

ORDINANCE NO. 98-013

AN ORDINANCE STATING THE INTENTION OF THE CITY OF UNION, KENTUCKY, TO ANNEX CERTAIN TERRITORY CONSISTING OF PARCELS OF LAND ALONG FOWLER CREEK ROAD, SOUTH FORK OF GUNPOWDER CREEK, KROTH LANE AND LONGBRANCH ROAD

WHEREAS, the City has determine that it is desirable to annex the hereinafter described territory (the "territory") which is contiguous to the boundaries of the City, and WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election to amend its Comprehensive Plan and official zoning map to incorporate and establish zoning or other land use regulations for the territory following recommendations from the Boone County Planning Commission made in accordance with that statute.

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

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
(b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
(c.) Is not included within the boundary of another incorporated city.

SECTION II

The City hereby declares pursuant to K.R.S. 81A.420, that it is desirable to annex the territory and hereby states its intention to annex the territory.

SECTION III

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, be subject to zoning or other land use regulations adopted following recommendations from the Boone County Planning Commission under the procedure of that statute.

SECTION IV

Prior to second reading of this Ordinance, pursuant to K.R.S. 81A.425, notice shall be sent to each property owner.

SECTION V

This Ordinance shall be published in full.

SECTION VI

Said Ordinance shall be published according to Law.

SECTION VII

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resolutions, minutes of meetings, or parts thereof, in conflict herewith, are to the extent of such conflict, hereby repealed.

SECTION VIII

If any section, paragraph or clause of this ordinance be held by a 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 IX

Declaration of Emergency

As was noted and consistent with the provisions of KRS 83A.060(7) the council declares this to be an emergency due to the announced action undertaken by the City of Florence to annex portions of the property described herein and due to the adverse effect which this will have on Union's citizens, including but not limited to: the anticipated bypass of the hearing conducted before the Boone County Planning and Zoning Commission on December 16, 1998; the anticipated violation of the Comprehensive Plan adopted by the Boone County Planning and Zoning Commission; the adverse effect on the rural character of this territory; the adverse impact of increased storm water run-off and traffic in the event Florence annexes this property. This Ordinance shall remain in full force and effect from the date of its passage and the requirement of a second reading and publication is suspended pursuant to KRS 83A.060(4), (7).

Said territory hereby intended to be annexed is bound and described as follows, to wit:

Beginning at a point at the intersection of Longbranch Road and Fowler Creek Road then in a Northerly direction along Fowler Creek Road, running along Fowler Creek to South Fork of Gunpowder, then following generally West along the South Fork of Gunpowder to a point opposite Kroth Lane and Berkshire Property. Then in a Southwesterly direction along the East Side of Berkshire Property to Kroth Lane following Kroth Lane including all homes along the Northwest side of Kroth Lane. Then follow Kroth Lane to Longbranch Road. Then generally along the East side of Longbranch Road Southeasterly to a point along Longbranch Road to a bridge crossing Longbranch Road. Then from the center of the bridge Easterly along the Northern side of Longbranch Road to a point in the beginning.

A copy of a map showing the land intended to be reincorporated is attached and made part of this description as is marked.

PASSED AND APPROVED ON FIRST READING THIS 13th DAY OF December 1998 at 5:30 p.m. PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 13th DAY OF December 1998

APPROVED:

[Signature] MAYOR

ATTEST:

[Signature] CITY CLERK

Legal notices



SECTION I

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SECTION II

The City hereby declares pursuant to K.R.S. 81A.420, that it is desirable to annex the territory and hereby states its intention to annex the territory.

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Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, be subject to zoning or other land use regulations adopted following recommendations from the Boone County Planning Commission under the procedure of that statute.

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SECTION VIII

If any section, paragraph or clause of this ordinance be held by a 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 IX

Declaration of Emergency

As was noted and consistent with the provisions of KRS 83A.060(7) the council declares this to be an emergency due to the announced action undertaken by the City of Florence to annex portions of the property described herein and due to the adverse effect which this will have on Union's citizens, including but not limited to: the anticipated bypass of the hearing conducted before the Boone County Planning and Zoning Commission on December 16, 1998; the anticipated violation of the Comprehensive Plan adopted by the Boone County Planning and Zoning Commission; the adverse effect on the rural character of this territory; the adverse impact of increased storm water run-off and traffic in the event Florence annexes this property. This Ordinance shall remain in full force and effect from the date of its passage and the requirement of a second reading and publication is suspended pursuant to KRS 83A.060(4), (7).

Said territory hereby intended to be annexed is bound 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 (December, 1998) on the East, South and West thereof and comprising parts of Groups numbers 2038, 2046, 2056 and 2057 as shown on the official group system map in the County Clerk's office as prepared by Walton and Walton Engineers and described thus:

Parcel #2 - South and West sides of the City

BEGINNING at the intersection of the present (December, 1998) line of the City of Union with the North right-of-way line of Kentucky Highway #536 (The Union-Big Bone Road/Hathaway Road); thence

1. N 58-5 W 2800 feet with said city line,
2. N 31-55 E 5000 feet more or less with said city line to the South line of the South entrance to Fowlers Creek Road and Longbranch Road,
3. In a Northwesterly direction 325 feet more or less with the South line of said entrance to the South line of the North entrance,
4. In a Northerly direction 2800 feet more or less with the South line of Fowlers Creek Road to the South line of Longbranch Road,
5. In a Westerly direction 11,200 feet more or less with the South line of Longbranch Road to the East line of Camp Ernst Road,
6. In a Southerly direction 10,000 feet more or less with the East line of Camp Ernst Road to the North right-of-way of Kentucky Highway #536 (The Union-Big Bone Road/Hathaway Road),
7. In an Easterly direction therewith 12,600 feet or sufficient to reach the place of beginning containing 3.9 square miles.

Map of said intended Territory attached hereto and made a Part of said Ordinance.

PASSED AND APPROVED ON FIRST READING THIS 18th DAY OF DECEMBER 1998 at 5:42 p.m.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS DAY OF 1999 at

APPROVED:

*[Signature]*  
MAYOR

ATTEST:

*[Signature]*  
CITY CLERK



