

CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2009- 011

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*, ARLINGHAUS I LLC, Successor In Interest As a result of a Merger with Arlinghaus Builders, Inc. (hereinafter "Arlinghaus") are the sole owners of the land herein proposed for annexation; and

*WHEREAS*, Arlinghaus and the City of Union, Kentucky previously entered into an Annexation Agreement on October 5, 2009 whereby Arlinghaus consented to annexation of the said 20.309 acres; and

*WHEREAS*, Arlinghaus, 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.

RECEIVED AND FILED  
DATE June 25, 2024  
\_\_\_\_\_  
MICHAEL G. ADAMS  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY: Travis Her

### 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 October 5, 2009 between **ARLINGHAUS I LLC, Successor In Interest As a result of a Merger with Arlinghaus Builders, Inc. 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:

Being located Boone County, Kentucky, and being part of the parcel described in Deed Book 779, Page 178 in the Boone County Clerk's Office and being more particularly described as follows:

Beginning at the intersection of the existing City Limits of the City of Union and the north line of Arlinghaus (D.B. 779, pg. 178); thence with the existing City Limits S. 33 degrees 09' 48" W 1473.50 feet to the west line of Arlinghaus; thence with the perimeter of the parcel described in D.B. 779, pg. 178 for five calls N 04 degrees 32' 56" E. 695.85 feet; thence N 87 degrees 07'32" W. 913.54 feet; thence N. 39 degrees 29'59" E. 775.70 feet; thence S. 84 degrees 52'22" E. 1094.81 feet; thence S 85 degrees 10'58" E. 79.70 feet to the point of beginning and containing 20.309 acres.

### 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 5<sup>th</sup> day of October, 2009.**

**PASSED AND APPROVED ON SECOND READING THIS THE 2<sup>nd</sup> DAY OF NOVEMBER, 2009**

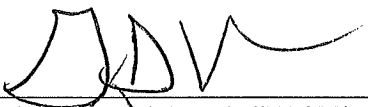
**SAME TO BECOME EFFECTIVE WHEN PUBLISHED PURSUANT TO  
K.R.S. CHAPTER 424.**

  
\_\_\_\_\_  
**DONALD KIRBY, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**KATHY PORTER, CITY CLERK**

**THIS ORDINANCE PREPARED BY:**

  
\_\_\_\_\_  
**GREG D. VOSS (KBA #73429)**  
Attorney at Law  
2922 Washington Square  
P.O. Box 232  
Burlington, Kentucky 41005  
(859) 344-1141

December 20, 2007

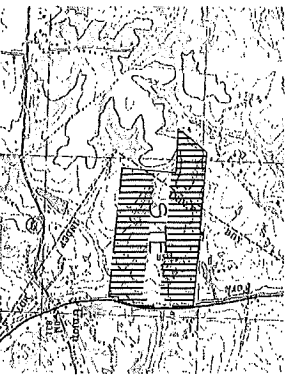
**ANNEXATION TO THE CITY OF UNION**

**20.309 Acres**

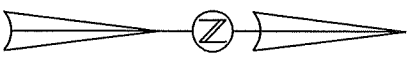
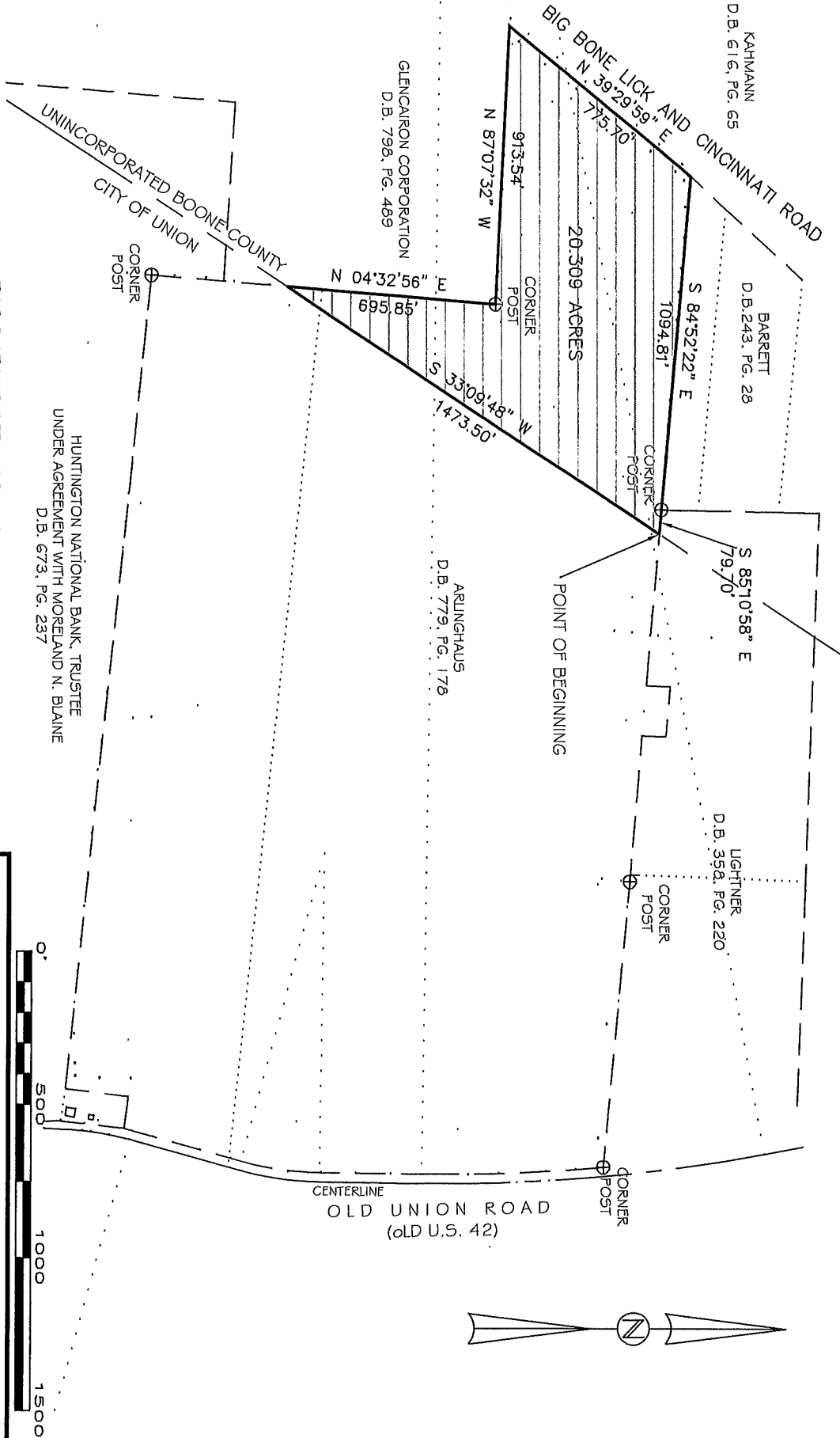
**Boone County, Kentucky**

Being located in Boone County, Kentucky and being part of the parcel described in D.B. 779, pg. 178 in the Boone County Clerk's Office and being more particularly described as follows:

Beginning at the intersection of the existing City Limits of the City of Union and the north line of Arlinghaus (D.B. 779, pg. 178); thence with the existing City Limits S 33°09'48" W, 1473.50 feet to the west line of Arlinghaus; thence with the perimeter of the parcel described in D.B. 779, pg. 178 for five calls N 04°32'56" E, 695.85 feet; thence N 87°07'32" W, 913.54 feet; thence N 39°29'59" E, 775.70 feet; thence S 84°52'22" E, 1094.81 feet; thence S 85°10'58" E, 79.70 feet to the point of beginning and containing 20.309 acres.



VICINITY MAP



THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION. THIS PLAT DOES NOT MEET THE STANDARDS OF PRACTICE AS SPECIFIED IN 201 KAR 18:150. NO FIELD SURVEY HAS BEEN PERFORMED AND NO MONUMENTS HAVE BEEN SET. THE PURPOSE OF THIS DRAWING IS TO COMPLY WITH KRS 81A.0470.

*Robert T. Westermeyer*  
STATE OF KENTUCKY  
WESTERMEYER

ROBERT T. WESTERMEYER  
2931

LICENSED PROFESSIONAL LAND SURVEYOR

ANNEXATION TO  
THE CITY OF UNION  
BIG BONE LICK AND CINCINNATI ROAD

ARLINGHAUS BUILDERS, LLC  
142 BARNWOOD  
EDGEWOOD, KENTUCKY 41017

Civil Engineers  
Land Surveyors  
Planners

**Erpenbeck Consulting Engineers, Inc.**  
www.erpenbeckengineers.com

4205 Dixie Highway  
Elsmere, Kentucky 41018  
859.727.4200 fax 859.342.5852


## CERTIFICATION: KRS 81A.470 FILINGS

### CERTIFICATION OF CITY OF UNION ORDINANCE 2009-011

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 2009-011 including attached exhibits are true, correct, and complete. Ordinance 2009-011 was passed and adopted at a regular meeting of the Union City Commission, on November 2, 2009.

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 18<sup>th</sup> day of June, 2024.

  
\_\_\_\_\_  
Tammy Wilhoite, Union City Clerk