

CITY OF UNION, KENTUCKY
RESOLUTION NO. 95-003

A RESOLUTION AUTHORIZING THE MAYOR, HON. WARREN S. MOORE, TO ENTER INTO A WRITTEN ANNEXATION AGREEMENT BETWEEN THE CITY OF UNION, KENTUCKY AND LASSING GREEN LIMITED, A KENTUCKY LIMITED PARTNERSHIP, BY AND THROUGH LASSING GREEN DEVELOPMENT, INC., ITS GENERAL PARTNER.

WHEREAS, the City Commission for the City of Union 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 become a part of the corporate territorial limits of the City of Union, Kentucky; and

WHEREAS, the owners of said property to be annexed, Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc. its general partner, has expressed a desire to be annexed into the territorial limits of the City of Union, Kentucky;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF UNION AS FOLLOWS:

SECTION ONE

That the Mayor of the City of Union, Kentucky, Hon. Warren S. Moore, is hereby authorized to execute and enter into a written ANNEXATION AGREEMENT between the City of Union, Kentucky and Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., a general partner, a copy of which is attached to this RESOLUTION and marked as Exhibit A.

PASSED AND APPROVED BY 4 MEMBERS OF UNION CITY COUNCIL,
UNION, KENTUCKY, ON THIS THE 13th DAY OF Mar, 1995.

APPROVED:


WARREN S. MOORE, MAYOR

ATTEST:

Nancy L. Sellers
NANCY SELLERS, CITY CLERK

ANNEXATION AGREEMENT

This agreement made between the City of Union, Kentucky and Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner:

1. Subject to the conditions set forth below, the undersigned, Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner, (Lassing Green) owner of the approximate 74.893 acre tract described in the plat and legal descriptions attached hereto as exhibits "A" and "B" respectively (the PROPERTY) hereby requests that the City of Union, annex and make such property a part of the City of Union, Kentucky.

2. Lassing Green does hereby certify to the City of Union that it is the owner of the property.


3. Subject to the conditions set forth below:

A. Lassing Green waives its right which it has or may have under provisions of KRS 81A.420(2) and (3) and 81A.460; and hereby consents to and requests immediate annexation of the property pursuant to KRS 81A.412.

4. The foregoing request and waiver by Lassing Green is subject to the condition that the City of Union agrees not to change or alter the zoning of the property after annexation and that no restrictions or limitations on the uses or intensity more restrictive than imposed on the property by the Boone County Planning Commission or the Boone Fiscal Court will be placed on or imposed by the City on the property.

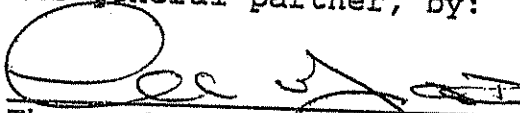
5. The City hereby agrees to provide to the property all the normal and same services provided by the City to all similar property now presently located within the incorporated areas of the City including, but not limited to, garbage pick-up, street lights, police protection, maintenance of streets and snow removal.

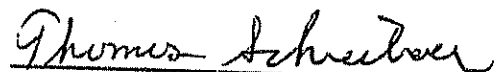
6. The City hereby agrees to accept the responsibility from the maintenance and the utility cost, such as water and electric, for the common entrance way area of the property. Such obligation of the City shall not be the responsibility of the City until Lassing Green has sold and conveyed title to at least 75% of the presently planned 108 single family building lots. This obligation of the City shall include all maintenance of the landscaping and nursery items in the front entrance of the property, including cutting of the grass in that area.


City of Union, Kentucky by:
Mayor Warren S. Moore

On this the 10th day of April, 1995

Lassing Green Limited, a Kentucky
Limited Partnership, by and through
Lassing Green Development, Inc.,
its general partner, by:

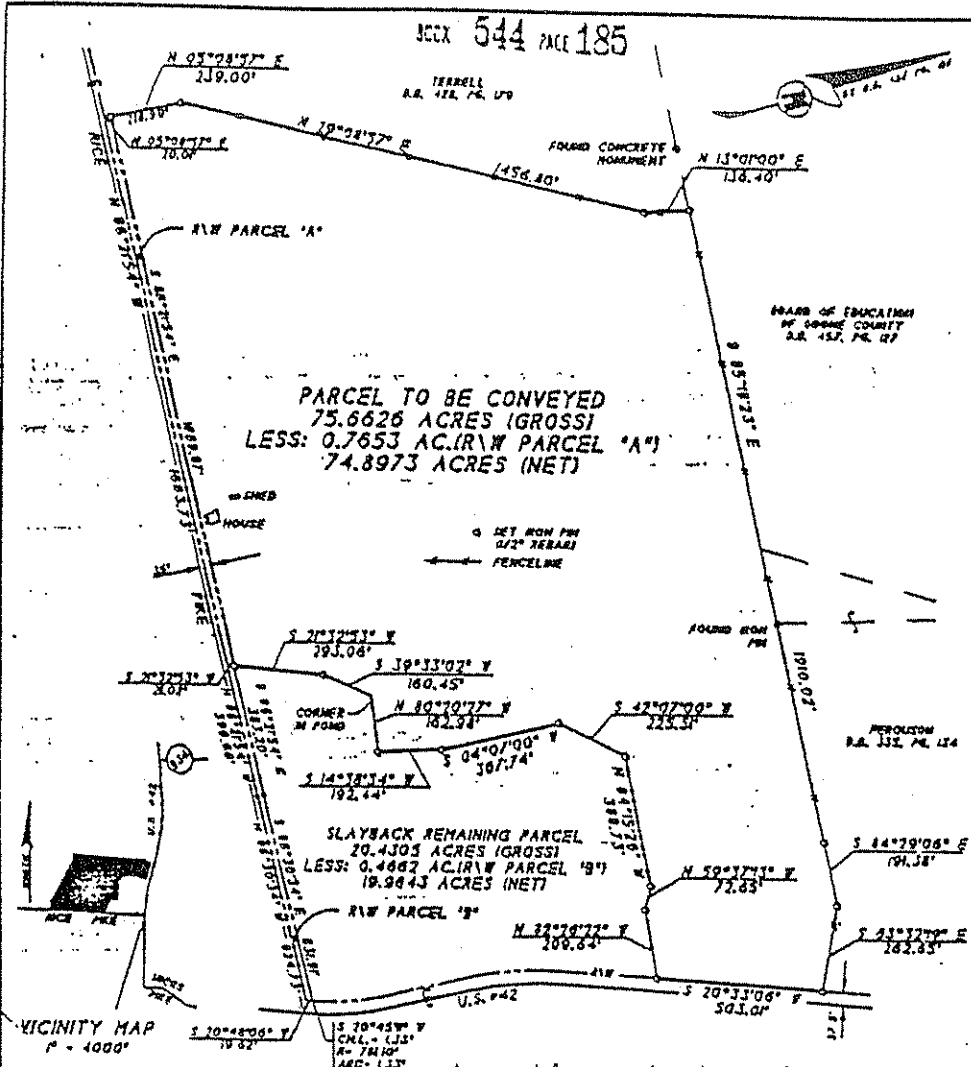

Thomas W. Jones, President


Thomas Schrieber,
Vice President

GROUP 2055

Situate in Boone County, Kentucky and lying along the westerly side of U.S. #42 and along the northerly side of Rice Pike and being more particularly described as follows:

BEGINNING at a point on the westerly right-of-way line of U.S. #42 and being the Grantor's northeasterly corner; thence along said right-of-way line, S 20° 33' 06" W, 503.01 feet to an iron pin (set); thence along a new line of division, N 82° 26' 22" W, 209.64 feet to an iron pin (set); thence N 59° 37' 13" W, 72.65 feet to an iron pin (set); thence N 84° 15' 26" W, 388.73 feet to an iron pin (set); thence S 42° 07' 00" W, 225.51 feet to an iron pin (set); thence S 04° 07' 00" W, 367.74 feet to an iron pin (set); thence S 14° 38' 34" W, 192.44 feet to an iron pin (set); thence N 80° 20' 27" W, 162.98 feet to a point in pond; thence S 39° 33' 02" W, 160.45 feet to an iron pin (set); thence S 21° 32' 53" W, 293.06 feet to a point on the Grantor's southerly line and passing an iron pin (set) at 272.04 feet; thence along the Grantor's southerly line N 86° 21' 54" W, 1663.73 feet to the Grantor's southwesterly corner; thence along the Grantor's westerly line, N 05° 08' 57" E, 239.00 feet to an angle point in the fenceline and passing an iron pin (set) at 20.01 feet; thence continuing along the Grantor's westerly line N 29° 08' 57" E 1456.80 feet to an angle point in the fenceline; thence along the Grantor's westerly line, N 13° 01' 00" E, 136.40 feet to a fence corner at the Grantor's northwesterly corner; thence along the Grantor's northerly line, S 85° 18' 23" E, 1910.02 feet to a point in the fenceline; thence continuing along the Grantor's northerly line S 84° 29' 06" E, 191.38 feet to a point in the fenceline; thence with the Grantor's northerly line S 63° 32' 19" E, 262.65 feet to the point of beginning. Containing 74.8973 acres, excluding 0.7653 acre to be dedicated as public right-of-way and shown on the attached plat as R/W Parcel "A".



PARCEL TO BE CONVEYED
 75.6626 ACRES (GROSS)
 LESS: 0.7653 AC. (R/W PARCEL 'A')
 74.8973 ACRES (NET)

SLAYBACK REMAINING PARCEL
 20.4305 ACRES (GROSS)
 LESS: 0.4662 AC. (R/W PARCEL 'B')
 19.9643 ACRES (NET)

VICINITY MAP
 P = 4000'

Approved for recording the transfer of property
 only by the Boone County Planning Commission this
 27th day of May 1994.

Carol Smith
 Chairman Boone County Planning Commission

CONVEYANCE PLAT
 PATSY SLAYBACK
 GROUP #2055
 D.B. 182, PG. 497
 DIVISION OF 96 1/2 ACRE TRACT
 BOONE COUNTY KENTUCKY

I, hereby do dedicate the right-of-way
 of Rice Pike as shown hereon, to public
 use, forever.

Patsy A. Slayback
 Grantor s/s/n Date 5/27/94

State of KY County of Boone

The foregoing instrument was
 acknowledged before me this 27th
 day of May 1994 by

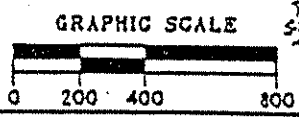
Notary Public *Evin Sheld*
 My commission expires 9-24-97

I certify that I have examined the records of the
 Boone County Court Clerk and find that this is
 the first conveyance made under the present
 ownership and the parent tract since 1966 or from
 the adoption of KRS 100.

Daniel Y. Leach
 Daniel Y. Leach PLS #2974 Date 5/27/94

I certify that this plat has been prepared by me 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.

Daniel Y. Leach
 Date Daniel Y. Leach PLS #2974



DVL
 LAND SURVEYING

10 E. Arcadia Lane
 Lakeside Park, KY 4007
 5061 334-9439

STATE OF KENTUCKY
 D. Y. LEACH
 2974
 REGISTERED
 LAND SURVEYOR

REV: 5-27-94
 SCALE: P=400' MAY 18, 1994 DWG# 1794