

CERTIFICATION: KRS 81A.470 FILINGS

I, Tammy Wilhoite certify I am the duly qualified City Clerk of the City of Union, Kentucky, and the foregoing (9) pages of Ordinance No. 2021-07 and including attached Exhibits are true, correct, and complete. Ordinance No. 2021-07 was passed and adopted at a regular meeting of the Union City Commission, on April 5, 2021.

Further, I hereby certify that the original document is on file as part of the Official Records of the city and may be reviewed and proved by the files of my Office, at the City of Union, 1843 Bristow Drive, Union, Kentucky, 41091.

Signed this 20th day of September 2023.

Tammy Wilhoite

Tammy Wilhoite, City Clerk
City of Union, Kentucky

RECEIVED AND FILED
DATE September 29, 2023

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *Michael G. Adams*

ES

DOCUMENT NO: 832463
RECORDED: April 12, 2021 02:04:00 PM
TOTAL FEES: \$61.00
COUNTY CLERK: JUSTIN CRIGLER
DEPUTY CLERK: MICHELLE EICKHOFF
COUNTY: BOONE COUNTY
BOOK: MC1393 PAGES: 968 - 977

CITY OF WINSTON
1243 Binstow Dr
RETURN TO: Union Ky 41091

ORDINANCE 2021-07

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

CITY OF UNION, KENTUCKY
ORDINANCE NO. 2021-07

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, THE ESTATE OF NORBERT A. KAHMANN BY AND THROUGH, ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY are the sole owners of the land herein proposed for annexation; and

WHEREAS, THE ESTATE OF NORBERT A. KAHMANN BY AND THROUGH, ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY previously entered into an Annexation Agreement on March 15, 2021 *THE ESTATE OF NORBERT A. KAHMANN BY AND THROUGH ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY* whereby consented to annexation of the said 151.706 acres as described in the attached *Exhibit "A"* Union Incorporation Boundary, City of Union, Kentucky; and

WHEREAS, THE ESTATE OF NORBERT A. KAHMANN BY AND THROUGH, ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY, are the 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 "B"**; 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 real property 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 Rural Suburban Estates (RES) and shall be amended to Suburban Residential One (SR1 with cluster) after annexation.

SECTION III

That the requirements of the Kentucky Revised Statutes having been met in all respects, the hereinafter described territory, the same having been contemplated for annexation under the Annexation Agreement dated March 15, 2021 between *THE ESTATE OF NORBERT A. KAHMANN BY AND THROUGH ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY 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 NO. 2046
PIDN: 051.00-00-049.00**

**SEE LEGAL DESCRIPTION ATTACHED HEREIN
AS EXHIBIT "C"**

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 affect 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 15th day of March,
2021*

*PASSED AND APPROVED ON SECOND READING THIS THE 5th day April,
2021.*

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



HON. LARRY K. SOLOMON, MAYOR

ATTEST:



CHRISTY EVERMAN
CITY CLERK/TREASURER

CONSENT TO ANNEXATION

This Consent made this the 25 day of February, 2021 by *THE ESTATE OF NORBERT A. KAHMANN, by and through ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY.*

WHEREAS, the City of Union, Boone County, Kentucky is desirous of annexing real property totaling 151.706 acres owned by *THE ESTATE OF NORBERT A. KAHMANN, by and through ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY.*; and

WHEREAS, THE ESTATE OF NORBERT A. KAHMANN, by and through ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY. is agreeable to a consensual annexation pursuant to K.R.S. 81A.412.

NOW, THEREFORE, THE ESTATE OF NORBERT A. KAHMANN, by and through ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY. consents to annexation of its real property and further states as follows:

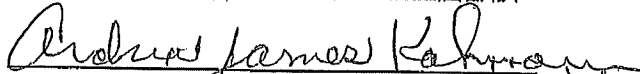
1. That the parties entered into an Annexation Agreement subject to the conditions set forth below, the undersigned, owner of approximately a 151.706 tract described in the Plat and legal description attached hereto as Exhibit "A" (the property), hereby requests that the City of Union, Kentucky annex and make such property a part of the City of Union, Kentucky.

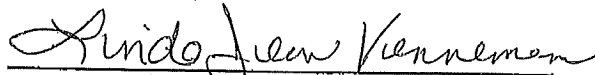
2. *THE ESTATE OF NORBERT A. KAHMANN, by and through ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW*

JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY, hereby certifies to the City of Union, Kentucky that it is the owner of the property which is a portion of the real property conveyed to it by virtue of a deed recorded in Will Book 83 at Page 209 of the Boone County Clerk's records at Burlington, Kentucky.

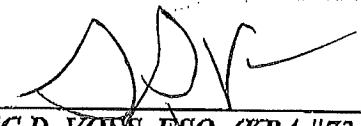
3. *THE ESTATE OF NORBERT A. KAHMANN, by and through ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, CO-EXECUTORS and ANDREW JAMES KAHMANN and LINDA JEAN VENNEMAN, INDIVIDUALLY*. hereby waives its rights which it has or may have under provisions of K.R.S. 81A.420(2) and (3) and 81A.460 and hereby consents to and request immediate annexation of the property pursuant to K.R.S. 81A.412.

ESTATE OF NORBERT A. KAHMANN


BY: ANDREW JAMES KAHMANN
CO-EXECUTOR


BY: LINDA JEAN VENNEMAN
CO-EXECUTOR

THIS INSTRUMENT PREPARED BY:



GREG D. VOSS, ESQ. (KBA #73429)
Attorney at Law
301 West Pike Street
Covington, Kentucky 41011
P.O. Box 606 Florence, KY 41022
Telephone: (859) 647-7777 ext. 101
E-Mail: gvoss@vosslaw.net



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road | 215B Main Street,
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000
Fax: 859.727.8452

www.vioxinc.com

January 25, 2021

DESCRIPTION OF 151.706 ACRES

Located in Boone County, Kentucky, lying on the west side and at the terminus of Clarkston Lane, and being all of the same property conveyed to Norbert A. Kahmann Trust, in Will Book 83, page 209, in the office of the Boone County Clerk at Burlington, Kentucky, and being more particularly described as follows:

Unless otherwise stated, any monumentation referred to herein as an iron pin (set) is a ½ inch diameter rebar eighteen inches in length with a plastic cap stamped "LARISON PLS 3357". All bearings referred to herein are based upon Kentucky State Plane Coordinate System, NAD83 (2011) North Zone.

BEGINNING at a MAG Spike (set) in the centerline of Clarkson Lane at the common corner of Norbert A. Kahmann Trust and Lot 6 of White Horse Farm Subdivision, Section 1 (Plat Cabinet 5, Slide 180);

THENCE with said centerline for the following five (5) courses:

1. S52°35'32"W a distance of 63.29 feet to a point;
2. S47°25'58"W a distance of 58.40 feet to a point;
3. S42°56'25"W a distance of 120.87 feet to a point;
4. S41°55'10"W a distance of 170.93 feet to a point;
5. S43°21'14"W a distance of 186.02 feet to a point;

THENCE continuing with the centerline of Clarkston Lane and the Big Bone and Cincinnati Road for the following three (3) courses:

1. S42°26'37"W a distance of 598.10 feet to an iron pin (set);
2. S40°14'03"W a distance of 456.88 feet to an iron pin (set);
3. S38°31'47"W a distance of 315.06 feet to an iron pin (set) at the common corner of Norbert A. Kahmann Trust and Glencairn Corporation (Deed Book 798, page 489);

THENCE with the common line of Norbert A. Kahmann Trust and Glencairn Corporation, N86°54'24"W a distance of 1,200.54 feet to an iron pin (set) at the common corner of Norbert A. Kahmann Trust and Lot 38 of Cedarwood Subdivision, Section 5 (Plat Slide 18A);

THENCE with the common line of Norbert A. Kahmann Trust and Lot 38 N05°15'04"E a distance of 485.23 feet to an existing 1/2" iron pin;

THENCE with the common line of Norbert A. Kahmann Trust, Lots 37, 36 and A F Investments, LLC (Deed Book 955, page 351) N83°45'19"W a distance of 597.00 feet to an iron pin (set);

THENCE with the common line of Norbert A. Kahmann Trust, A F Investments, LLC, Lot 862 of Ballyshannon Subdivision, Section 5 (Plat Cabinet 6, Slide 55), Open Space Parcel E and Longbranch Development, LLC (Deed Book 1047, page 259), N04°17'52"E, passing an existing



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

iron pin a distance of 3,483.65 feet, a total distance of 3,485.65 feet to an existing corner post, at the common corner of Kahmann Trust and Longbranch Development (Deed Book 942, page 722);

THENCE with the common line of Norbert A. Kahmann Trust and Longbranch Development S85°43'59"E a distance of 373.21 feet to an iron pin (set) at the common corner of Norbert A. Kahmann Trust and Timothy Kahmann & Christie Kahmann (Deed Book 515, page 68);

Thence with the common line of Norbert A. Kahmann Trust and Timothy Kahmann & Christie Kahmann for the following two (2) courses:

1. S06°18'31"W a distance of 192.20 feet to an iron pin (set);
2. S85°19'39"E a distance of 946.94 feet to an existing stone found at the common corner of Norbert A. Kahmann Trust, Timothy Kahmann and Orleans-South Subdivision, Section 6 (Plat Cabinet 4, Slide 240);

THENCE along the common line of Norbert A. Kahmann Trust, Lots 94, 95, 96, and 97 of Orleans-South Subdivision, Section 6, Lot 146 of Orleans-South Subdivision, Section 8 (Plat Cabinet 4, page 277) and Grand Communities LTD (Deed Book 750, page 233), S05°04'43"W a distance of 838.87 feet to an iron pin (set);

THENCE with the common line Norbert A. Kahmann Trust and Grand Communities, LTD S87°12'13"E a distance of 45.04 feet to an iron pin (set);

THENCE with the common line of Norbert A. Kahmann Trust, Grand Communities LTD, and Lots 295 of Orleans-South Subdivision, Section 16 (Plat Cabinet 5, Slide 736), S04°06'39"W a distance of 354.91 feet to an iron pin (set);

THENCE with the common line of Norbert A. Kahmann Trust, and Lots 295, 346 and 345, S24°09'49"E a distance of 276.02 feet to an existing iron pin stamped "Daily PLS 4251";

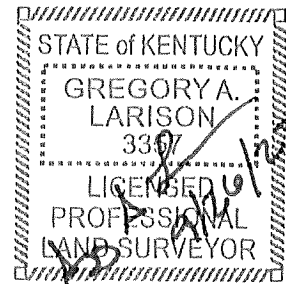
THENCE with the common line of Norbert A. Kahmann Trust, Lot 345 and Grand Communities LTD (Deed Book 876, page 136) S23°35'26"E a distance of 140.29 feet to an iron pin (set);

THENCE continuing with the common line of Norbert A. Kahmann Trust and Grand Communities LTD S04°24'40"W a distance of 646.59 feet to an iron pin (set);

THENCE with the common line of Norbert A. Kahmann Trust, Grand Communities LTD and Lot 7 of the White Horse Farm Subdivision, Section 1 S85°58'19"E a distance of 943.14 feet to an existing post;

THENCE continuing with the common line of Norbert A. Kahmann Trust and Lot 7 S84°56'03"E, passing an iron pin and plastic cap stamped "Witness PLS 3357" at 5.00 feet, a total distance of 500.76 feet to the **POINT OF BEGINNING**, containing 151.706 acres, more or less.

This description was prepared from a new survey made by Gregory A. Larison, PLS 3357, for Viox & Viox, Inc., December 21, 2020.



OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.