

ORDINANCE NO. 98-008

AN ORDINANCE PROPOSING TO ANNEX TO AND MAKE PART OF THE INCORPORATED TERRITORY OF THE CITY OF UNION, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY CONTIGUOUS TO THE PRESENT LYING SOUTH AND WEST CORPORATE LIMITS OF THE CITY OF UNION, KENTUCKY.

Whereas, the City Commission deems it to be for the best interests of its citizens and for the best interests of persons residing in certain unincorporated territory, said territory being contiguous to the present City Limits on the South and West of the City, that said territory be annexed to and become a part of the corporate territory of the City of Union, Kentucky.

The Commissioners of the City of Union, Kentucky, do ordain as follows:

SECTION I

That it is hereby proposed that the hereinafter described unincorporated territory lying to the South and West and being contiguous 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.

SECTION II

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

Located generally in Boone County, Kentucky, abutting and contiguous with the present City Limits of the City of Union, Kentucky (September 1, 1998) on the South and West thereof and comprising parts of Group number 2056 as shown on the official group system map in the county clerk's office as prepared by Viox & Viox, Inc. Consulting Engineers & Surveyors and described thus:

A parcel of land lying near the southerly side of Mt. Zion Road in Boone County, Kentucky, and being more particularly described as follows:

BEGINNING at a point, said point being the most northwesterly corner of the Drees Company property (D.B. 434, pg. 21, Boone County Clerk's Records, Burlington) and in the easterly line of Foltz, and running thence:

N 4-25-33 E, along the dividing line between Lewis and Foltz, a distance of 527.36 feet, to a point, thence
S 80-46-59 E, a distance of 238.97 feet, to a point, thence
N 86-17-49 E, a distance of 200.22 feet, to a point, thence

N 62-26-51 E, a distance of 144.02 feet, to a point, thence
S 77-36-50 E, a distance of 337.68 feet, to a point, thence
S 31-43-51 E, a distance of 208.72 feet, to a point, thence
S 52-13-30 W, a distance of 67.69 feet, to a point, thence
S 40-14-30 W, a distance of 426.31 feet, to a point, thence
N 86-01-00 W, along the northerly line of the Drees Company property (D.B. 434, pg. 21) a distance of 716.49 feet, to the place of beginning, and containing 11.1920 acres more or less.

The above described parcel is subject to any and all easements and/or rights-of-ways of record.

SECTION III

If, after the aforesaid publication has been done and made and no petition protesting the annexation of the territory herein described, has been filed in the Boone Circuit Court, Burlington, Kentucky, within thirty (30) days, this City of Union hereby proposes to enact another ordinance annexing to the City of Union, Kentucky, the above described unincorporated territory. Whereupon, said territory shall become a part of the City of Union, Kentucky.

SECTION IV

All ordinance, resolutions or parts thereof, in conflict herewith, are to the extent of such conflict, hereby repealed.


SECTION V

If any section, paragraph or clause of this ordinance be held by proper court to be invalid, such invalidity shall not affect the remaining sections, paragraphs or clauses, it being expressly declared that the remainder of said ordinance would have been passed despite such invalidity.

SECTION VI

Introduced, seconded and given first reading on the 12th day of October, 1998.

Adopted by the City Commission of Union, Kentucky after second reading at a regular meeting on the 9th day of November, 1998, and on the same occasion signed in Open Session by the Mayor of Union as evidence of his approval, attested under seal by the City Clerk and declared to be in full force and effect.



WARREN S. MOORE, MAYOR

ATTEST:



KATHY PORTER, CITY CLERK

11/19/98

DATE PUBLISHED

COPY

ANNEXATION AGREEMENT

This agreement made between the City of Union, Kentucky and The Drees Company, a Kentucky Corporation;

1. Subject to the conditions set forth below, the undersigned, The Drees Company, a Kentucky Corporation, owner of the approximate 28.211 acre tract and approximately 11 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.

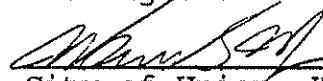
2. The Drees Company does hereby certify to the City of Union that it is the owner of the property.

3. Subject to the conditions set forth below.


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

4. The foregoing request and waiver by The Drees Company 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 incorporate areas of the City, including but not limited to, garbage pick-up, police protection, maintenance of street and snow removal. The City also agrees to install street lights at no cost to The Drees Company, and provide for the operation and maintenance service for said street lights.

 3/1/99
City of Union, Kentucky by:
Mayor Warren S. Moore

The Drees Company, a Kentucky Corporation


Signature

DAVID G DREES
Please Print

Title: PRESIDENT

Boone Co. RECORDER
November 19TH, 1998

ORDINANCE NO. 98-008

AN ORDINANCE PROPOSING TO ANNEX TO AND MAKE PART OF THE
INCORPORATED TERRITORY OF THE CITY OF UNION, KENTUCKY, CERTAIN

NOVEMBER 11, 1998

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AN ORDINANCE PROPOSING TO ANNEX TO AND MAKE PART OF THE INCORPORATED TERRITORY OF THE CITY OF UNION, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY CONTIGUOUS TO THE PRESENT LYING SOUTH AND WEST CORPORATE LIMITS OF THE CITY OF UNION, KENTUCKY.

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WARREN S. MOORE, MAYOR

ATTEST:


KATHY PORTER, CITY CLERK

DATE PUBLISHED

PT 63-17

Z'd to 63-17C

BOOK 639 PAGE 95
D E E D

FAIR CASH VALUE _____
TRANSFER TAX 157.00 Hef

PIDN: _____
GROUP: 2056
PLAT: _____

Know All Men By These Presents:

That Lura Lewis, an unmarried widow, acting by and through William R. Lewis, her attorney in fact, as evidenced by instrument recorded in Misc. Book 589 Page 176 of the Boone County Court Clerk's records, at Burlington, Kentucky.

whose mailing address is: 1337 Mt. Zion Road, Union, KY 41091

for and in consideration of \$156,688.00 to them paid by the grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:
The Drees Company, a Kentucky corporation, it's successors

~~They~~ and assigns forever, the following described Real Estate, in the City of _____
Boone
County of ~~Xanton~~ and Commonwealth of Kentucky, to-wit:

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The above described parcel being subject to any and all easements and/or rights-of-ways of record.

Being part of the same property conveyed to Thomas R. Lewis and Lura Lewis, his wife, with right of survivorship, by Thomas R. Lewis and Lura Lewis, his wife, by Deed dated March 13, 1978, and recorded in Deed Book 243 Page 13 of the Boone County Court Clerk's records, at Burlington, Kentucky.

The said Thomas R. Lewis died December 29, 1996, and by virtue of the survivorship clause in the above mentioned deed, the fee simple title vested in the grantor herein, Lura Lewis.

JOHN H. KLETTE

RECEIVED
FEB 10 A 9 10
JEFF W. ROUSE
BOONE COUNTY CLERK
Hoop

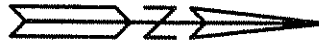
PROPERTY ADDRESS: Mt. Zion Road, Union, KY 41091
GRANTEE MAILING ADDRESS: 211 Grandview Drive, Ft. Mitchell KY 41017

RETURN TO

PREPARED BY: _____

CLERKS USE ONLY

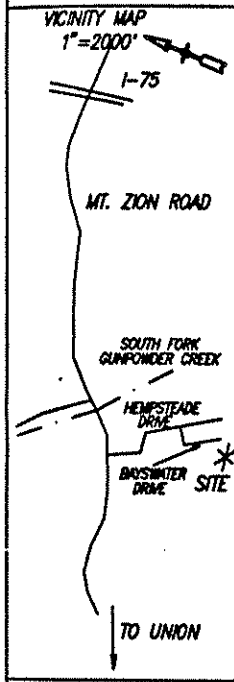
THIS DOCUMENT WAS PREPARED BY
Eddie W. Brown
EDDIE W. BROWN
ATTORNEY AT LAW
9 GIRARD STREET
FLORENCE, KY 41042



This parcel, in and of itself, does not meet
Boone County zoning regulations
for a buildable site.

RON FOLTZ

3-27-96 Current Zoning SR-1
GUS/TIM
3-21-96



THE DREES COMPANY
DB 434 PG 21

WRV
11.1920 AC
11-19 ACRE
PARCEL TO BE
CONVEYED BY
THOMAS R. & LURA LEWIS

REMAINING
THOMAS R. & LURA LEWIS
DB 243 PG 13
(PARCEL 3)

(APPROX. 121 AC. REMAINING
BASED ON DEEDS 243\13
& 243\17 LESS EXCEPTIONS)

THE DREES COMPANY
DB 412 PG 39

STATE OF KENTUCKY
WILLIAM R. VIOX
1781
REGISTERED
LAND SURVEYOR

NOTE

This parcel is not a building lot by itself but a parcel to be added to an adjoining property.

**FOR NON-BUILDABLE LOTS
LAND SURVEYOR'S CERTIFICATE**

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] 3/12/96

LAND SURVEYOR'S CERTIFICATE

"I 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."

DATE *3/12/96* *[Signature]*

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE
Approved for recording the transfer of property only by the Boone County Planning Commission this 21 day of MARCH 1996

[Signature]

11.1920
11.19 ACRE PARCEL
TO BE CONVEYED
BY THOMAS R. & LURA LEWIS
BOONE COUNTY, KENTUCKY
SCALE 1"=200' JANUARY 2, 1996



P & Z Code No. 2736



WVOX & VIOX P.S.C.
CONSULTING ENGINEERS & SURVEYORS
484 ERLANGER ROAD
ERLANGER, KENTUCKY 41018
PHONE: (606) 727-3293