

CITY OF UNION, KENTUCKY
ORDINANCE NO. 2015- 07

AN ORDINANCE AMENDING ORDINANCE 2010-004 REGARDING THE ANNEXATION OF 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 BOONE COUNTY PUBLIC PROPERTIES CORPORATION and the COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY are the sole owners of the land herein proposed for annexation; and

WHEREAS, the Boone County Public Properties Corporation and the County of Boone, Commonwealth of Kentucky and the City of Union, Commonwealth of Kentucky previously entered into an Annexation Agreement whereby the County of Boone, Commonwealth of Kentucky and Boone County Public Properties Corporation, a Kentucky Non-Profit Corporation consented to annexation of the said 31.258 acre and 12 acre tract; and

WHEREAS, it has been determined that the total acreage of the tracts of land is 42.18 acres;
and

WHEREAS, the County of Boone, Commonwealth of Kentucky and Boone County Kentucky Public Properties Corporation, A Kentucky Non-Profit Corporation, 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, Commonwealth of Kentucky, a copy of which are attached hereto and marked as Exhibit "A" and Exhibit "B"and have entered into subsequent Annexation Agreements marked as Exhibit "1" and Exhibit "2"

WHEREAS, the area hereby annexed is contiguous to the present boundaries of the City of Union, Commonwealth of 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, Commonwealth of 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 RS/UTO and RSE/UTO, respectively, which is the territory's present zoning and the zoning under which it will remain when annexed.

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 August 2, 2010 and the Annexation Agreement dated the 30 day of March, 2015, between **the County of Boone, Commonwealth of Kentucky and Boone County Public Properties Corporation, a Kentucky Non-Profit Corporation, and the City of Union, Commonwealth of Kentucky**, and which property is contiguous to and adjoins the present City of Union boundaries is annexed to and made a part of the incorporated territory of the City of Union, Kentucky, to wit:

SEE EXHIBITS "C" and "D" EXHIBIT 3 Attached hereto

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 THE 2nd DAY OF MARCH, 2015.

PASSED AND APPROVED ON SECOND READING THE 6th DAY OF APRIL, 2015.

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



HON. LARRY K. SOLOMON, MAYOR

ATTEST:



KATHY PORTER
CITY CLERK/TREASURER

CITY OF UNION - ANNEXATION ORDINANCE 2010-004
KRS 81A.470 - DESCRIPTION BY PROFESSIONAL LAND SURVEYOR

Prepared by Barry J. Burke PLS 2182

(Refer to mapping submitted and dated November 29, 2010)

EXHIBIT

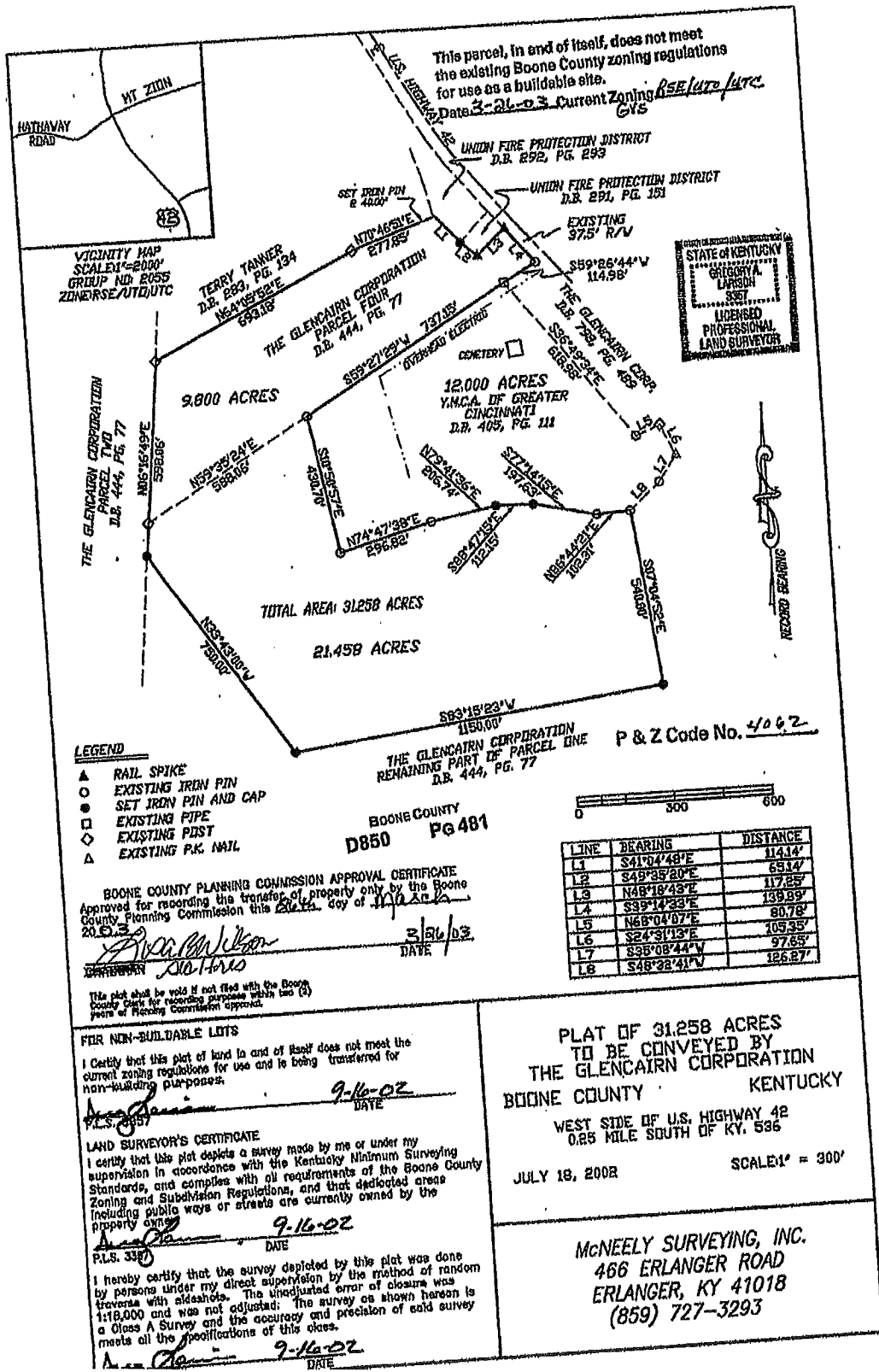
"B"

GROUP NUMBER: 2055

Situated within Boone County, Kentucky lying along the west side of a city street, re-named Old Union Road (formerly Old US 42) approximately 0.25 mile south of Kentucky SR 536 at its intersection with Hathaway and Mt. Zion Roads and more particularly described as follows:

Beginning at an existing iron pin within the westerly right-of-way line of Old Union Road, said point being 37.5 feet measured perpendicular from the roadway centerline, also the common corner of two (2) parcels owned by The Glencairn Corporation (Parcel Four - DB 444, P77 and DB 798, P489), thence with that common line S 59-26-44 W approximately 90 feet to a point on a line of intersection identified by Boone County GIS as the former corporation line of the city of Union and the Real Point of Beginning; thence continuing on the said common line S 59-26-44 W approximately 24.98 feet to an existing post at the common corner of parcels owned by The Glencairn Corporation and the Y.M.C.A. of Greater Cincinnati (DB 405, P111), respectively; thence S 36-49-34 E 618.98 feet bordering an unincorporated area to the east to an existing iron pin; thence N 68-04-07 E 80.78 feet to an existing pipe; thence S 24-31-13 E 105.35 feet to an existing pk nail; thence S 35-08-44 W 97.65 feet to an existing iron pin; thence S 48-32-41 W 126.27 feet to an existing iron pin; thence with a division of the The Glencairn Corporation's property S 07-04-52 E 540.00 feet to an iron pin (set); thence S 83-15-23 W 1150.00 feet to an iron pin (set); thence N 33-43-00 W 750.00 feet to an iron pin (set); thence N 06-16-49 E 598.06 feet to a post at the common corner of parcels owned by The Glencairn Corporation and Terry Tanner (DB 283, P134); thence with that common line N 64-05-52 E 693.18 feet to a post; thence N 70-46-51 E approximately 147.85 feet to a point on a line of intersection identified by Boone County GIS as the former corporation line of the city of Union; thence in a southeasterly direction with the former corporation line of the city of Union, an approximate distance of 470 feet back to the Real Point of Beginning. Such annexed areas include a summation of the following acreages: a) 12.00 acres (YMCA - DB 405, P111); b) 21.46 acres as surveyed by Greg Larison PLS; and c) graphically approximately 8.72 acres part of the 9.800 acre parcel (DB 444 P77) split by the approximate corporation line. It shown be noted that an accurate location via any monuments regarding the former corporation line of the city of Union is not available in any public records. Thus, the entire annexed parcel as described cannot be accurately closed via standard surveying methods. Therefore, the total area of the subject annexation approximates 42.18 acres.

This description was prepared by Barry J. Burke PLS 2182 from a survey made by Gregory A. Larison PLS 3357 for McNeely Surveying, Inc. in July, 2002.



This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a buildable site.
 Date 3-26-03 Current Zoning RSE/LUT/JUTC
 GVS



VICINITY MAP
 SCALE 1"=2000'
 GRID NO. 2055
 ZONE RSE/LUT/JUTC

LEGEND

- ▲ RAIL SPIKE
- EXISTING IRON PIN
- ◻ SET IRON PIN AND CAP
- ◻ EXISTING PIPE
- ◇ EXISTING POST
- △ EXISTING P.K. NAIL

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE
 Approved for recording the transfer of property only by the Boone County Planning Commission this 26th day of March, 2003.
[Signature]
 DATE 3/26/03



LINE	BEARING	DISTANCE
L1	S41°04'48"E	114.14'
L2	S49°35'20"E	65.14'
L3	N48°18'43"E	117.85'
L4	S38°14'33"E	139.89'
L5	N68°04'07"E	80.78'
L6	S24°31'13"E	105.35'
L7	S35°08'44"W	97.85'
L8	S46°32'41"W	126.87'

FOR NON-BUILDABLE LOTS
 I certify that this plot of land in and of itself does not meet the current zoning regulations for use and is being transferred for non-building purposes.
[Signature] 9-16-02
 DATE

LAND SURVEYOR'S CERTIFICATE
 I certify that this plot depicts a survey made by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner.
[Signature] 9-16-02
 DATE

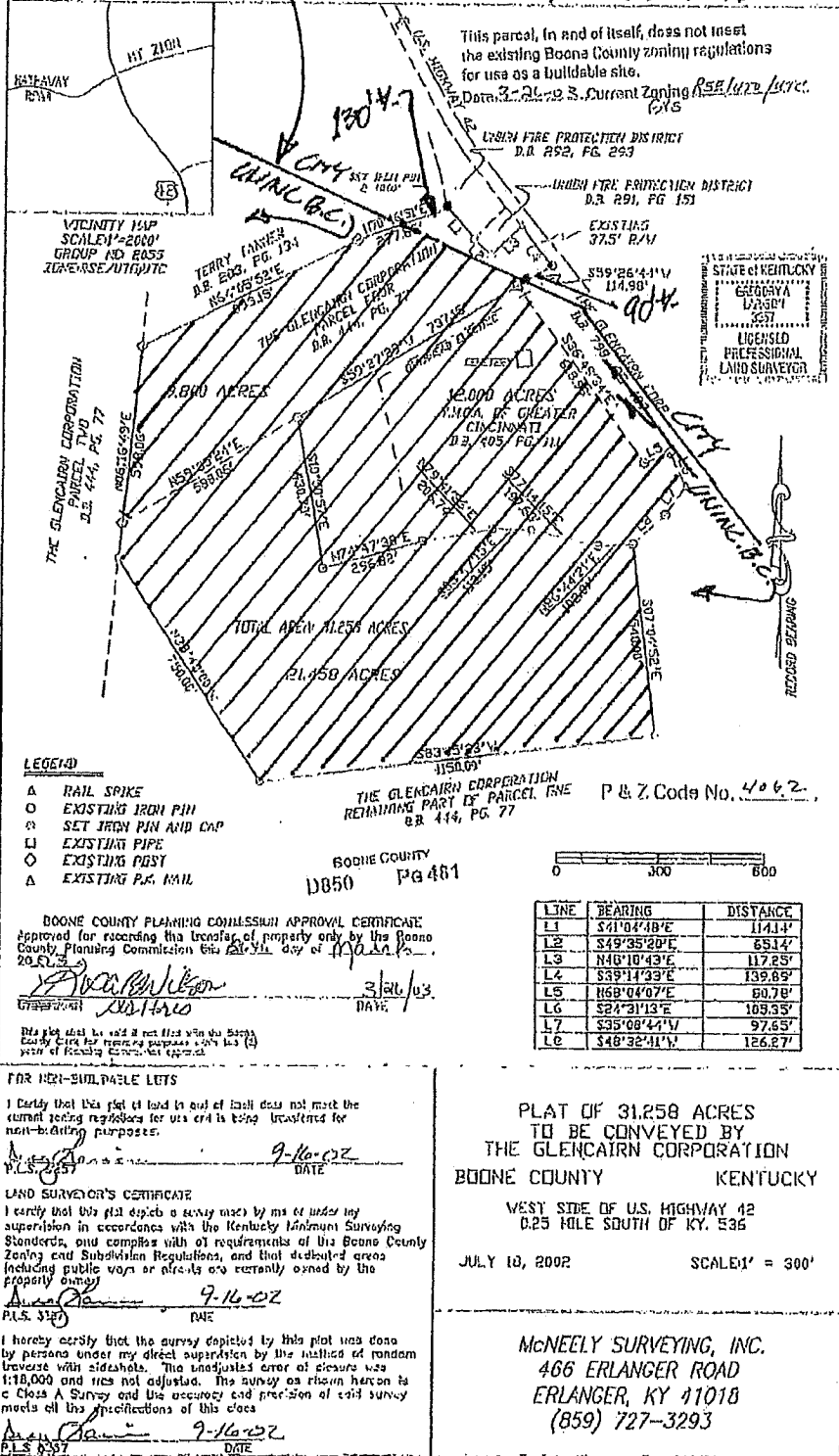
I hereby certify that the survey depicted by this plot was done by persons under my direct supervision by the method of random traverse with alidades. The unadjusted error of closure was 1:18,000 and was not adjusted. The survey as shown hereon is a Class A Survey and the accuracy and precision of said survey meets all the specifications of this class.
[Signature] 9-16-02
 DATE

PLAT OF 31.258 ACRES
 TO BE CONVEYED BY
 THE GLENCAIRN CORPORATION
 BOONE COUNTY KENTUCKY
 WEST SIDE OF U.S. HIGHWAY 42
 0.25 MILE SOUTH OF KY. 536
 JULY 18, 2002 SCALE 1" = 300'

McNEELY SURVEYING, INC.
 466 ERLANGER ROAD
 ERLANGER, KY 41018
 (859) 727-3293

CITY OF UNION - AMENDATION ORD. 2010-004
KRS 81A.470 - MAP BY PROFESSIONAL LAND SURVEYOR
 prepared by Barry J. Burke PLS, City Engineer

EXISTING UNION CITY LIMITS
PRELIM TO AMENDATION ORD. 2010-004



NOTES/LEGEND

[Hatched Box]

Representative Area
 Annexed per previous plat and descriptions previously submitted.

KRS 81A.470 -
 Map by Professional
 Land Surveyor
 Amendment - Add to
 previous documents
 submit to:
 #1) Secretary of State, and
 #2) Department for Local
 Government.

Mapping from previous
 land survey prepared
 by Professional Land
 Surveyor Barry J. Burke
 November 29, 2010.

STATE OF KENTUCKY
 BARRY J. BURKE
 2182
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

[Signature: Barry J. Burke]

CERTIFICATION: KRS 81A.470 FILINGS

CERTIFICATION OF CITY OF UNION ORDINANCE 2015-07

I, Tammy Wilhoite certify I am the duly qualified City Clerk of the City of Union, Kentucky, and the foregoing five (5) pages of Ordinance 2015-07 including attached exhibits are true, correct, and complete. Ordinance 2015-07 was passed and adopted at a regular meeting of the Union City Commission, on April 6, 2015.

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.

Witness, my hand on this 18th day of June, 2024.

Tammy Wilhoite
Tammy Wilhoite, Union City Clerk

RECEIVED AND FILED
DATE June 25, 2024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY [Signature]