

ORDINANCE NO. 95-006

AN ORDINANCE ANNEXING TO INCORPORATED TERRITORY OF THE CITY OF UNION, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY OF UNION AND BEING IN THE AREA COMMONLY REFERRED TO AS LASSING GREEN DEVELOPMENT TRACT, FORMERLY A PART OF THE PATSY SLAYBACK TRACT, CONTAINING 74.8973 ACRES MORE OR LESS, SAID TERRITORY LYING SOUTH OF THE PRESENT CORPORATE LIMITS OF THE CITY OF UNION, KENTUCKY.

WHEREAS, the City Commission for the City of Union passed Ordinance No. 95-001 proposing to annex certain unincorporated territory lying to the south of the area known as the Ryle High School and Gray Middle School tract, which is currently within the boundaries of the City of Union, and

WHEREAS, Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner, is the sole owner of the land herein proposed for annexation, and

WHEREAS, Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner, is entered into an ANNEXATION AGREEMENT on the 10th day of April, 1995, and

WHEREAS, Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner, consented to annexation of the said 74.8973 acre tract, and

WHEREAS, Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner, as sole owner of the subject land, waived the Statutory for sixty (60) day period in which to file objection and consented to the annexation of said land by the City of Union, and

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

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

SECTION I

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 the 10th day of April, 1995 between Lassing Green Limited, a Kentucky Limited Partnership, by and through Lassing Green Development, Inc., its general partner, and the City of Union, 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:

The said territory hereby proposed to be annexed is bounded and described as follows, to wit:

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, (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 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, 136.00 feet to a fence along the Grantor's northerly line, S 85 18' 23" E, 1910.02 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".

SECTION II

The above described territory shall become part of the City of Union for all purposes upon passage of this ordinance. The City of Union elects not to establish or change the existing zoning from new territory annexed as heretofore described, thus allowing the land use restrictions for said territory to remain as it is presently zoned.

SECTION III

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.

PASSED AND APPROVED ON FIRST READING THIS 10th DAY OF APRIL, 1995.

PASSED AND APPROVED ON SECOND READING THIS 17th DAY OF APRIL, 1995.

Same to become effective when published pursuant to KRS Chapter 424.




WARREN MOORE, MAYOR

ATTEST:

NANCY SELLERS, CITY CLERK

PREPARED BY:



DAVID W. MARTIN
Attorney for the City of Union,
Kentucky
Ware, Bryson, West & Kummer
157 Barnwood Drive
P.O. Box 17718
Edgewood, Ky. 41017-0718
606/341-0255

JOHN W. ROSS, JR.

BOOK 435 PAGE 103

DESCRIPTION

Group #2055 & 1321

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, DULY LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF KENTUCKY, THAT THIS DESCRIPTION AND THE ATTACHED PLAT REPRESENT A SURVEY, AS PERFORMED BY ME IN DECEMBER 1988 AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS DESCRIPTION IS ACCURATELY PREPARED.



2-20-90

JOHN W ROSS JR
KY PROFESSIONAL ENGINEER No 10653
KY REGISTERED LAND SURVEYOR No 2135

DATE

BURNS, ANDY
(FILE BURN1)
WALTER FERGUSON PROPERTY
PROPOSED GOLF COURSE
UNION, KY

DECEMBER 31, 1988
REVISED 3/24/89
REVISED 2/20/90

SITUATED ON THE WESTERLY SIDE OF US #42, OPPOSITE THE INTERSECTION OF KY 536 (EAST) WITH SAID US#42 AND ON THE SOUTHERLY SIDE OF THE CITY OF UNION IN BOONE COUNTY OF THE COMMONWEALTH OF KENTUCKY. BEING A PART OF THE PROPERTY CONVEYED IN DEED BOOK 303 PAGE 167 AND ALL OF THE PROPERTY AS CONVEYED IN DEED BOOK 370 PAGE 043 IN THE RECORDS OF THE BOONE COUNTY CLERK AT BURLINGTON, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE (SET) AT THE INTERSECTION OF THE CENTERLINE OF US #42 AND THE CENTERLINE OF KY #536 (EAST). THENCE WITH THE CENTERLINE OF SAID US #42 N 5DEG 56MIN 00SEC W 58.00 FT TO A RAILROAD SPIKE (SET). THENCE DEPARTING SAID CENTERLINE AT RIGHT ANGLES S 84DEG 04MIN 00SEC W 37.50 FT TO A STEEL PIPE (SET) AND THE REAL PLACE OF BEGINNING. THENCE WITH THE WESTERLY RIGHT OF WAY OF SAID US #42 S 5DEG 56MIN 00 SEC E 1536.28 FT TO A STEEL PIPE (SET) IN SAID RIGHT OF WAY. THENCE WITH A CURVE IN SAID RIGHT OF WAY, RADIUS 675.73 FT (CONCAVE WEST) AN ARC DISTANCE OF

EXHIBIT A

JOHN W. ROSS, JR.

223.00 FT (CHORD S 3DEG 31MIN 16SEC W 221.99 FT) TO A STEEL PIPE (SET). THENCE CONTINUING WITH SAID RIGHT OF WAY, ON A TANGENT OF THE PRECEDING CURVE S 12DEG 58MIN 32SEC W 495.77 FT TO A STEEL PIPE (SET). THENCE DEPARTING SAID RIGHT OF WAY N 79DEG 08MIN 16SEC W 323.18 FT TO A STEEL PIPE (SET) NEXT TO A STEEL PIN (FOUND BENT OVER) AND PASSING A STEEL PIN (LS 2030 FOUND) AT 5.65 FT. SAID POINT BEING THE NORTHWESTERLY CORNER OF A PARCEL CONVEYED TO STUART FERGUSON IN DEED BOOK 378 PAGE 038. THENCE WITH A SEVERANCE LINE S 64DEG 34MIN 43SEC W 776.53 FT TO A STEEL PIPE (SET) IN THE NORTHERLY LINE OF THE PROPERTY OF STUART FERGUSON (DB 335 PG 134). THENCE WITH SAID NORTHERLY LINE OF PARCEL CONVEYED IN DEED BOOK 335 PAGE 134 N 78DEG 59MIN 58SEC W 200.00 FT TO A STEEL PIPE (SET) AT THE NORTHWESTERLY CORNER OF SAID PARCEL. THENCE WITH A SEVERANCE LINE S 31DEG 10 MIN 25SEC W 650.08 FT TO A STEEL PIPE (SET) IN THE NORTHERLY LINE OF SLAYBACK. THENCE WITH SLAYBACK'S NORTHERLY LINE AND A NORTHERLY LINE OF SELTMAN N 86DEG 42MIN 52SEC W 1667.84 FT TO A STEEL PIPE (SET) AT A CORNER OF SELTMAN. THENCE WITH A LINE WITH SELTMAN S 4 DEG 40MIN 58SEC W 517.67 FT TO A STEEL PIPE (SET) AT A CORNER WITH SELTMAN. THENCE WITH ANOTHER OF SELTMAN'S LINES N 85DEG 08MIN 12SEC W 897.14 FT TO A STEEL PIPE (SET) AT A CORNER TO SELTMAN AND IN AN EASTERLY LINE OF MEIMAN. THENCE WITH THE EASTERLY LINES OF MEIMAN, AS FOLLOWS:

N 3DEG 51MIN 32SEC E 1109.46 FT TO A STEEL PIPE (SET)
 S 89DEG 00MIN 20SEC W 700.46 FT TO A STEEL PIPE (SET)
 N 2DEG 54MIN 24SEC E 1559.31 FT TO A STEEL PIPE (SET)
 N 5DEG 19MIN 33SEC W 1387.77 FT TO A STEEL PIPE (SET)
 N 3DEG 20MIN 17SEC E 307.11 FT TO A STEEL PIPE (SET)
 AT THE NORTHWESTERLY CORNER OF LOT 4 OF THE FERGUSON
 LAND DIVISION SUBDIVISION AT THE SOUTHEASTERLY
 TERMINUS OF MEIMAN LANE AND THE SOUTHERLY CORNER
 OF PARCEL 'A' AS CONVEYED IN DEED BOOK 370 PAGE 43.

THENCE WITH THE EASTERLY RIGHT OF WAY OF SAID MEIMAN LANE (25 FT EAST OF CENTERLINE) N 4DEG 06MIN 40SEC E 50.00 FT TO A STEEL PIPE (SET) AT THE NORTHERLY CORNER OF SAID PARCEL 'A'. THENCE WITH A SEVERANCE LINE THROUGH SAID LOT 4 S 41DEG 31MIN 44SEC E 71.51 FT TO A STEEL PIN (LS2030 FOUND) AT THE WESTERLY CORNER OF THE PARCEL CONVEYED IN DEED BOOK 370 PAGE 47 PARCEL 'B'. THENCE WITH THE SOUTHWESTERLY LINE OF SAID PARCEL 'B' S 41DEG 32MIN 08SEC E 108.52 FT TO A STEEL PIN (LS2030 FOUND). THENCE WITH THE SOUTHEASTERLY LINE OF SAID PARCEL N 79DEG 00MIN 26SEC E 291.14 FT TO A STEEL PIN (LS2030 FOUND) AT THE NORTHEASTERLY CORNER OF LOT 4 OF THE FERGUSON LAND DIVISION SUBDIVISION AND THE EASTERLY CORNER OF SAID PARCEL 'B'. THENCE WITH THE LAND OF BRUCE FERGUSON AS

JOHN W. ROSS, JR.

BOOK 435 PAGE 105

FOLLOWS:

S 18DEG 03MIN 20SEC E 1000.00 FT TO A STEEL PIPE (SET)
S 89DEG 52MIN 45SEC E 3410.55 FT TO A STEEL PIPE (SET)
N 85DEG 41MIN 14SEC E 140.71 FT TO A STEEL PIPE (SET)
N 89DEG 34MIN 00SEC E 507.00 FT TO THE PLACE OF
BEGINNING.

SAID PARCEL CONTAINING 316.1289 ACRES AND BEING SUBJECT TO AN
EASEMENT IN FAVOR OF EASTERN KY POWER COOP INC. FOR
TRANSMISSION OF ELECTRIC, AS RECORDED IN MISCELLANEOUS BOOK 4
PAGE 267 AND MISCELLANEOUS BOOK 4 PAGE 275, A LEIN IN FAVOR
OF THE INTERNAL REVENUE SERVICE AS RECORDED IN MISCELLANEOUS
BOOK 14 PAGE 156, OTHER EASEMENTS AND DEED RESTRICTIONS OF
RECORD, AND TO THE ZONING REGULATIONS OF THE BOONE COUNTY
PLANNING AND ZONING COMMISSION.

BCC 423 PAGE 283

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE
APPROVED FOR RECORDING THE TRANSFER OF PROPERTY ONLY
BY THE BOONE COUNTY PLANNING COMMISSION
THIS 27 DAY OF February, 1990.

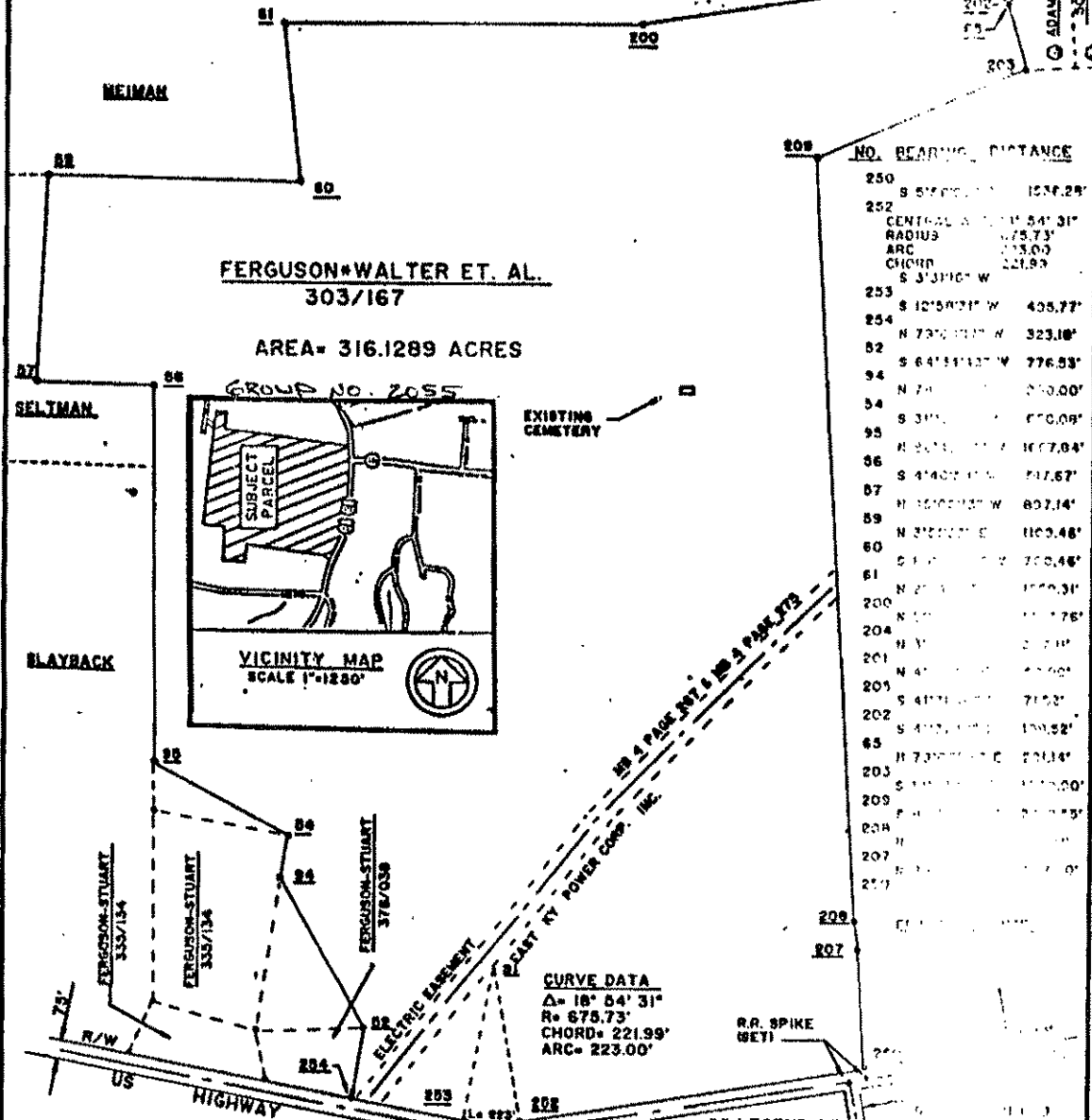
REFERENCE BEARING:
S US 42 S 05' 56' 00" E
PER KDOT CONST. DWGS 1936.

MEIMAN

CHAIRMAN

DATE

MEIMAN LN.



NO.	BEARING	DISTANCE
250	S 51° 00' 00" W	1536.25'
252	CENTRAL ANGLE 18° 54' 31" RADIUS 675.73' ARC 223.00' CHORD 221.99' S 51° 00' 00" W	
253	S 12° 50' 21" W	435.77'
254	N 73° 02' 17" W	323.10'
52	S 64° 51' 13" W	776.53'
94	N 74° 00' 00" W	210.00'
54	S 31° 00' 00" W	670.00'
95	N 20° 00' 00" W	1677.84'
86	S 41° 00' 00" W	517.67'
87	N 10° 00' 00" W	837.14'
89	N 35° 00' 00" E	1103.48'
60	S 11° 00' 00" W	700.48'
61	N 20° 00' 00" W	1570.31'
200	N 10° 00' 00" W	1117.75'
204	N 10° 00' 00" W	2100'
201	N 41° 00' 00" W	4100'
205	S 41° 00' 00" W	7100'
202	S 41° 00' 00" W	10000'
65	N 73° 02' 17" W	201.84'
203	S 11° 00' 00" W	1100.00'
209	N 10° 00' 00" W	2100.00'
208	N 10° 00' 00" W	2100.00'
207	N 10° 00' 00" W	2100.00'
210	N 10° 00' 00" W	2100.00'

I CERTIFY THAT THIS PLAY HAS BEEN PREPARED 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.

John W. Ross Jr. 2-26-90
DATE
JOHN W. ROSS JR.
KENTUCKY REGISTERED LAND SURVEYOR NUMBER 2135
KENTUCKY PROFESSIONAL ENGINEER NUMBER 10653

I CERTIFY THAT I HAVE EXAMINED THE RECORDS OF THE BOONE COUNTY COURT CLERK AND FIND THAT THIS IS THE THIRD CONVEYANCE MADE UNDER THE PRESENT OWNERSHIP AND THE PARENT TRACT SINCE 1266 OR FROM THE ADOPTION OF KRS 100.

John W. Ross Jr. 2-26-90
DATE
JOHN W. ROSS JR.

LEGEND

- PROPERTY OR RIGHT-OF-WAY BOUNDARY
- CENTERLINE
- ADJOINING PROPERTY LINE
- 1/2" REBAR FOUND IN 2000
- 3/4" SCH 40 GALV. PIPE FOUND IN 2000
- INDICATES LOT NUMBER IN BOONE COUNTY PLANNING COMMISSION DIVISION SUBDIVISION

A RESURVEY OF PART OF THE TRACT PREVIOUSLY CONVEYED IN DEED BOOK 370 AND ALL OF THE PROPERTY AND CONVEYED IN DEED BOOK 370 ARE RECORDED IN THE RECORDS OF THE BOONE COUNTY CLERK, BURLINGTON, KENTUCKY.

STATE OF KENTUCKY
J. W. ROSS
2135
REGISTERED
LAND SURVEYOR

STATE OF KENTUCKY
J. W. ROSS
10653
REGISTERED
PROFESSIONAL ENGINEER

GRAPHIC SCALE

JOHN W ROSS

BURNS, ANDREW IW, FERGUSON-WALTER ET AL.
PROPOSED GOLF COURSE
SCALE 1"= 600'
DRAWN JWR/TJP
KY PROFESSIONAL ENGINEER #10653
KY REG LAND SURVEYOR #2135