

City of Union



1843 Mt. Zion Road
P.O. Box 53
Union, Kentucky 41091-0053

Tel: 859/384-1511
Fax: 859/384-7760
www.cityofunionky.org

March 22, 2007

RECEIVED AND FILED
DATE April 30, 2007

Office of Secretary of State
Mr. Trey Grayson, Secretary of State
PO Box 718
Frankfort, KY 40601-0718

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adkinson

Re: Annexation of Theissen and Haltermon Property

Please find enclosed copies of the following City of Union, Kentucky annexation ordinance for your records:

ORDINANCE NO.: 2007-001

If you have questions please call me at (859) 384-1511. Thank you.

Sincerely,

Kathy L. Porter
City Clerk/Treasurer

Enclosure

Cc: Boone County Clerk
PVA Office (Boone County)
Governor's Office for Local Government
Kentucky Revenue Cabinet
GIS Department (Boone County)

RECEIVED AND FILED
DATE April 30, 2007

GREG D. VOSS
Attorney and Counselor at Law
2922 Washington Square
P.O. Box 688
Burlington, KY 41005

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson

Linda Krohman
Legal Assistant
Email lkrohman@vosslaw.net

Telephone: (859) 586-9955
Facsimile: (859) 586-6937
Email gvoss@vosslaw.net

April 18, 2007

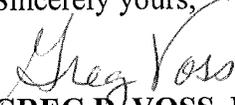
Ms. Kandie Adkinson
Land Office
State Capitol Suite 152
700 Capital Avenue
Frankfort, KY 40601

Dear Ms. Adkinson:

Per your request to the City Clerk of Union, Kentucky enclosed herein please find a clean copy of the Plat in reference to Annexation Ordinance No. 2007-001.

If there is anything further we can do to assist in this matter, please do not hesitate to contact our office.

Sincerely yours,


GREG D. VOSS, ESQ.
City Attorney/City of Union, Kentucky

GDV/ljk

cc: Ms. Kathy Porter, City Clerk
City of Union, Kentucky

CITY OF UNION, KENTUCKY
ORDINANCE NO. 2007-001

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY
ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY OF UNION,
KENTUCKY

WHEREAS, The City Commission of the City of Union, Kentucky deems it to be in and for the best interest of its citizens and in the best interest of the resident voters and owners of real property within the limits of the territory proposed to be annexed that said territory becomes a part of the corporate territorial limits of the City of Union, Kentucky.

WHEREAS, KENNETH THEISSEN and ALISON THEISSEN, Husband and Wife (hereinafter Theissen) and RICHARD FRANK HALTERMON and JOCELYN HALTERMON, Husband and Wife (hereinafter Haltermon) are the sole owners of the land herein proposed for annexation; and

WHEREAS, Theissen and Haltermon and the City of Union, Kentucky previously entered into an Annexation Agreement on January 8, 2007 whereby Theissen and Haltermon consented to annexation of the said 4.3736 acre and 4.3772 acre tracts respectively; and

WHEREAS, Theissen and Haltermon, as sole owners of the subject real property waived the statutory sixty (60) day period in which to file objections and have consented to the annexation of said real property by the City of Union, Kentucky, a copy of which is attached hereto and marked as **Exhibit "A"**; and

WHEREAS, the area hereby annexed is contiguous to the present boundaries of the City of Union, Kentucky;

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF UNION, KENTUCKY:

SECTION I

It is the intention that the hereinafter described unincorporated territory lying to the south and being adjacent to the present corporate limits of the City of Union, Kentucky, be annexed and made a part of the corporate territory of the City of Union, Kentucky pursuant to the applicable Kentucky Revised Statutes and particularly Chapter 81A.

SECTION II

The hereinafter described unincorporated territory is zoned SR1 which is the territory's present zoning and the zoning under which it will remain when annexed.

BOONE COUNTY
CEO75 PG 715

RETURN TO: 4

SECTION III

That the requirements of the Kentucky Revised Statutes having been met in all respect, the hereinafter described territory, the same having been contemplated for annexation under the Annexation Agreement dated January 8, 2007 between **Kennthh Theissen and Alison Theissen, Husband and Wife and Richard Frank Haltermon and Jocelyn Haltermon, and the City of Union, Kentucky**, and which property is contiguous to and adjoins the present City of Union boundaries is annexed to and made a party of the incorporated territory of the City of Union, Kentucky, to wit:

GROUP 2056

PARCEL I 1409 Mt. Zion Road, Union, Kentucky

A certain tract of land lying and being on the South side of Mt. Zion Road and 1.0 miles east of U.S. Route #42 in Boone County, Kentucky, and more particularly described as follows, to-wit:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is an 18" long by ½" diameter rebar with a yellow cap stamped "LS 3191". All bearings herein are referred to the deed of record.

BEGINNING at an iron pin found in the south right of way line of Mt. Zion Road, a corner to Richard and Jocelyn Haltermon (D.B. 346, Pg. 121); thence leaving said right of way line with the lines of Haltermon, S 03 degrees 52' 05" W – 274.88 feet to an iron pin found with no cap; thence, S 86 degrees 31' 48" E – 104.92 feet to 1" iron pipe found in the line of Thomas Lewis (D.B. 636, Pg. 75); thence with said line, S 03" 58' 13" W – 974.78 feet to a corner post, a corner to James Hedgecock (D.B. 356, Pg. 258); thence with said line, N 86 degrees 59' 45" W – 179.68 feet to an iron pin set; thence with new made lines partitioning the Grantor's property, N 04 degrees 24' 12" E – 1119.01 feet to an iron pin set; thence, N 20 degrees 11' 35" W – 89.95 feet to an iron pin set in the south right of way line of Mt. Zion Road; thence with said right of way line, N 67 degrees 39' 51" E – 114.45 feet to the place of beginning containing 4.3772 acres more or less exclusive of all right of ways or easements of record.

This description was prepared on November 3, 1999, from a survey made by Otey C. Brabston, Registered Land Surveyor, Lic. #3191.

GROUP NO. 2056

PARCEL II 1437 Mt. Zion Road, Union, Kentucky

A certain tract of land lying and being on the south side of Mt. Zion Road and 1.0 miles east of U.S. Route #42 in Boone County, Kentucky and more particularly described as follows, to-wit:

BOONE COUNTY
CEO75 PG 716

Unless stated otherwise, any monument referred to herein as an "iron pin set" is an 18 inch long by ½" diameter rebar with a yellow cap stamped "LS 3191". All bearings herein are referred to the deed of record.

BEGINNING at an iron pin found in the South right of way line of Mt. Zion Road, a corner to Kenneth & Allison Thiessen (Unrecorded Land Contract); thence with the lines of Thiessen S 03 degrees 01' 41" E – 224.94 feet to an iron pin found with a cap stamped "LS 3357 & LS 2030"; thence S 81 degrees 21' 44" W – 169.32 feet to an iron pin found with a cop stamped "LS 3357 & LS 2030" in the line of Lot 27 of the Mt. Zion Heights Subdivision (P.B. 14, Pg. 6); thence with the East line of said Subdivision, S 04 degrees, 07' 45" W – 934.20 feet to a corner post, a corner to James Hedgecock (D.B. 356, Pg. 258); thence with said line, S 86 degrees 59' 45" E – 188.63 feet to an iron pin set; thence with new made lines partitioning the Grantor's property, N. 04 degrees 24' 12" E – 1119.01 feet to an iron pin set; thence, N 20 degrees 11' 35" W – 89.95 feet to an iron pin set in the South right of way line of Mt. Zion Road; thence with said South right of way line, S 67 degrees 39' 51" W – 22.11 feet to the place of beginning containing 4.3736 acres more or less exclusive of all right of ways or easements of record.

This description was prepared on November 3, 1999 from a new survey made by Otey C. Brabston, Registered Land Surveyor Lic. #3191.

SECTION IV

The above described territory shall become part of the City of Union, Kentucky for all purposes upon passage of this Ordinance.

SECTION V

If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity of the remaining provisions hereof.

SECTION VI

A map showing the zoning that will be effective for the annexed area is attached and made a part of this Ordinance.

PASSED AND APPROVED ON FIRST READING THIS THE 8th DAY OF JANUARY, 2007.

PASSED AND APPROVED ON SECOND READING THIS 12th DAY OF FEBRUARY, 2007.

SAME TO BECOME EFFECTIVE WHEN PUBLISHED PURSUANT TO K.R.S. CHAPTER 424.

BOONE COUNTY
CEO75 PG 717

Donald Kirby
DONALD KIRBY, MAYOR

ATTEST:

Kathy Porter
KATHY PORTER, CITY CLERK

THIS ORDINANCE PREPARED BY:

J. D. Voss
GREG D. VOSS (KBA #73429)

Attorney at Law

2922 Washington Square

P.O. Box 688

Burlington, Kentucky 41005

(859) 586-9955

BOONE COUNTY
CEO75 PG 718

CERTIFICATION: K.R.S. 81A.470 FILINGS

I certify I am the duly qualified City Clerk of the City of Union, Kentucky and the foregoing four (4) pages of Ordinance No. 2007-001 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on 12th day of February, 2007, as appears in the official records of said City.

WITNESS MY HAND and SEAL this the 13th day of February, 2007.



KATHY PORTER, CITY CLERK
CITY OF UNION, KENTUCKY

**COMMONWEALTH OF KENTUCKY
COUNTY OF BOONE**

SUBSCRIBED and SWORN to before me, on this the 28th day of February, 2007 by KATHY PORTER, City Clerk for the City of Union, Kentucky.



NOTARY PUBLIC
Commonwealth of Kentucky

My Commission Expires: July 3, 2010

BOONE COUNTY
CE075 PG 719

