

**ORDINANCE NO. 99-006**

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 A PART OF THE HEMPSTEADE SUBDIVISION, CONTAINING 11 ACRES MORE OR LESS, SAID TERRITORY LYING SOUTHEAST OF THE PRESENT CORPORATE LIMITS OF THE CITY OF UNION, KENTUCKY.

WHEREAS, the City Commission for the City of Union passed Ordinance No. 98-008 proposing to annex certain unincorporated territory lying to the south of the area known as the HEMPSTEADE SUBDIVISION tract, which is currently within the boundaries of the City of Union, and

WHEREAS, THE DREES COMPANY, a Kentucky Corporation, by and through DAVID G. DREES, its president, is the sole owner of the land herein proposed for annexation, and

WHEREAS, THE DREES COMPANY, a Kentucky Corporation, by and through DAVID G. DREES, its president, consented to annexation of the said 11 acre tract, and

WHEREAS, THE DREES COMPANY, a Kentucky Corporation, by and through DAVID G. DREES, its president, as sole owner of the subject land, waived the Statutory 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, BE 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 1<sup>st</sup> day of March, 1999 between THE DREES COMPANY, a Kentucky Corporation, by and through DAVID G. DREES, its president, 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:

**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 East 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.

### 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 10<sup>TH</sup> DAY OF MAY, 1999.

PASSED AND APPROVED ON SECOND READING THIS 18<sup>TH</sup> DAY OF MAY, 1999.


Same to become effective when published to KRS Chapter 424.

  
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EDDIE JOHNSON, MAYOR PRO TEM

ATTEST:

  
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KATHY PORTER, CITY CLERK

PREPARED BY:

  
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GREG D. VOSS  
WARE, BRYSON, WEST & KUMMER  
157 Barnwood Drive  
Edgewood, Kentucky 41017  
(606) 341-0255

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PASSED AND APPROVED ON FIRST READING THIS 10 DAY OF MAY, 1999.

PASSED AND APPROVED ON SECOND READING THIS 18 DAY OF MAY, 1999.

Same to become effective when published to KRS Chapter 424.

ATTEST:

Kathy Porter  
KATHY PORTER, CITY CLERK

Eddie Johnson  
EDDIE JOHNSON, MAYOR PRO TEM

PREPARED BY:

Greg D. Voss  
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