

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 97-003

The City of Union, Kentucky, enacted on second reading Ordinance No. 97-003. The title of this Ordinance is as follows:

ORDINANCE NO. 97-003

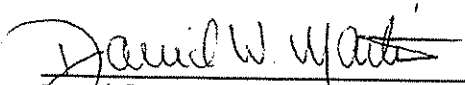
AN ORDINANCE ENACTED PURSUANT TO K.R.S. 81.500 DECLARING THE TRANSFER OF A PARCEL OF THE INCORPORATED PROPERTY OF THE CITY OF FLORENCE, KENTUCKY, TO THE CITY OF UNION, KENTUCKY, AND THE TRANSFER OF A PARCEL OF THE INCORPORATED PROPERTY OF THE CITY OF UNION, KENTUCKY, TO THE CITY OF FLORENCE, KENTUCKY.

This Ordinance provides for the transfer of a small portion of the incorporated property of the City of Florence to the City of Union and the corresponding transfer of a small portion of the incorporated property of the City of Union to the City of Florence. This transfer is undertaken under the statutory procedure outlined in K.R.S. 81.500. The transfer of these two parcels between the cities will be an even swap and neither City will owe the other any financial consideration for the transfer. Each parcel will be taxed by the transferor City in the year 1997 and by the transferee City in each subsequent year. There will be no change in zoning of the parcels as a result of the transfer with each parcel retaining the zoning and land use restrictions in existence prior to the transfer. The process of transferring these parcels will be completed by the enactment of this Ordinance and the enacting of an identical Ordinance by the City of Union, Kentucky.

The full text of Ordinance No. 97-003, including exhibits, is available for examination in the office of the City Clerk of the City of Union, Kentucky, in the Union City Building, 1843 Mt. Zion Road, Union, Kentucky during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 97-003 and that it has been prepared by me this 12th day of May, 1997, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



David W. Martin
Ware, Bryson, West & Kummer
157 Barnwood Drive
P.O. Box 17718
Edgewood, Ky. 41017-0718
606/341-0255

ORDINANCE NO. 97-003

AN ORDINANCE ENACTED PURSUANT TO K.R.S. 81.500 DECLARING THE TRANSFER OF A PARCEL OF THE INCORPORATED PROPERTY OF THE CITY OF UNION, KENTUCKY, TO THE CITY OF FLORENCE, KENTUCKY, AND THE TRANSFER OF A PARCEL OF THE INCORPORATED PROPERTY OF THE CITY OF FLORENCE, KENTUCKY, TO THE CITY OF UNION, KENTUCKY.

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

SECTION I - DECLARATIONS

The City of Union, Kentucky, is a City of the sixth class and the City of Florence, Kentucky is a City of the third class and the two cities have a common boundary. It is hereby determined that the area hereinafter specified to be transferred from the City of Union to the City of Florence can be better served by the City of Florence and the area hereinafter specified to be transferred from the City of Florence to the City of Union can be better served by the City of Union.

**SECTION II - TRANSFER FROM THE CITY OF FLORENCE
TO THE CITY OF UNION**

The incorporated property of the City of Florence, Kentucky, which is hereby transferred to the City of Union, Kentucky, is more particularly described on Exhibit "A" attached hereto and shown on the drawing attached hereto as Exhibit "B".

The property to be transferred from the City of Florence to the City of Union contains no residents. Accordingly, pursuant to K.R.S. 81.500(3) attached hereto as Exhibit "C" is a written consent to the transfer from the property owners of the property transferred.

**SECTION III - TRANSFER FROM THE CITY OF UNION
TO THE CITY OF FLORENCE**

The incorporated property of the City of Union, Kentucky, which is hereby transferred to the City of Florence, Kentucky, is more particularly described on Exhibit "D" attached hereto and shown on the drawing attached hereto as Exhibit "E".

Attached hereto as Exhibit "F" is a Petition in support of the transfer containing signatures of residents in the area to be transferred in a number greater than 51% of the registered voters in the area. The Petition conforms to K.R.S. 81.500(3) and has been submitted to the County Clerk. The response of the County Clerk validating signatures on the Petition is attached hereto as Exhibit "G".

SECTION IV - CONDITIONS APPLICABLE TO BOTH TRANSFERS

Pursuant to K.R.S. 81.500(2) the following conditions apply to the transfer of property from the City of Union to the City of Florence and the transfer of property from the City of Florence to the City of Union:

A. Statement of Financial Considerations.

The transfers between the two cities shall be an even swap and neither City shall owe the other City any financial consideration in connection therewith.

B. Taxes.

With respect to each parcel transferred, taxes for the year 1997 shall be collected by the transferring City. For all subsequent years taxes shall be collected by the transferee City.

C. Zoning.

Each parcel transferred shall continue to be subject to the zoning regulations and land use restrictions in effect prior to the transfer until changed pursuant to K.R.S. Chapter 100.

D. Identical Ordinances By Each City.

The transfer of property herein provided for shall, pursuant to K.R.S. 81.500 be accomplished by the enactment of ordinances containing identical provisions by the City of Florence and the City of Union. The transfer of property shall be complete upon the final enactment and publication of each of these Ordinances.

SECTION V - NOTICE REQUIREMENTS

Following the enactment and publication of this Ordinance and the identical Ordinance by the City of Florence, Kentucky, each City shall comply with the notice requirements of K.R.S. 81A.470 and K.R.S. 81A.475.

SECTION VI - LOCAL OPTION STATUS

Each parcel transferred hereunder shall assume the local option status of the City to which it is transferred.


PASSED AND APPROVED ON FIRST READING THIS 12th DAY OF May, 1997.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS
2nd DAY OF June, 1997.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

October 12, 1995

LEGAL DESCRIPTION
City Limits Adjustment
Parcel "B"
City of Florence
to the
City of Union

Being located Boone County, Kentucky and lying north of Mt. Zion Road and along the west right of way line of Wetherington Boulevard and being more particularly described as follows:

Beginning at the intersection of the west right of way line of Wetherington Boulevard and south line of a parcel conveyed to Erpenbeck (D.B. 564, pg. 93), said point being N 31° 39' 58" W, 2.48 feet from the most eastern corner of lot 1, Section One, Lancashire at Plantation Pointe; thence with the south line of said parcel for three calls N 67° 16' 45" W, 241.94 feet to the south right of way line of Lancashire Drive; thence N 67° 16' 45" W, 71.94 feet to the north right of way line of said drive; thence N 67° 16' 45" W, 59.69 feet to the most westerly corner of the parcel conveyed to Erpenbeck (D.B. 564, pg. 93; thence with the west line of said parcel N 5° 41' 38" E, 358.46 feet to the west right of way line of Wetherington Boulevard; thence with said right of way S 31° 39' 58" E, 588.60 feet to the point of beginning.

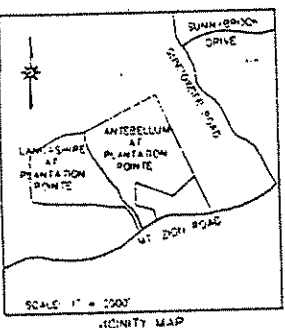
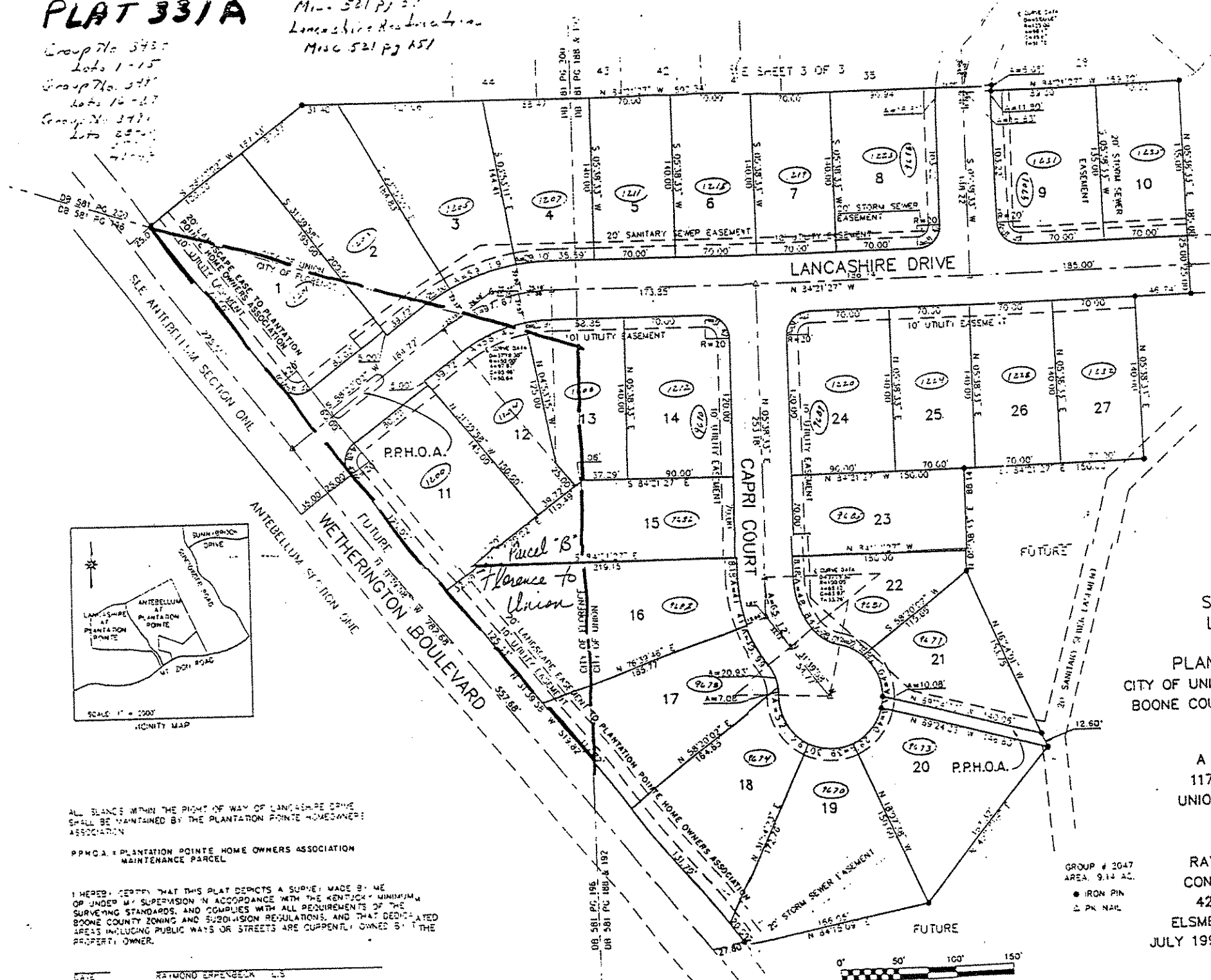
\\PROJECTS\870058\CITY-LIM\LDB.WP6

EXHIBIT "A"

PLAT 331A

Misc 521 pg 57
 Lancashire Home Owners Association
 Misc 521 pg 451

Group No. 3437
 Lots 1-15
 Group No. 3447
 Lots 16-27
 Group No. 3451
 Lots 28-31



SECTION ONE
 LANCASHIRE
 AT
 PLANTATION POINTE
 CITY OF UNION CITY OF FLORENCE
 BOONE COUNTY KENTUCKY

DEVELOPER
 A & K ENTERPRISE
 1174 MT. ZION ROAD
 UNION, KENTUCKY 41091

SURVEYOR
 RAYMOND ERPENBECK
 CONSULTING ENGINEERS
 4205 DIXIE HIGHWAY
 ELSMERE, KENTUCKY 41018

JULY 1995 SCALE 1"=50'
 SHEET 2 OF 3

ALL BLANCE WITHIN THE RIGHT OF WAY OF LANCASHIRE DRIVE SHALL BE MAINTAINED BY THE PLANTATION POINTE HOMEOWNERS ASSOCIATION

PPHO.A. = PLANTATION POINTE HOME OWNERS ASSOCIATION MAINTENANCE PARCEL

I HEREBY CERTIFY THAT THIS PLAT 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.

EXHIBIT "B"

TO: EVELYN M. KALB, MAYOR
City of Florence, Kentucky
7431 U.S. Highway 42
Florence, Kentucky 41042

and

WARREN S. MOORE, MAYOR
City of Union, Kentucky
1843 Mt. Zion Road
P.O. Box 53
Union, Kentucky 41091

Dear Mayors Kalb and Moore:

This will certify that the undersigned is the fee simple owner(s) of record of the following described parcel(s) of land lying and being in Boone County, Kentucky, and being more particularly described as follows:

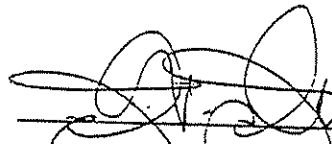
LEGAL DESCRIPTION

City Limits Adjustment

Being Lot 13, Section One, Lancashire at Plantation Pointe, Plat 331A

It is my understanding that if the owner of record consents in writing, the City of Florence, Kentucky, will approve transfer of the property described above to the City of Union by Ordinance in order to realign the city limits between the Cities of Union and Florence.

Therefore, please accept this correspondence as indicating my consent as owner(s) of record that this transfer be made by the City of Florence.



ADDRESS: 1601 Governmental Dr. Suite 220
Cincinnati OH 45249

ADDRESS: _____

TO: EVELYN M. KALB, MAYOR
City of Florence, Kentucky
7431 U.S. Highway 42
Florence, Kentucky 41042

and

WARREN S. MOORE, MAYOR
City of Union, Kentucky
1843 Mt. Zion Road
P.O. Box 53
Union, Kentucky 41091

Dear Mayors Kalb and Moore:

This will certify that the undersigned is the fee simple owner(s) of record of the following described parcel(s) of land lying and being in Boone County, Kentucky, and being more particularly described as follows:

LEGAL DESCRIPTION

City Limits Adjustment

Being Lots 1, 2, 11, 12, 15, 16, and 17, Section One, Lancashire at Plantation Pointe, Plat 331A

It is my understanding that if the owner of record consents in writing, the City of Florence, Kentucky, will approve transfer of the property described above to the City of Union by Ordinance in order to realign the city limits between the Cities of Union and Florence.

Therefore, please accept this correspondence as indicating my consent as owner(s) of record that this transfer be made by the City of Florence.

Raymond E. Eberhart VP AHC Enterprises, Inc
ADDRESS: 4205 Dixie Highway
Elmore Ky 41018

ADDRESS: _____

Raymond Erpenbeck Consulting Engineers

ENGINEERS • SURVEYORS • PLANNERS

4205 DIXIE HIGHWAY • ELSMERE, KENTUCKY 41018 • (606) 727-4200

LEGAL DESCRIPTION

City Limit Adjustment

Parcel "C"

City of Union

to the

City of Florence

Being located in Boone County, Kentucky and lying north of Mt. Zion Road and being more particularly described as follows:

Beginning at the intersection of the proposed west right of way line of Wetherington Boulevard with the original north line of a parcel conveyed to Erpenbeck (D.B. 393, pg. 147); thence with said original line N 74° 23' 14" E, 284.18 feet to the northeast corner of said parcel; thence with the east line of said parcel for four calls, S 5° 49' 27" W, 82.67 feet to the north line of lot 11, Section One, Antebellum at Plantation Pointe; thence S 5° 49' 27" W, 449.47 feet to the proposed east right of way line of Wetherington Boulevard; thence S 5° 49' 27" W, 70.49 feet; thence S 5° 41' 38" W, 28.18 feet to a point on the proposed west right of way line of Wetherington Boulevard; thence with said proposed right of way N 31° 39' 58" W, 256.53 feet to the PC of a curve; thence along said curve to the right 341.19 feet (R=525.00 feet, Chord N 13° 02' 53" W, 335.22 feet to the PT of said curve; thence N 5° 34' 12" E, 6.19 feet to the point of beginning.

October 12, 1995

LEGAL DESCRIPTION
City Limit Adjustment
Parcel "C"
City of Union
to the
City of Florence

Being located in Boone County, Kentucky and lying north of Mt. Zion Road and being more particularly described as follows:

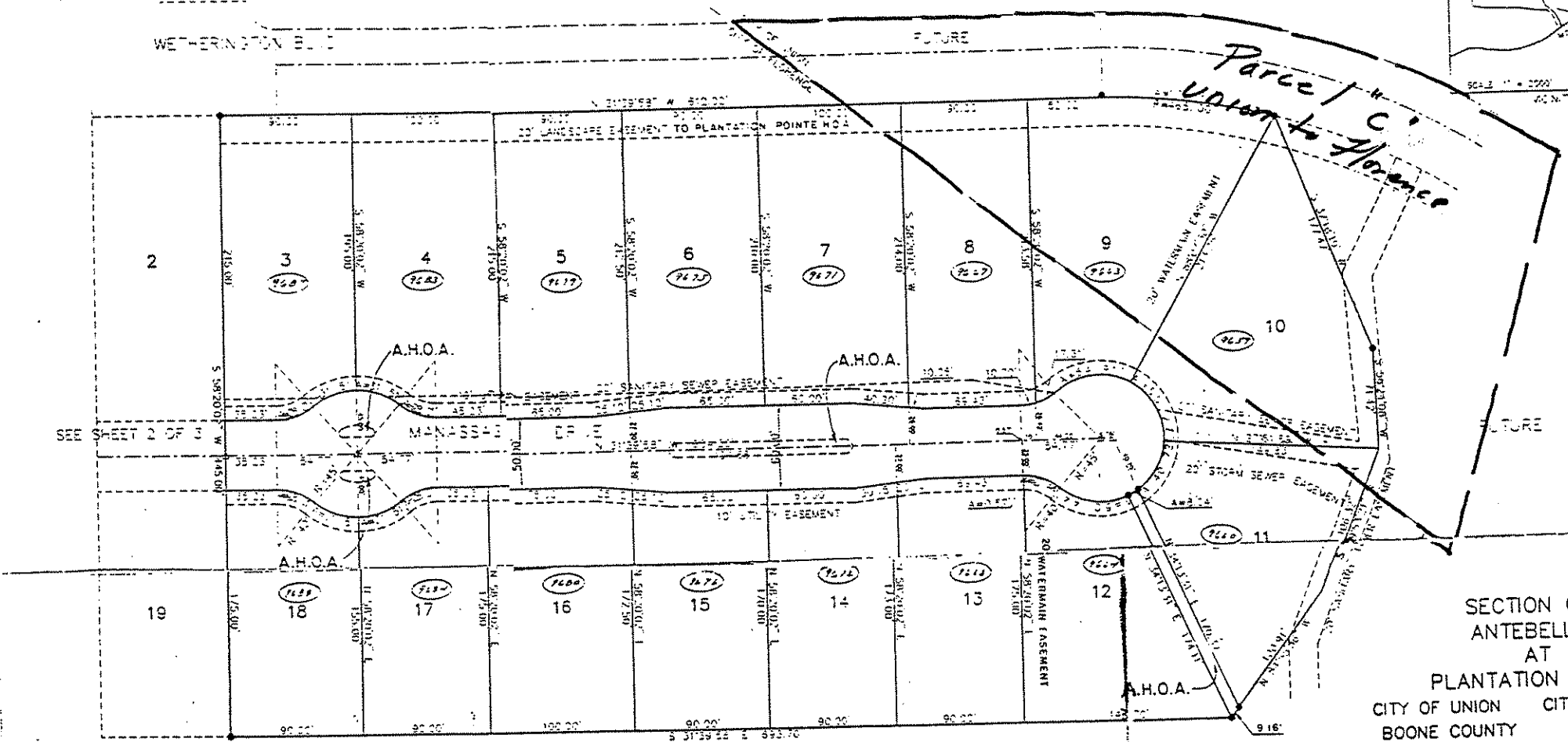
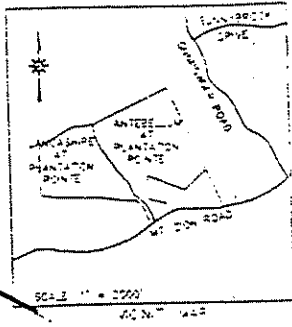
Beginning at the intersection of the proposed west right of way line of Wetherington Boulevard with the original north line of a parcel conveyed to Erpenbeck (D.B. 393, pg. 147); thence with said original line N 74° 23' 14" E, 284.18 feet to the northeast corner of said parcel; thence with the east line of said parcel for four calls, S 5° 49' 27" W, 82.67 feet to the north line of lot 11, Section One, Antebellum at Plantation Pointe; thence S 5° 49' 27" W, 449.47 feet to the proposed east right of way line of Wetherington Boulevard; thence S 5° 49' 27" W, 70.49 feet; thence S 5° 41' 38" W, 28.18 feet to a point on the proposed west right of way line of Wetherington Boulevard; thence with said proposed right of way N 31° 39' 58" W, 256.53 feet to the PC of a curve; thence along said curve to the right 341.19 feet (R=525.00 feet, Chord N 13° 02' 53" W, 335.22 feet to the PT of said curve; thence N 5° 34' 12" E, 6.19 feet to the point of beginning.

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EXHIBIT "D"

Plot 329 B

Group No 3494
P.P.H.O.A. ANTEBELLUM HOA
Misc 521 p 57 Misc 521 p 101



SECTION ONE
ANTEBELLUM
AT
PLANTATION POINTE
CITY OF UNION CITY OF FLOREN
BOONE COUNTY KENTUCKY

DEVELOPER
A & K ENTERPRISE
1174 MT. ZION ROAD
UNION, KENTUCKY 41091

SURVEYOR
RAYMOND ERPENBECK
CONSULTING ENGINEERS
4205 DIXIE HIGHWAY
ELSMERE, KENTUCKY 41018
JULY 1995 SCALE 1"=50'

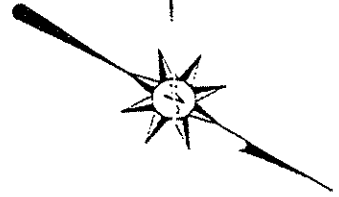
EXHIBIT "E"

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE KENTUCKY MINIMUM SURVEYING STANDARDS, AND COMPLES WITH ALL REQUIREMENTS OF THE BOONE COUNTY ZONING AND SUBDIVISION REGULATIONS, AND THAT DESIGNATED AREAS INCLUDING PUBLIC WAYS OR STREETS ARE CURRENTLY OWNED BY THE PROPERTY OWNER.

A.H.O.A. = ANTEBELLUM HOME OWNERS ASSOCIATION MAINTENANCE PARCEL

GROUP # 3494
AREA # 215 AD
● PIN # 1
▲ PIN # 2

ALL SLANDS WITHIN THE RIGHT OF WAY OF THE QUANTOX DRIVE AND MANASSAS DRIVE SHALL BE MAINTAINED BY THE ANTEBELLUM HOME OWNERS ASSOCIATION.



PETITION TO TRANSFER INCORPORATED AREA BETWEEN CITIES
(K.R.S. 81.500)

We the undersigned, residents of Section One Antebellum at Plantation Pointe, Plat 329B, records of the Boone County Clerk's office, hereby petition the City of Union, Kentucky, to transfer to the City of Florence, Kentucky, pursuant to K.R.S. 81.500, that portion of Section One which is set forth and described in the attached Exhibit "A":

Name and Address

Lot Number

JEFF & SUSAN CLEGG

7

9671 MANASSAS DR FLORENCE KY

41042

Jeff & Susan Clegg

SMClegg

Danny & Debbie Buis

9651 Manassas Dr. Florence, KY 41042

Dellie A. Buis

Danny & Debbie Buis

Michael & Maria McMinn / 9660 Manassas Dr. Florence, KY

41042

Michael & Maria McMinn

Michael McMinn



COUNTY OF BOONE

JERRY W. ROUSE
BOONE COUNTY CLERK
P.O. BOX 874
BURLINGTON, KY 41005

PHONE: (606) 334-2108
FAX : (606) 334-2193

April 1, 1997

To Whom It May Concern:

SUBJECT: PETITION TO TRANSFER INCORPORATED AREA BETWEEN CITIES
FLORENCE/UNION PROPERTY TRANSFER (KRS81.500)

Having been called upon to verify the validity of the signatures of petitioners on said petition, this office verifies from voter registration cards the signatures of Danny & Debbie Buis and Michael & Maria McMains.

We are, however, unable to verify the validity of the signatures of Jeff & Susan Clegg.

Sincerely,

Jerry W Rouse
Boone County Clerk

JWR/cb

cc: Florence City Clerk
Union City Clerk

EXHIBIT "G"