COVINGTON, KENTUCKY

his successors and assigns forever, the following described Real Estate, in the City of

Boone
County of ~~Kenton~~ and Commonwealth of Kentucky, to wit: Group No.

Present Street Address: Plat No.

Lying and being in Boone County, Kentucky, and adjoined to the Town of Walton, Kentucky, being Lots 26, 27, 28, and 29 in what is known as Glens Subdivision in Boone County, Kentucky, near Walton as shown on the map or plat recorded in Plat Book 1, page 3, Boone County Records at Burlington, Ky.

Being the same property conveyed to Benjamin P. Hume by deed from Myrtle Simmons and her husband, Harry Simmons, dated March 1932 and recorded in Deed Book 70, page 517, Boone County Records at Burlington, Kentucky.

The said Benjamin P. Hume died testate a resident of Boone County, Ky., on the 10th day of October, 1937, see Will recorded in Will Book 16, page 169, Boone County Records at Burlington, Ky.

Lena Johnson, one of the daughters of the said Benjamin P. Hume and who was devised a one-half interest in and to the real estate hereinafore described, subject to the life interest of her brother, Alfred C. Hume, who was the son of Benjamin P. Hume, and the said Lena Johnson left surviving her as her widow, Charles Johnson, one of the grantors herein and as her only child and heir at law, Marie Swinford, whose husband's name is James Swinford. The said Lena Johnson died intestate a resident of Boone County, Kentucky, on the 17th day of September, 1953. (See Affidavit of Descent in _____ Book _____, page _____, Boone County Records at Burlington, Ky.)

Mrs. Nannie Schulker of Ludlow, Kentucky, the other daughter of the said Benjamin P. Hume, died intestate a resident of Kenton County, Ky., on the 11th day of _____, 19____ and her husband Frank Schulker died intestate a resident of Kenton County, Kentucky on the 2nd day of _____, 19____, and the said Nannie Schulker left surviving her as her only child and heir at law, Elizabeth Black, whose husband is Bernard Black. (See Affidavit of Descent in _____ Book _____, page _____, Boone County Records at Burlington, Ky.)

Possession to be given on or before 60 days from date of this deed.

Property Transfer Tax Paid \$6.00
J. ARY W. ROUSE, Clerk Secy D. C.

IN WITNESS WHEREOF, The said Grantor ALFRED C. HUME and LULA B. HUME, his wife, CHARLES JOHNSON, a widower, MARIE SWINFORD and her husband, James Swinford, ELIZABETH BLACK and her husband, Bernard Black

hereunto set their hands, this _____ day of _____ in the year 1968.

STAMPS

6 50
R

witness, his signature	Charles Johnson
Ed Walton	Marie Swinford
Louise Patton	James Swinford
	Elizabeth Black

STATE OF KENTUCKY
COUNTY OF KENTON

SCT. Bernard Black
Alfred C. Hume
Lula B. Hume
Notary Public

Ed Walton

I, _____ in and for said County and State, do certify that the foregoing instrument of writing

from Alfred C. Hume and Lula B. Hume, his wife, Charles Johnson, a widower, Marie Swinford and her husband, James Swinford, Elizabeth Black and her husband, Bernard Black to: Most Reverend Richard H. Ackerman, Roman Catholic Bishop of the Diocese of Covington, Kentucky was this day produced to me by the parties, in said County and State, and then and there acknowledge by said Alfred C. Hume and Lula B. Hume, his wife, Charles Johnson, a widower, Marie Swinford and her husband, James Swinford, Elizabeth Black and her husband, Bernard Black

to be their act and deed.

Given under my hand and seal of office, this

day of

19 68.

(SEAL)

Ed Walton

Notary Public

My Commission Expires:

3/16/69

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging
TO HAVE AND TO HOLD the same to the said

*MOST REVEREND RICHARD H. ACKERMAN, ROMAN CATHOLIC BISHOP OF THE
DIOCESE OF COVINGTON, KENTUCKY*

his successors
~~heirs~~ and, assigns, forever, the Grantor *s* ~~their~~ heirs, executors and administrators, **HEREBY**
COVENANTING with the grantee *his* heirs and assigns, that the TITLE so conveyed is
CLEAR, FREE AND UNINCUMBERED, and that *they* will **WARRANT AND DEFEND** the
same against all legal claims whatsoever.

COMMONWEALTH OF KENTUCKY,
ROONE
COUNTY

SCT.

JERRY W. ROUSE

I, ~~XXXXXXXXXX~~, Clerk of the County Court, for the aforesaid, do hereby certify that this instrument of writing from ALFRED C. HUME, et al

MOST REVEREND RICHARD H. ACKERMAN

to

was this day presented to me in my office,

certified as above, and this day left for record at 10:37 A. M.

Whereupon the same, the foregoing certificate , , and this certificate were duly recorded in my office.

Given under my hand this 24th day of October, in the year 1968.

JERRY W. ROUSE ~~XXXXXXXXXX~~, Clerk.

By *Barbara Dennis*, D. C.

WARRANTY DEED

From

Alfred C. Hume, et al

To

Most Rev. Richard H. Ackerman,
Roman Catholic Bishop of the
Diocese of Covington, Ky.

Acknowledged

Jerry W. Rouse, Clerk,
Barbara Dennis, D. C.

Left for Record OCT 24 1968
10:37 A.M.

Recorded in Deed Book No. 183 Page 253

GROUP GENERAL INDEX Index Clerk

This Deed Prepared By

E. A. Walt

320 Greenup St., Cov., Ky.

Fee 3.60 pd. 6.50 pd.
Rev. Fred G. Bomberger
All Saints Ch. Walton, Ky.

DEED

Know All Men By These Presents:

CLERK'S OFFICE
SHORT ★ FORM
DEED

That Robert Stephenson and Ruth Stephenson, his wife,

for and in consideration of \$28,000.00 to them paid by the grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

Most Reverend Richard H. Ackerman, S.T.D., Bishop of the Roman Catholic Diocese of Covington, Kentucky, and his successors in office,

hereby convey forever, the following described Real Estate, in the City of _____; Boone

County of ~~Kenton~~ and Commonwealth of Kentucky, to-wit: Group No. SA 4

Present Street Address 58 Needmore Street, Walton Plat No. _____

Mailing Address c/o The Chancery, P. O. Box 182, Covington, Kentucky 41012

Lying and being in Boone County, Kentucky adjacent to Walton, Kentucky and being Lots Nos. Thirty (30), Thirty One (31) and Thirty Two (32) of Glenss Subdivision near Walton, Kentucky. See Plat Book No. 1, page 3 of the Boone County records at Burlington, Kentucky.

Being the same property conveyed to the Grantors herein by deed dated June 30, 1953 and recorded in Deed Book 108 at page 216 of the Boone County Clerk's records at Burlington, Kentucky.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging. TO HAVE AND TO HOLD the same to the said

Most Reverend Richard H. Ackerman, S.T.D., Bishop of the Roman Catholic Diocese of Covington, Kentucky, and his successors in office,

hereby convey forever, the Grantor their heirs, executors and administrators, HEREBY COVENANTING with the grantee his successors in office, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that they will WARRANT AND DEFEND the same against all legal claims whatsoever.

IN WITNESS WHEREOF, The said Grantor Robert Stephenson and Ruth Stephenson, his wife,

hereunto set their hands, this 30th day of April in the year 1978

STAMPS

Robert Stephenson
Robert Stephenson
Ruth Stephenson
Ruth Stephenson

State of Kentucky
County of Kenton

The foregoing instrument was acknowledged before me this 30th day of April, 1978
by Robert Stephenson and Ruth Stephenson, his wife.

Notary Public
Commission Expires: 11/22/79
(Title)

COMMONWEALTH OF KENTUCKY, } SCT.
JERRY W. ROUSE
I, XXXXWOOD, Clerk of the County Court, for the aforesaid, do hereby certify that this instrument of writing from ROBERT STEPHENSON AND RUTH STEPHENSON

to MOST REVEREND RICHARD H. ACKERMAN, S.T.D., BISHOP OF ROMAN CATHOLIC DIOCESE OF COVINGTON, KY

was this day presented to me in my office, certified as above, and this day left for record at 9:00 A.M. Whereupon the same, the foregoing certificate, and this certificate were duly recorded in my office. Given under my hand this 2nd day of MAY in the year 1978

JERRY W. ROUSE, XXXXWOOD, Clerk
By Helen Most, D. C.

Ret: Chancery Office
1140 Madison Ave.
Cov. Ky.

WARRANTY DEED

From
ROBERT STEPHENSON and
RUTH STEPHENSON, his wife,

TO:
MOST REVEREND RICHARD H.
ACKERMAN, etc.
P. O. Box 182
Covington, Kentucky 41012

Acknowledged _____
Clerk _____

D. C.

Left for Record 5/2/79

9:21 A.M.

Fee: 6.15 ad. 246
TT: 28. n.p.d. 258
Recorded in Deed Book No. Page

GENERAL INDEX
GROUP 3 and 4
Index Clerk

This Deed Prepared By
Deters, Benzing & La Velle
Attorneys at Law
219 Gerrard Street
Covington, Kentucky 41011

Know All Men By These Presents:

CLERK'S OFFICE
SHORT FORM
DEED

Property Transfer Tax Paid \$ 47.50
Jerry W. Rouse, Clerk J. W. Rouse OC

That

WILLIAM F. KREKELER and EDDENA A. KREKELER, his wife,

for and in consideration of One ^{47.50} (\$1.00) Dollar and other good and valuable/ considerations to them paid by the grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

MOST REVEREND WILLIAM A. HUGHES, BISHOP OF ROMAN CATHOLIC DIOCESE OF COVINGTON, his successors in office and assigns

~~forever~~ forever, the following described Real Estate, in the City of Walton; Boone County of ~~KENTON~~ and Commonwealth of Kentucky, to-wit: Group No. 4
Present Street Address Kentucky 16 Plat No. 1/3
Mailing Address 1140 Madison Ave Cov

Being all of Lots Nos. 39 and 40, and part of Lot No. 38, of the Glenn Subdivision, as shown in Plat Book 1, page 3, Boone County Clerk's records at Burlington, Kentucky and more particularly described as follows:

Beginning at an iron pin in the south right of way line of Kentucky 16, the northwest corner of Glenn Subdivision; thence with said right of way line North 74° 30' East 67.25 feet to a stake; thence South 15° 30' East 170 feet to a stake; thence South 74° 30' West 84.75 feet to an iron pin; thence North 9° 38' West 170.9 feet to the beginning.

Being the same property conveyed to William F. Krekeler and Eddena A. Krekeler, his wife, by deed from John Kirby and Martha Kirby, his wife, dated October 26, 1979 and recorded in Deed Book 267, page 197 of the Boone County Clerk's records at Burlington, Kentucky.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said

MOST REVEREND WILLIAM A. HUGHES, BISHOP OF ROMAN CATHOLIC DIOCESE OF COVINGTON, his successors in office and assigns

~~forever~~ forever, the Grantors, their COVENANTING with the grantee, his CLEAR, FREE AND UNINCUMBERED, and that same against all legal claims whatsoever.

heirs, executors and administrators, HEREBY heirs and assigns, that the TITLE so conveyed to them they will WARRANT AND DEFEND the

Handwritten: 3

STAMPED AND RECORDED IN THE OFFICE OF THE CLERK OF BOONE COUNTY, KENTUCKY, ON JUNE 16, 1981. BOOK 286 PAGE 68

IN WITNESS WHEREOF, The said Grantors, WILLIAM F. KREKELER and EDDENA A. KREKELER, his wife,

hereunto set their hand s, this 16th day of June In the year 19 81.

STAMPS

JO HUGHES AND JO HUGHES (mirrored text)
 WITNESSES AND SIGNED BY:
 WILLIAM F. KREKELER
 EDDENA A. KREKELER

State of Kentucky
 County of Kenton

The foregoing instrument was acknowledged before me this 16th day of June, 1981
 by William F. Krekeler and Eddena A. Krekeler, his wife.

My Commission expires:

9/21/82

Paul J. Theissen
 NOTARY PUBLIC (Title)

COMMONWEALTH OF KENTUCKY,
 BOONE COUNTY OF BOONE

SCT.

JERRY W. ROUSE
 I, JERRY W. ROUSE, Clerk of the County Court, for the aforesaid, do hereby certify that this instrument of writing from William F. Krekeler and Eddena A. Krekeler, his wife,

to Most Reverend William A. Hughes, Bishop of Roman Catholic Diocese of Covington,

was this day presented to me in my office, certified as above, and this day left for record at 10:19 A.M. and this certificate were duly recorded in my office. Given under my hand this 18 day of June in the year 1981.

JERRY W. ROUSE, Clerk
 By *Jerry W. Rouse*, D. C.

WARRANTY DEED

From WILLIAM F. KREKELER and EDDENA A. KREKELER
 TO MOST REVEREND WILLIAM A. HUGHES, BISHOP OF ROMAN CATHOLIC DIOCESE OF COVINGTON

MAILED TO: []
 Acknowledged: []
 Clerk: []

RECEIVED D. C.
 JUN 18 AM 10:19
 JERRY W. ROUSE
 BOONE COUNTY CLERK

Recorded in Deed Book No. 286 Page 67

GENERAL INDEX
 GROUP 2082- Boone
 Index Clerk

This Deed Prepared By *Paul J. Theissen*
 PAUL J. THEISSEN, THEISSEN & THEISSEN, P.S.C.
 401 Pike Street, P. O. Box 546
 Covington, Kentucky 41012

Theissen J & J

RECEIVED

1999 MAY 12 A 10:36

MARILYN K ROUSE
BOONE COUNTY CLERK

12.00

BOOK 741 PAGE 211

PROPERTY TRANSFER TAX PAID \$ 67.00
MARILYN K. ROUSE, CLERK MJR

DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT MATTHEW D. CHRISTY and TONYA L. CHRISTY (FKA TONYA L. ROBINSON), husband and wife,

for and in consideration of -----\$67,000.00-----

to him paid by the grantee herein, the receipt of which is acknowledged, does bargain, sell and convey to:

MOST REVEREND ROBERT W. MUENCH, ROMAN CATHOLIC BISHOP OF THE DIOCESE OF COVINGTON, his successors in office and assigns,

forever, the following described real estate, in the City of Walton, County of Boone, Commonwealth of Kentucky, to-wit:

PRESENT STREET ADDRESS: 62 Needmore Street, Walton, KY 41094

GROUP NO. 4/BOONE

DB-99-1613

Lying and being in Walton, Boone County, Kentucky and being all of Lots 36, 37 and part of Lot 38 of Glenn Subdivision, as shown on plat of same recorded in Plat Book 1, Page 3 of the Boone County records at Burlington, Kentucky, and described thus: Beginning at northeast corner of Lot No. 36 of Glenn Subdivision; corner with the right of way of State Highway No. 16; thence in a southeasterly direction with the line of Lots 35, and 36, a distance of 170 feet to the southeast corner of Lot 36; thence westwardly along the rear line of Lots 36 and 37 and 38 a distance of 67.25 feet to a point in the rear line of Lot No. 38, 17.25 feet from the southwest corner of Lot No. 37; thence in a northwardly direction of 170 feet to a point in the right of way of said State Highway, said point being 17.25 feet west of the northeast corner of Lot No. 38; thence along said right of way in an easterly direction of 67.25 feet to the beginning.

Return to:
Muench

Being the same property conveyed to Grantors herein, by deed dated January 25, 1996 and recorded January 30, 1996 in Deed Book 599, page 189 in the office of the Boone County Clerk at Burlington, Kentucky.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging. TO HAVE AND TO HOLD the same to the said

MOST REVEREND ROBERT W. MUENCH, ROMAN CATHOLIC BISHOP OF THE DIOCESE OF COVINGTON, his successors in office and assigns,

forever, the Grantors, their heirs and assigns, HEREBY COVENANTING with the Grantee, his successors in office and assigns, that the Title so conveyed is CLEAR, FREE AND UNINCUMBERED, and that he will WARRANT AND DEFEND the same against all legal claims whatsoever.

Grantor's Mailing Address:

Brookstone Ave.
Union, Ky 41041

Grantee's Mailing Address:

The Catholic Center
947 Donaldson Road
P.O. Box 18548
Erlanger, Kentucky 41018

STATE OF KENTUCKY)
)SS
COUNTY OF KENTON)

The foregoing Consideration Certificate was acknowledged and sworn to before me this 10th day of May, 1999, by MATTHEW D. CHRISTY and TONYA L. CHRISTY (FKA TONYA L. ROBINSON), husband and wife, Grantors herein.

My Commission Expires:
3-8-2001

Way Perrin Shornton
NOTARY PUBLIC

STATE OF KENTUCKY)
)SS
COUNTY OF KENTON)

The foregoing Consideration Certificate was acknowledged and sworn to before me this 10th day of May, 1999 by MOST REVEREND ROBERT W. MUENCH, ROMAN CATHOLIC BISHOP OF THE DIOCESE OF COVINGTON, Grantee herein.

My Commission Expires:
7-15-99

Patrick A. Neary
NOTARY PUBLIC

THIS INSTRUMENT WAS PREPARED BY:

Thomas W. Rumpke

Thomas W. Rumpke
DETERS, BENZINGER & La VELLE, P.S.C.
2701 Turkeyfoot Road
Covington, Kentucky 41017
(606) 341-1881

State of Kentucky, County of Boone
MARILYN K. ROUSE, Clerk of the Boone County
Court, do certify that the foregoing
Doc was, on the 12 day of
May
99 at 10:36 AM, 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 12 day of May
99

MARILYN K. ROUSE
Marilyn K. Rouse D.C.

Exhibit 1

ALL SAINTS CHURCH
 A NEW CHURCH BUILDING FOR

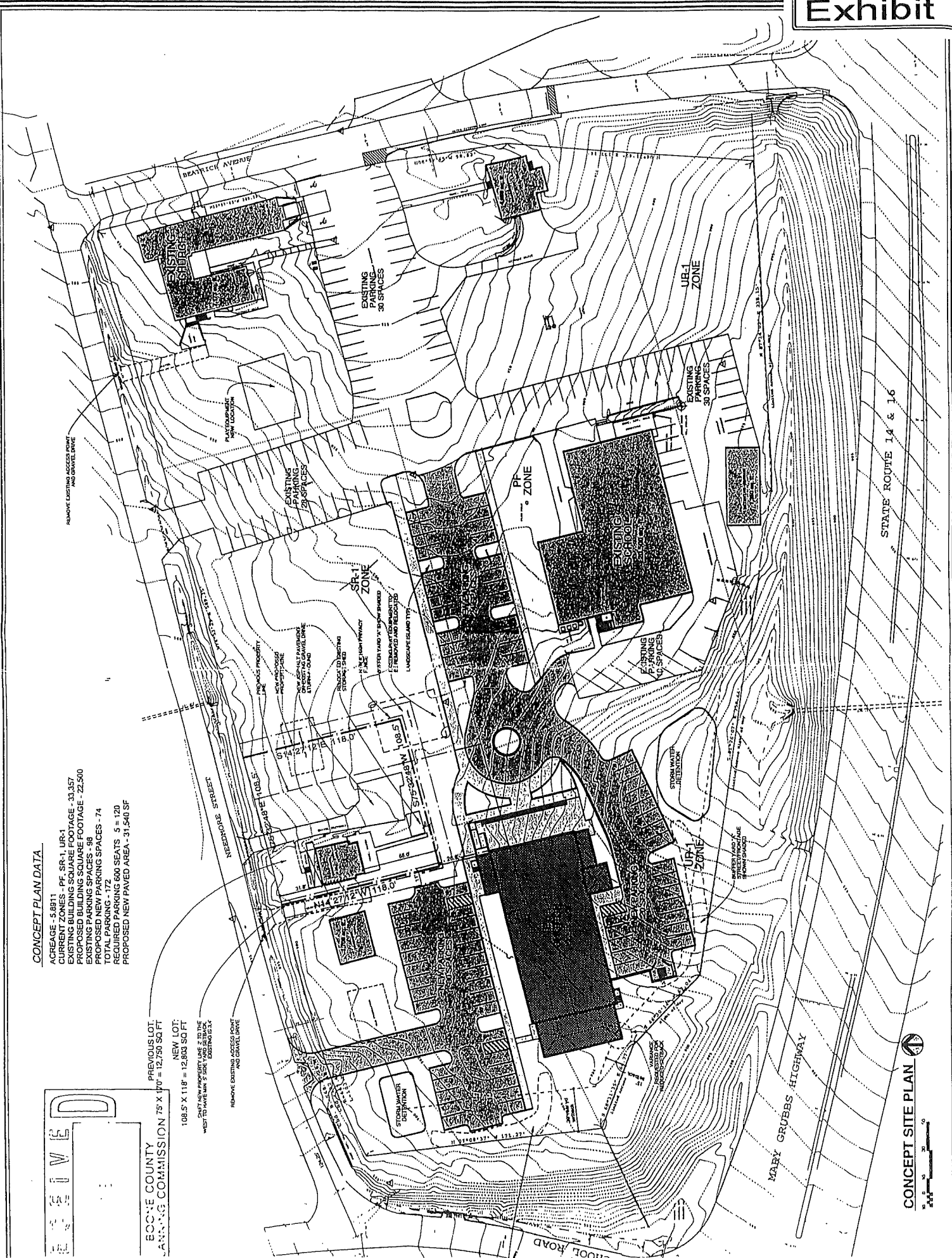
CLARISBY FRANK
 ARCHITECTURE P.A.
 450 Kingston Road, Oshkosh, WI 54901

Duncan G. Speck, Design Consultant
 2548 Brookfield Rd., South Bend, IN 46635

REVISION

JAN. 17, 20

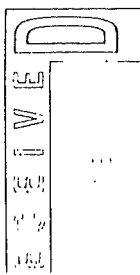
1



CONCEPT PLAN DATA

ACREAGE - 5.8911
 CURRENT ZONES - PF, SR-1, UR-1
 PROPOSED BUILDING SQUARE FOOTAGE - 13,357
 PROPOSED NEW PARKING SPACES - 68
 EXISTING PARKING SPACES - 74
 TOTAL PARKING - 142
 REQUIRED PARKING 600 SEATS - 5 = 120
 PROPOSED NEW PAVED AREA - 31,540 SF

PREVIOUS LOT
 ECCNE COUNTY
 PLANNING COMMISSION 75 X 170' = 12,750 SQ FT
 NEW LOT:
 108.5' X 118' = 12,803 SQ FT
 SHIFT NEW PROPERTY LINE 2' TO THE
 WEST TO HAVE MIN 5' SIDE
 (SEE PAR 10.3)



CONCEPT SITE PLAN



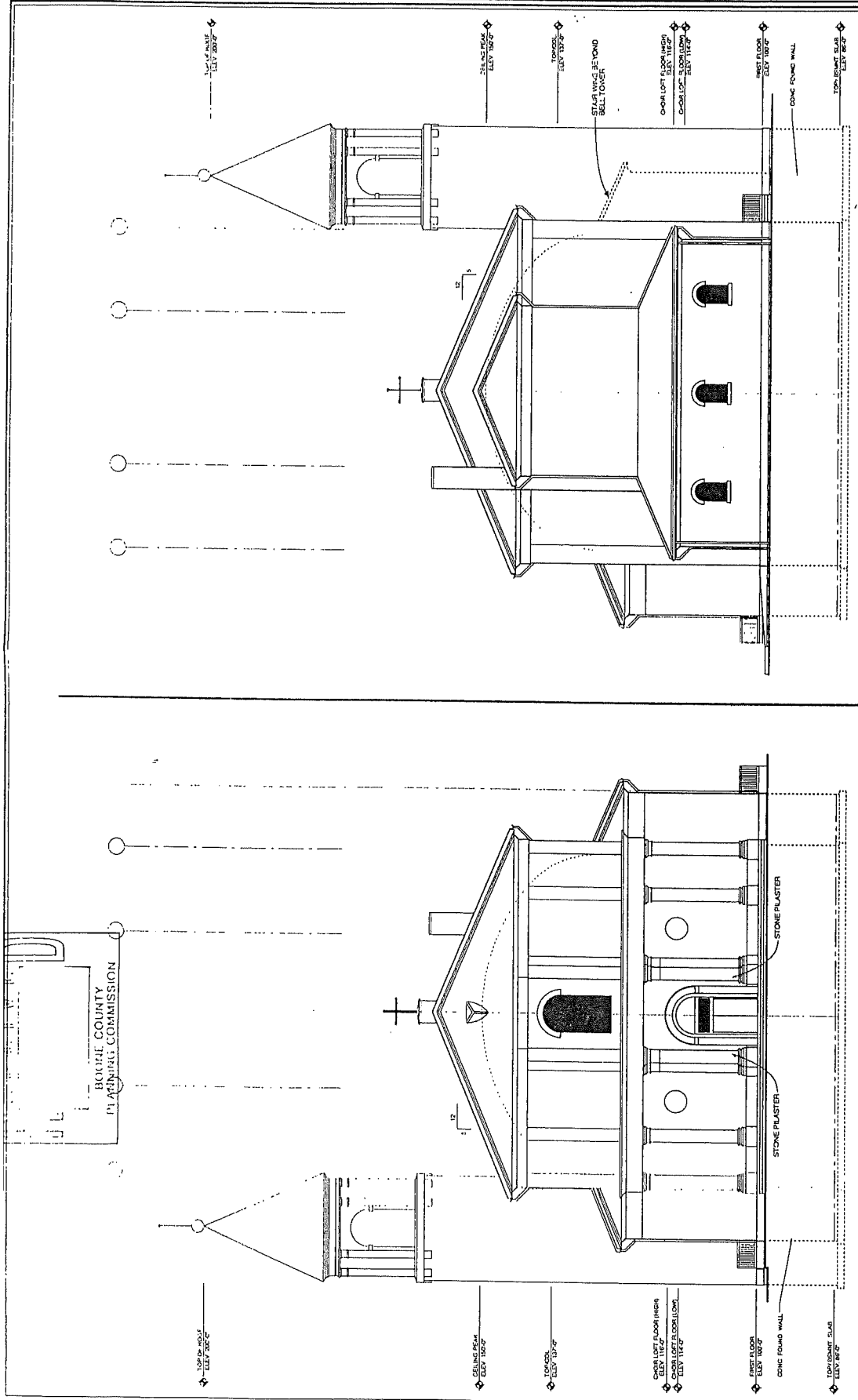
A NEW CHURCH BUILDING FOR
ALL SAINTS CHURCH
46 NEEDMORE STREET WALTON, KENTUCKY 41094

Persons & Smith, Architects
5148 Brentwood Rd., South Bend, IN 46635

CLARISEY FRANK ARCHITECTURAL
1130 W. Main Street, Columbus, OH 43201
614-453-1130

NOV. 2, 2000
3.01

PRELIMINARY

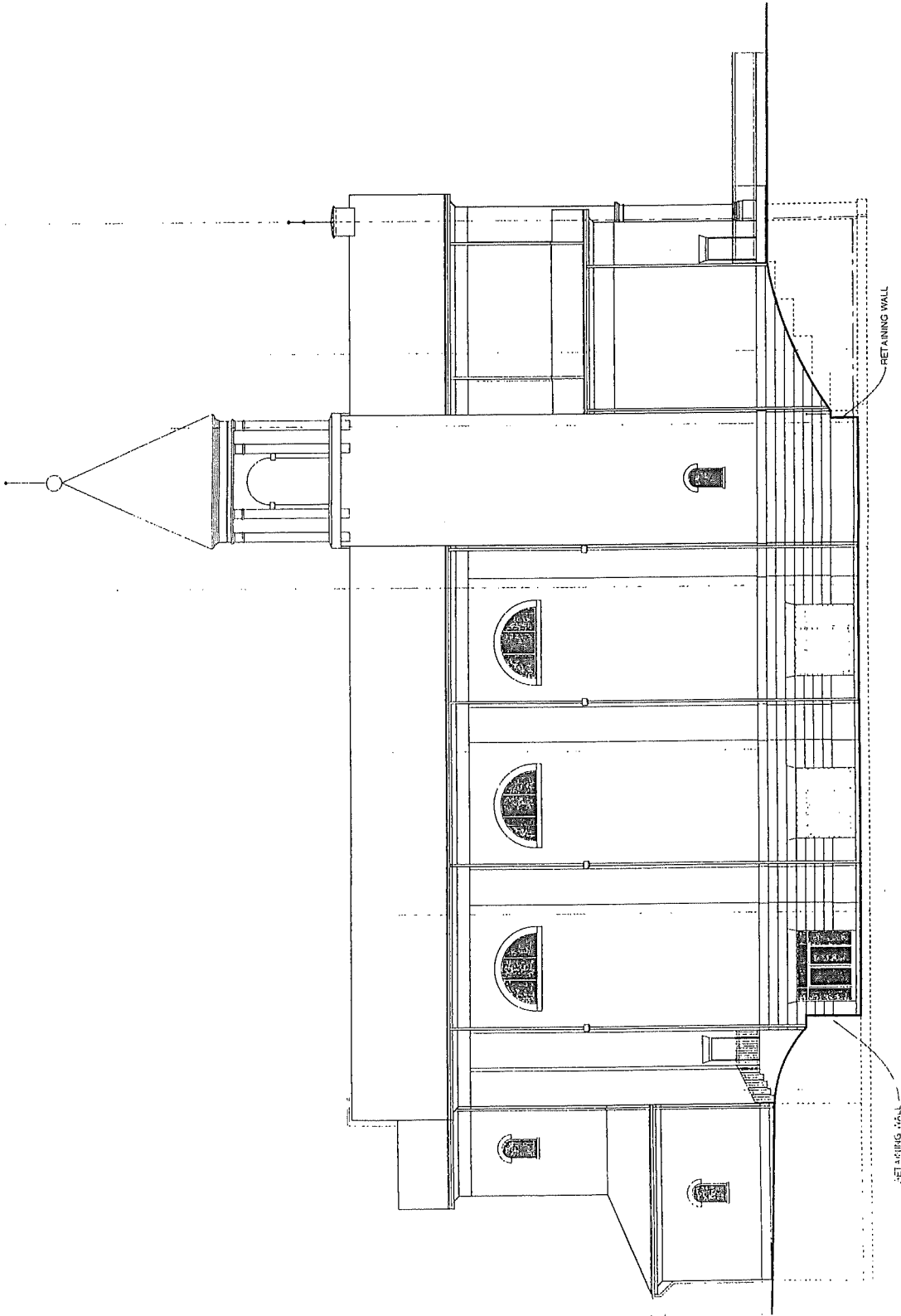


REAR ELEVATION (WEST)
1/8" = 1'-0"

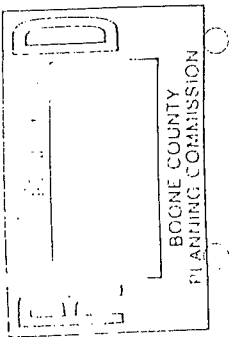
FRONT ELEVATION (EAST)
1/8" = 1'-0"

BORER COUNTY
PLANNING COMMISSION

PRELIMINARY



SOUTH ELEVATION
1/8" = 1'-0"



COPY

CLUR #01-WBOA-002-A

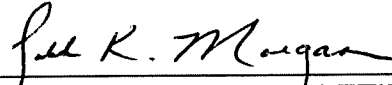
CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Diocese of Covington
947 Donaldson Road
Erlanger, KY 41048
2. ADDRESS OF PROPERTY
Mary Grubbs Hwy.
Walton, KY 41094
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
All Saints Church
4. DEED BOOKS & PAGES 69/390, 69/391, 113/120, 183/253, 258/246, 286/69, 741/211

GROUP NO. 2082

5. TYPE OF RESTRICTION(S) (Check all that apply)
- Zoning Map Amendment: From To Conditional Use Permit
- Development Plan Conditional Zoning
- Subdivision Plat (Not Recorded) Other:
- Variances
6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

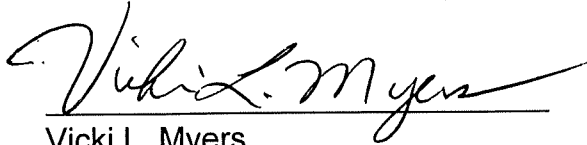

SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

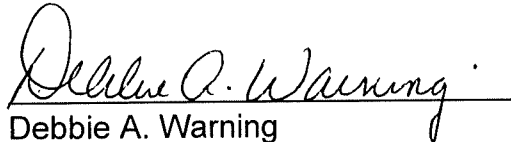
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 26 day of February, 2001.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit and Variances approved by the Walton Board of Adjustments and in accordance with the current zoning in effect as of February 7, 2001 Certificate of Land Use Restriction (#01-WBOA-002-A), for Diocese of Covington, Property Owner(s).

The following conditions will apply:

1. Applicant must obtain the additional approvals and permits necessary from the county for construction.
2. The two access points onto Needmore Street must be removed as shown on the plan.

The approved Conditional Use Permit and Variances as well as the preceding conditions apply to the property described in:

DEED BOOKS & PAGES 69/390, 69/391, 113/120, 183/253, 258/246, 286/69, 741/211

GROUP NO. 2082

COPY

CLUR #01-WBOA-002-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Diocese of Covington
947 Donaldson Road
Erlanger, KY 41048

2. ADDRESS OF PROPERTY

Mary Grubbs Hwy.
Walton, KY 41094

3. NAME OF SUBDIVISION OR
DEVELOPMENT (if applicable)

All Saints Church

4. DEED BOOKS 69, 69, 113, 183, 258, 286, 741
246, 69, 211

PAGES 390, 391, 120, 253,
GROUP NO. 2082

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

Other:

Variances

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT,
LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL
RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

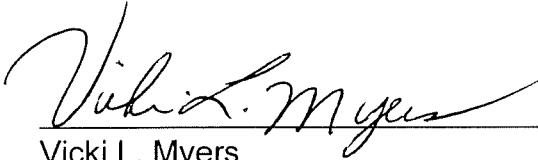

SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

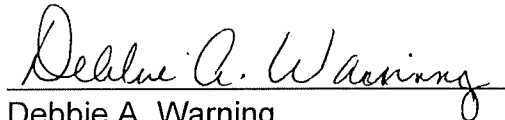
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 13 day of February, 2001.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2003

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

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PAGES 390, 391, 120, 253,
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