

ORDINANCE NO. 04-007

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, LYING ON THE SOUTH SIDE OF MT. ZION ROAD SAID TRACT BEING MORE COMMONLY KNOWN AS THE HAMPSHIRE SUBDIVISION TRACT.

WHEREAS, The Drees Company, the owner of record of the Hampshire Subdivision Tract has consented in writing to the annexation thereby permitting the City of Union, pursuant to KRS 81A.412 to waive the Notification Ordinance set forth in KRS 81A.420(1) annexing to the City of Union, the territory described and commonly known as the Hampshire Subdivision Tract, and

WHEREAS, the area hereby annexed is contiguous to the present boundary 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 respects the territory commonly known as the Hampshire Subdivision Tract and as hereinafter specifically bounded and described is hereby annexed and made a part of the incorporated territory of the City of Union, Kentucky, to-wit:

Located in Boone County, Kentucky, lying on the south side of Mt. Zion Road approximately 0.15 mile northeast of Russwill Lane and is more particularly described as follows:

Beginning at a point in the centerline of Mr. Zion Road (Kentucky Highway 536) at the common corner of the Lura B. Lewis Irrevocable Trust (Deed Book 636, Page 72) and Richard Halterman (Deed Book 346, Page 121); thence with said centerline N 60 degrees 38'18"E 280.14 feet to a point; thence N 58 degrees 01'04" E 97.94 feet to a point; thence N 56 degrees 24'30" E 124.88 feet to a point; thence N 55 degrees 37'08" E

117.15 feet to a point; thence N 54 degrees 22'53" E 178.29 feet to a point; thence N 56 degrees 24'16" E 113.10 feet to a point; thence N 58 degrees 22'44" E 217.06 feet to a point; thence N 67 degrees 19'33" E 73.11 feet to a point; thence N 74 degrees 26'20" E 58.07 feet to a point; thence N 82 degrees 05'40" E 55.62 feet to a point; thence N 88 degrees 46'27" E 54.87 feet to a point; thence S 87 degrees 45'39" E 103.88 feet to a point; thence S 84 degrees 44'15" E 263.70 feet to a point; thence S 86 degrees 04'04" E 310.94 feet to a point at the common corner of the Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision; thence with the common line of the Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision S 19-15-00 W 81.18 feet to an existing iron pin; thence S 01-42-30 W 105.21 feet to a point; thence S 50-17-18 W 358.06 feet to an existing iron pin; thence S 22-40-21 W 353.68 feet to an existing iron pin; thence S 31-53-35 W 565.00 feet to an existing iron pin; thence S 58-06-25 E 185.00 feet to an existing iron pin; thence N 31-53-35 E 12.00 feet to an existing iron pin; thence S 58-06-25 E 1157.50 feet to an existing iron pin; thence S 37-20-00 W 358.48 feet to an existing iron pin; thence continuing with the common line of the Lura B. Lewis Irrevocable Trust and the Drees Company (Deed Book 412, Page 39) S 52-13-30 W 932.31 feet to an existing pin at the common corner of Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision; thence with the common line of Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision N 31-43-51 W 208.72 feet to an existing iron pin; thence N 77-36-50 W 337.68 feet to an existing iron pin; thence S 62-26-51 W 144.02 feet to an existing iron pin; thence S 86-17-49 W 200.22 feet to an existing iron pin; thence N 80-46-59 W 238.97 feet to an existing iron pin at the common corner of the Lura B. Lewis Irrevocable Trust and Dublin Green Estates; thence with the common line of the Lura B. Lewis Irrevocable Trust and Dublin Green Estates N 04-48-56 E 213.98 feet to an existing corner post; thence N 84-02-33 W 440.37 feet to an existing iron pin at the common corner of the Lura B. Lewis Irrevocable Trust and James Hedgecock (Deed Book 356, Page 258); thence with the common line of the Lura B. Lewis Irrevocable Trust and Hedgecock N 00-01-27 E 357.07 feet to a corner post at the common corner of the Lura B. Lewis Irrevocable Trust and A.L. Gambill (Deed Book 178, Page 415); thence with the common line of the Lura B. Lewis Irrevocable Trust, Gambill and Halterman N 04-40-07 E 1343.95 feet to the point of beginning containing 92.662 acres exclusive of the 30.00 feet wide right-of-way of Mt. Zion Road, and being subject to all right-of-ways and easements of record.

SECTION II

That the above described territory shall become part of the City of Union for all purposes upon passage of this Ordinance and same is suitable for development for urban purposes without unreasonable delay and that no part of the area to be annexed is included within the boundaries of another incorporated area.


SECTION III

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holdings shall not effect the validity of the remaining portions hereof.

PASSED AND APPROVED ON FIRST READING THIS 11th DAY OF OCTOBER, 2004.

PASSED AND APPROVED ON SECOND READING THIS 8th DAY OF NOVEMBER, 2004.

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

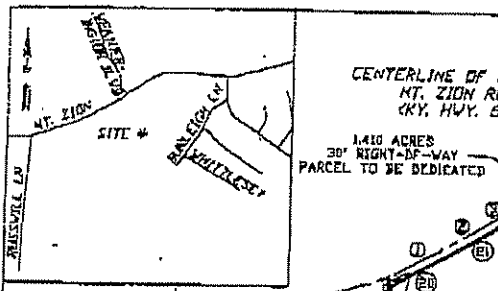


DON KIRBY, MAYOR
CITY OF UNION, KENTUCKY

ATTEST:



KATHY PORTER, CITY CLERK



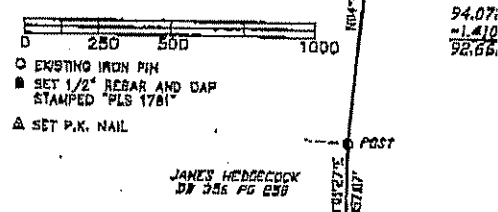
CENTERLINE OF MT. ZION RD KY. HWY. 6
 1.410 ACRES
 30' RIGHT-OF-WAY
 PARCEL TO BE DEDICATED

VICINITY MAP
 SCALE: 1"=2000'
 GROUP NO.: 2056
 ZONE: SR-1

RICHARD MALTEMAN
 DB 346 PG 181

AL. GAMBILL
 DB 378 PG 415

94.07%
 1.410
 92.66



DEDICATION CERTIFICATE

WE HEREBY DO DEDICATE THE RIGHT-OF-WAY OF MT. ZION ROAD AS SHOWN HEREON TO PUBLIC USE, FOREVER.

William L. Cox
 GRANTOR'S SIGNATURE DATE

STATE OF KENTUCKY
 COUNTY OF KENTON
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17 DAY OF APRIL 2004 by

Joseph John Hood
 NOTARY PUBLIC MY COMMISSION EXPIRES 05/10/07

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTI
 Approved for recording the transfer of property only by the County Planning Commission this 28 day of April 2004.

Susan P. Peterson
 Vice Chair DATE

FOR BUILDABLE LOTS

I certify that I have examined the records of the Boone County Clerk and find that the oil of the remaining property under the present ownership and the parcel tract since 1986 or the adoption of KRS.100.

W. L. Cox
 P.L.S. 1781 DATE

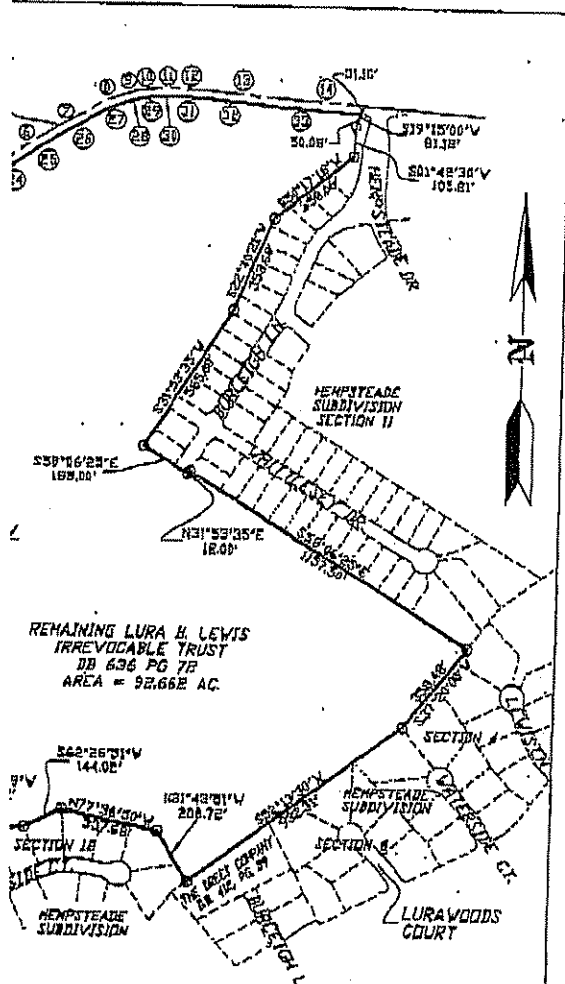
LAND SURVEYOR'S CERTIFICATE

I certify that this plat depicts a survey made by me or under my supervision in accordance with the Kentucky Minimum Survey Standards, and complies with all requirements of the Boone Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner.

W. L. Cox
 P.L.S. 1781 DATE

I hereby certify that the survey depicted by this plat was done by persons under my direct supervision by the method of traverse with sideshots. The unadjusted error of closure was at least 1:10,000 and was not adjusted. The survey as shown herein is a Class A Survey and the accuracy and precision of said survey meets all the specifications of this class.

W. L. Cox
 P.L.S. 1781 DATE



CENTUR LINE	RIGHT-OF-WAY
1 = N60°38'18"E 280.14'	20 = N60°38'18"E 301.98'
2 = N58°01'04"E 97.94'	21 = N58°01'04"E 99.05'
3 = N56°24'30"E 124.88'	22 = N56°24'30"E 125.51'
4 = N55°37'08"E 117.15'	23 = N55°37'08"E 117.66'
5 = N54°22'53"E 778.29'	24 = N54°22'53"E 178.08'
6 = N56°24'16"E 113.10'	25 = N56°24'16"E 112.05'
7 = N58°22'44"E 217.06'	26 = N58°22'44"E 214.20'
8 = N67°19'33"E 73.11'	27 = N67°19'33"E 68.90'
9 = N74°26'20"E 58.07'	28 = N74°26'20"E 54.20'
10 = N82°03'40"E 55.62'	29 = N82°03'40"E 51.86'
11 = N88°46'27"E 54.87'	30 = N88°46'27"E 52.21'
12 = S87°45'39"E 103.88'	31 = S87°45'39"E 102.15'
13 = S84°44'15"E 263.70'	32 = S84°44'15"E 263.26'
14 = S86°04'04"E 310.94'	33 = S86°04'04"E 303.07'

PLAT OF 92.662 ACRES
 TO BE CONVEYED BY
 LURA B. LEWIS
 IRREVOCABLE TRUST

BOONE COUNTY KENTUCKY
 SOUTH SIDE OF MT. ZION ROAD
 0.15 MILE NORTHEAST OF RUSSWILL LANE
 APRIL 12, 2004 SCALE: 1" = 600'
 P & Z Code No. 4214

W VIOX & VIOX, INC.
 Engineers • Surveyors • Landscape Architects

466 Erlanger Road Tel: 859-727-3293
 Erlanger, Kentucky 41018 Fax: 859-727-8452
 e-mail: viox@nkol.net



VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

Since 1945

EXHIBIT " A "
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April 19, 2004

DESCRIPTION OF 92.662 ACRES
TO BE CONVEYED BY
THE LURA B. LEWIS IRREVOCABLE TRUST

• Planning

Located in Boone County, Kentucky, lying on the south side of Mt. Zion Road approximately 0.15 mile northeast of Russwill Lane and is more particularly described as follows:

• Design

Beginning at a point in the centerline of Mt. Zion Road (Kentucky Highway 536) at the common corner of the Lura B. Lewis Irrevocable Trust (Deed Book 636, page 72) and Richard Halterman (Deed Book 346, page 121); thence with said centerline N 60°38'18" E 280.14 feet to a point; thence N 58°01'04" E 97.94 feet to a point; thence N 56°24'30" E 124.88 feet to a point; thence N 55°37'08" E 117.15 feet to a point; thence N 54°22'53" E 178.29 feet to a point; thence N 56°24'16" E 113.10 feet to a point; thence N 58°22'44" E 217.06 feet to a point; thence N 67°19'33" E 73.11 feet to a point; thence N 74°26'20" E 58.07 feet to a point; thence N 82°05'40" E 55.62 feet to a point; thence N 88°46'27" E 54.87 feet to a point; thence S 87°45'39" E 103.88 feet to a point; thence S 84°44'15" E 263.70 feet to a point; thence S 86°04'04" E 310.94 feet to a point at the common corner of the Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision; thence with the common line of the Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision S 19-15-00 W 81.18 feet to an existing iron pin; thence S 01-42-30 W 105.21 feet to a point; thence S 50-17-18 W 358.06 feet to an existing iron pin; thence S 22-40-21 W 353.68 feet to an existing iron pin; thence S 31-53-35 W 565.00 feet to an existing iron pin; thence S 58-06-25 E 185.00 feet to an existing iron pin; thence N 31-53-35 E 12.00 feet to an existing iron pin; thence S 58-06-25 E 1157.50 feet to an existing iron pin; thence S 37-20-00 W 358.48 feet to an existing iron pin; thence continuing with the common line of the Lura B. Lewis Irrevocable Trust, Hempsteade Subdivision and The Drees Company (Deed Book 412, page 39) S 52-13-30 W 932.31 feet to an existing iron pin at the common corner of Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision; thence with the common line of Lura B. Lewis Irrevocable Trust and Hempsteade Subdivision N 31-43-51 W 208.72 feet to an existing iron pin; thence N 77-36-50 W 337.68 feet to an existing iron pin; thence S 62-26-51 W 144.02 feet to an existing iron pin; thence S 86-17-49 W 200.22 feet to

• Surveying



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Engineers • Surveyors • Landscape Architects

Since 1945

- Planning

an existing iron pin; thence N 80-46-59 W 238.97 feet to an existing iron pin at the common corner of the Lura B. Lewis Irrevocable Trust and Dublin Green Estates; thence with the common line of the Lura B. Lewis Irrevocable Trust and Dublin Green Estates N 04-48-56 E 213.98 feet to an existing corner post; thence N 84-02-33 W 440.37 feet to an existing iron pin at the common corner of the Lura B. Lewis Irrevocable Trust and James Hedgecock (Deed Book 356, page 258); thence with the common line of the Lura B. Lewis Irrevocable Trust and Hedgecock N 00-01-27 E 357.07 feet to a corner post at the common corner of the Lura B. Lewis Irrevocable Trust and A.L. Gambill (Deed Book 178, page 415); thence with the common line of the Lura B. Lewis Irrevocable Trust, Gambill and Halterman N 04-40-07 E 1343.95 feet to the point of beginning containing 92.662 acres exclusive of the 30.00 foot wide right-of-way of Mt. Zion Road, and being subject to all right-of-ways and easements of record.

- Design

- Surveying

CERTIFICATION: KRS 81A.470 FILINGS

I certify I am the duly qualified City Clerk of the City of Union, Kentucky, and the foregoing six (6) pages of Ordinance No. 04-007 are true, correct and complete copies duly adopted by the City Commission at a duly convened meeting held on the 8th day of November, 2004, all as appears in the official records of said City.

WITNESS, my hand and seal of said City, this 14th day of December, 2004.

Kathy Porter

Kathy Porter, Union, KY
City Clerk/Treasurer

Seal (Notarial or City Seal)

