

CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2015- 07

**AN ORDINANCE AMENDING ORDINANCE 2010-004 REGARDING THE ANNEXATION OF  
CERTAIN UNINCORPORATED TERRITORY ADJACENT TO THE PRESENT  
BOUNDARIES OF THE CITY OF UNION, KENTUCKY**

*WHEREAS*, The City Commission of the City of Union, Kentucky deems it to be in and for the best interest of its citizens and in the best interest of the resident voters and owners of real property within the limits of the territory proposed to be annexed that said territory becomes a part of the corporate territorial limits of the City of Union, Kentucky.

*WHEREAS the BOONE COUNTY PUBLIC PROPERTIES CORPORATION and the COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY* are the sole owners of the land herein proposed for annexation; and

*WHEREAS*, the Boone County Public Properties Corporation and the County of Boone, Commonwealth of Kentucky and the City of Union, Commonwealth of Kentucky previously entered into an Annexation Agreement whereby the County of Boone, Commonwealth of Kentucky and Boone County Public Properties Corporation, a Kentucky Non-Profit Corporation consented to annexation of the said 31.258 acre and 12 acre tract; and

*WHEREAS*, it has been determined that the total acreage of the tracts of land is 42.18 acres;  
and

*WHEREAS*, the County of Boone, Commonwealth of Kentucky and Boone County Kentucky Public Properties Corporation, A Kentucky Non-Profit Corporation, as sole owners of the subject real property waived the statutory sixty (60) day period in which to file objections and have consented to the annexation of said real property by the City of Union, Commonwealth of Kentucky, a copy of which are attached hereto and marked as Exhibit "A" and Exhibit "B"and have entered into subsequent Annexation Agreements marked as Exhibit "1" and Exhibit "2"

*WHEREAS*, the area hereby annexed is contiguous to the present boundaries of the City of Union, Commonwealth of Kentucky;

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

**SECTION I**

It is the intention that the hereinafter described unincorporated territory lying to the south and being adjacent to the present corporate limits of the City of Union, Commonwealth of Kentucky, be annexed and made a part of the corporate territory of the City of Union, Kentucky pursuant to the applicable Kentucky Revised Statutes and particularly Chapter 81A.

**SECTION II**

The hereinafter described unincorporated territory is zoned RS/UTO and RSE/UTO, respectively, which is the territory's present zoning and the zoning under which it will remain when annexed.

### SECTION III

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 August 2, 2010 and the Annexation Agreement dated the 30 day of March, 2015, between the County of Boone, Commonwealth of Kentucky and Boone County Public Properties Corporation, a Kentucky Non-Profit Corporation, and the City of Union, Commonwealth of Kentucky, 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:

*SEE EXHIBITS "C" and "D" EXHIBIT 3 Attached hereto*

### SECTION IV

The above described territory shall become part of the City of Union, Kentucky for all purposes upon passage of this Ordinance.

### SECTION V

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.

### SECTION VI

A map showing the zoning that will be effective for the annexed area is attached and made a part of this Ordinance.

**PASSED AND APPROVED ON FIRST READING THE 2<sup>nd</sup> DAY OF MARCH, 2015.**

**PASSED AND APPROVED ON SECOND READING THE 6<sup>th</sup> DAY OF APRIL, 2015.**

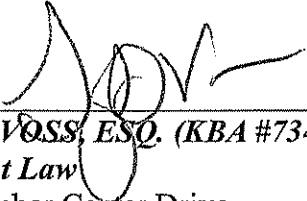
**SAME TO BECOME EFFECTIVE WHEN PUBLISHED PURSUANT TO K.R.S. CHAPTER 424.**

  
\_\_\_\_\_  
HON. LARRY K. SOLOMON, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
KATHY PORTER  
CITY CLERK/TREASURER

**THIS ORDINANCE PREPARED BY:**



**GREG D. VOSS, ESQ. (KBA #73429)**

*Attorney at Law*

2131 Chamber Center Drive

Ft. Mitchell, KY 41017

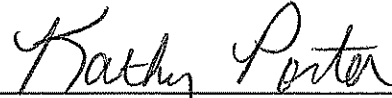
Telephone: (859) 647-7777

Fax: (859) 647-7799

**CERTIFICATION: K.R.S. 81A.470 FILINGS**

I certify I am the duly qualified City Clerk of the City of Union, Kentucky and the foregoing four (4) pages of Amended Ordinance No. 2015- 07 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on the 6<sup>th</sup> day of April, 2015, as appears in the official records of said City.

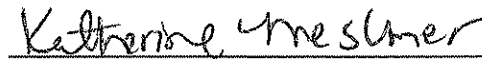
*WITNESS MY HAND and SEAL* this the 6<sup>th</sup> day of April, 2015.



**KATHY PORTER**  
**CITY CLERK/TREASURER**  
**CITY OF UNION, KENTUCKY**

**COMMONWEALTH OF KENTUCKY**  
**COUNTY OF BOONE**

*SUBSCRIBED and SWORN* to before me, on this the 21<sup>st</sup> day of April, 2015 by **KATHY PORTER**, City Clerk for the City of Union, Kentucky.



**NOTARY PUBLIC**  
**Commonwealth of Kentucky**

My Commission Expires: July 18, 2018

**KATHERINE MESCHER**  
Notary Public  
State at Large  
Kentucky  
My Commission Expires July 18, 2018

GARY W. MOORE  
County Judge/Executive  
(859) 334-2242



JEFFREY S. EARLYWINE  
County Administrator  
(859) 334-2242

LISA H. BUERKLEY  
Asst. County Administrator  
(859) 334-3653

## OFFICES OF THE COUNTY JUDGE/EXECUTIVE

[www.BooneCountyKy.org](http://www.BooneCountyKy.org)

P.O. Box 900  
Burlington, KY 41005  
FAX (859) 334-3105

March 23, 2015


Greg D. Voss, Esq.  
2131 Chamber Center Drive  
Ft. Mitchell, KY 41017

Re: Annexation Agreements

Dear Mr. Voss,

Enclosed please find the Annexation Agreements for the 12 acre and 31.25 acre tracts along with the signed Resolutions from the Fiscal Court meeting pertaining to the properties in Union. Should you have any questions, please do not hesitate to contact me.

Sincerely,

  
Jeffrey S. Earlywine  
County Administrator

Enclosures



# Resolution Of The Boone County Fiscal Court

Resolution No. 15 - 33

A RESOLUTION RELATING TO THE BOONE COUNTY FISCAL COURT AUTHORIZING GARY W. MOORE, COUNTY JUDGE/EXECUTIVE, TO EXECUTE AN ANNEXATION AGREEMENT BETWEEN THE BOONE COUNTY FISCAL COURT AND THE CITY OF UNION FOR AN APPROXIMATE 12 ACRE PARCEL CURRENTLY USED AS A PUBLIC PARK.

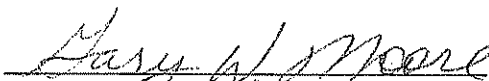
NOW, THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

## SECTION I

That the Boone County Fiscal Court hereby authorizes Gary W. Moore, County Judge/Executive, to execute an annexation agreement between the Boone County Fiscal Court and the City of Union for an approximate 12 acre parcel currently used as a public park. A Copy of Agreement is attached hereto as Exhibit "1".

## SECTION II

That this Resolution is hereby approved and adopted in Open Session of the Boone County Fiscal Court this 3<sup>rd</sup> day of March, 2015.

  
\_\_\_\_\_  
Gary W. Moore, Judge/Executive  
Boone County Fiscal Court

Attest:

  
\_\_\_\_\_  
Sharon Burcham  
Fiscal Court Clerk

EXHIBIT 1

ANNEXATION AGREEMENT

This Agreement made this the 30 day of March, 2015 between the *CITY OF UNION, KENTUCKY, a Municipal Corporation of the Fourth Class*, and the *COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY*, (hereinafter referred to as "*Boone County*”):

1. That the parties entered into an Annexation Agreement subject to the conditions set forth below, the undersigned, owners of approximately 12 acre tract described in the Plat and legal description attached hereto as Exhibit A (the property), hereby requests that the City of Union, Kentucky annex and make such property a part of the City of Union, Kentucky.

2. That the City of Union is annexing a parcel of land which is comprised of two separate parcels of land, one of which is owned by Boone County. That it is necessary to enter the subsequent Agreement to acknowledge that Boone County consents to the annexation of its 12 acre tract which is a portion of the 42.18 tract of land being annexed by the City of Union.

3. **BOONE COUNTY** hereby certifies to the City of Union, Kentucky that it is the owners of the property by virtue of a deed recorded in Deed Book 844 at Page 216 of the Boone County Clerk's records at Burlington, Kentucky.

4. **BOONE COUNTY** hereby waives its rights which they have or may have under provisions of K.R.S. 81A.420(2) and (3) and 81A.460 and hereby consent to and request immediate annexation of the property pursuant to K.R.S. 81A.412.

5. The foregoing request and waiver by **BOONE COUNTY** is subject to the condition that the City of Union, Kentucky agrees not to change or alter the zoning of the property after annexation.

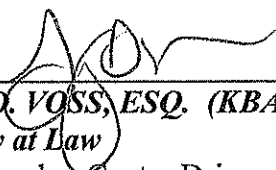
  
\_\_\_\_\_  
HON. LARRY K. SOLOMON, MAYOR

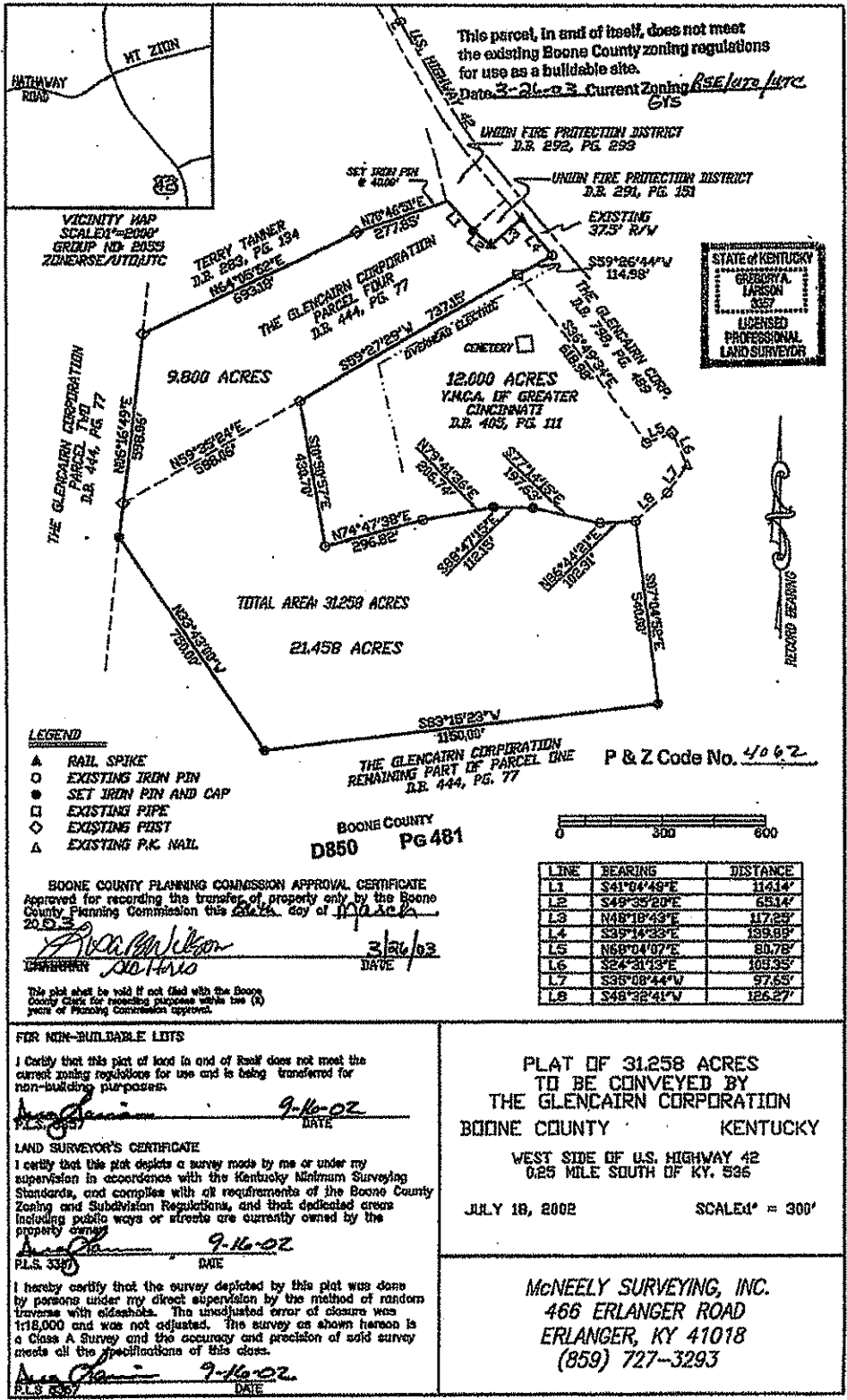
**THE COUNTY OF BOONE,  
COMMONWEALTH OF KENTUCKY**

BY: *Gary W. Moore*  
**HONORABLE GARY MOORE**

**TITLE: BOONE COUNTY JUDGE EXECUTIVE**

**THIS INSTRUMENT PREPARED BY:**

  
\_\_\_\_\_  
**GREG D. VOSS, ESQ. (KBA #73429)**  
*Attorney at Law*  
2131 Chamber Center Drive  
Ft. Mitchell, KY 41017  
Telephone: (859) 647-7777  
Fax: (859) 647-7799



Group No. 2055  
Address of Property: 10165 Highway 42, Union, KY

Located generally in Boone County, Group No. 2055 on the Southwest side of and Southwest of U.S. Highway 42 at a point approximately 0.6 mile Southeast of Kentucky Highway 536 and described thus: BEGINNING at an Iron pin in a fence corner in the common line of the properties of Bruce Ferguson, et al and Wayne Sandlin; which said point is S. 59-31-10 W., 115.20 feet from the intersection of said line with the Southwest right-of-way line (37.5 feet from the centerline) on U.S. Highway 42; thence with lines of an existing fence, S. 36-48-10 E., 619.13 feet to a post; N. 68-25-30 E., 80.50 feet to a post; S. 24-30-7 E., 104.88 feet to a stake "Point A"; thence leaving said existing fence and partitioning the property of Bruce Ferguson, et al, S. 35-9-10 W., 97.65 feet, S. 48-33-10 W., 126.44 feet to a stake, S. 86-33-10 W., 102.45 feet to a stake, N. 77-25-20 W., 197.63 feet to a stake N. 88-58-20 W., 112.15 feet to a stake, N. 80-9-40, W., 206.20 feet to a stake, S. 74-49-10 W., 297.10 feet to a stake, N. 10-49-25 W., 432.84 feet to a stake in the common line of Ferguson and Sandlin; thence therewith N. 59-31-10 E., 737.54 feet to the place of beginning containing 12.0 acres and subject to legal easements of record and in existence. Also granted herewith is the right of use of a strip of land 25 feet in width on each side of the following described centerline; BEGINNING at Point "A" described above; thence N. 50-50-10 E. 89.34 feet or sufficient to reach and intersect the Southwest line of U.S. Highway 42; also granted herewith is a right of use of lands as a means of access to and from said Point "A". Said right of use extends 15 feet in width on the Southwest side of the Southeast line of the above described 12 acres parcel for a distance of 330 feet.

Prior Deed Reference: Book 405, Page 111 of the Boone County, Kentucky Clerk's Office.

EXHIBIT "A"

# Resolution Of The Boone County Public Properties Corporation

Resolution No. 15 - 30

A RESOLUTION RELATING TO THE BOONE COUNTY PUBLIC PROPERTIES CORPORATION AUTHORIZING GARY W. MOORE, PRESIDENT, TO EXECUTE AN ANNEXATION AGREEMENT BETWEEN THE BOONE COUNTY PUBLIC PROPERTIES CORPORATION AND THE CITY OF UNION FOR AN APPROXIMATE 31.25 ACRE PARCEL CURRENTLY USED AS A PUBLIC PARK.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PUBLIC PROPERTIES CORPORATION OF BOONE COUNTY, COMMONWEALTH OF KENTUCKY:

## SECTION I

That the Boone County Public Properties Corporation hereby authorizes Gary W. Moore, President, to execute an annexation agreement between the Boone County Public Properties Corporation and the City of Union for an approximate 31.25 acre parcel currently used as a public park. A Copy of Agreement is attached hereto as Exhibit "1".

## SECTION II


That this Resolution is hereby approved and adopted in Open Session of the Boone County Public Properties Corporation this 3<sup>rd</sup> day of March, 2015.



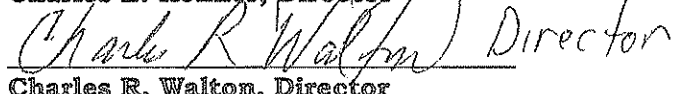
Gary W. Moore, President  
Boone County Public Properties Corporation



Cathy H. Flaig, Director



Charles E. Kenner, Director



Charles R. Walton, Director

EXHIBIT 2

ANNEXATION AGREEMENT

This Agreement made this 30 day of March, 2015 between the *CITY OF UNION, KENTUCKY, a Municipal Corporation of the Fourth Class*, and the *BOONE COUNTY, KENTUCKY PUBLIC PROPERTIES CORPORATION, a Kentucky Non-Profit Corporation*, (hereinafter referred to as "*Boone County*"):

1. That the parties entered into an Annexation Agreement subject to the conditions set forth below, the undersigned, owners of approximately 31.25 acre tract described in the Plat and legal description attached hereto as Exhibit A (the property), hereby requests that the City of Union, Kentucky annex and make such property a part of the City of Union, Kentucky.

2. That the City of Union is annexing a parcel of land which is comprised of two separate parcels of land, one of which is owned by Boone County. That it is necessary to enter into the Agreement to acknowledge that Boone County consents to the annexation of its 31.25 acre tract which is a portion of the 42.18 tract of land being annexed by the City of Union.

3. *BOONE COUNTY* hereby certifies to the City of Union, Kentucky that it is the owners of the property by virtue of a deed recorded in Deed Book 850 at Page 477 of the Boone County Clerk's records at Burlington, Kentucky.

4. *BOONE COUNTY* hereby waives its rights which they have or may have under provisions of K.R.S. 81A.420(2) and (3) and 81A.460 and hereby consent to and request immediate annexation of the property pursuant to K.R.S. 81A.412.

5. The foregoing request and waiver by *BOONE COUNTY* is subject to the condition that the City of Union, Kentucky agrees not to change or alter the zoning of the property after annexation.


  
HON. LARRY K. SOLOMON, MAYOR

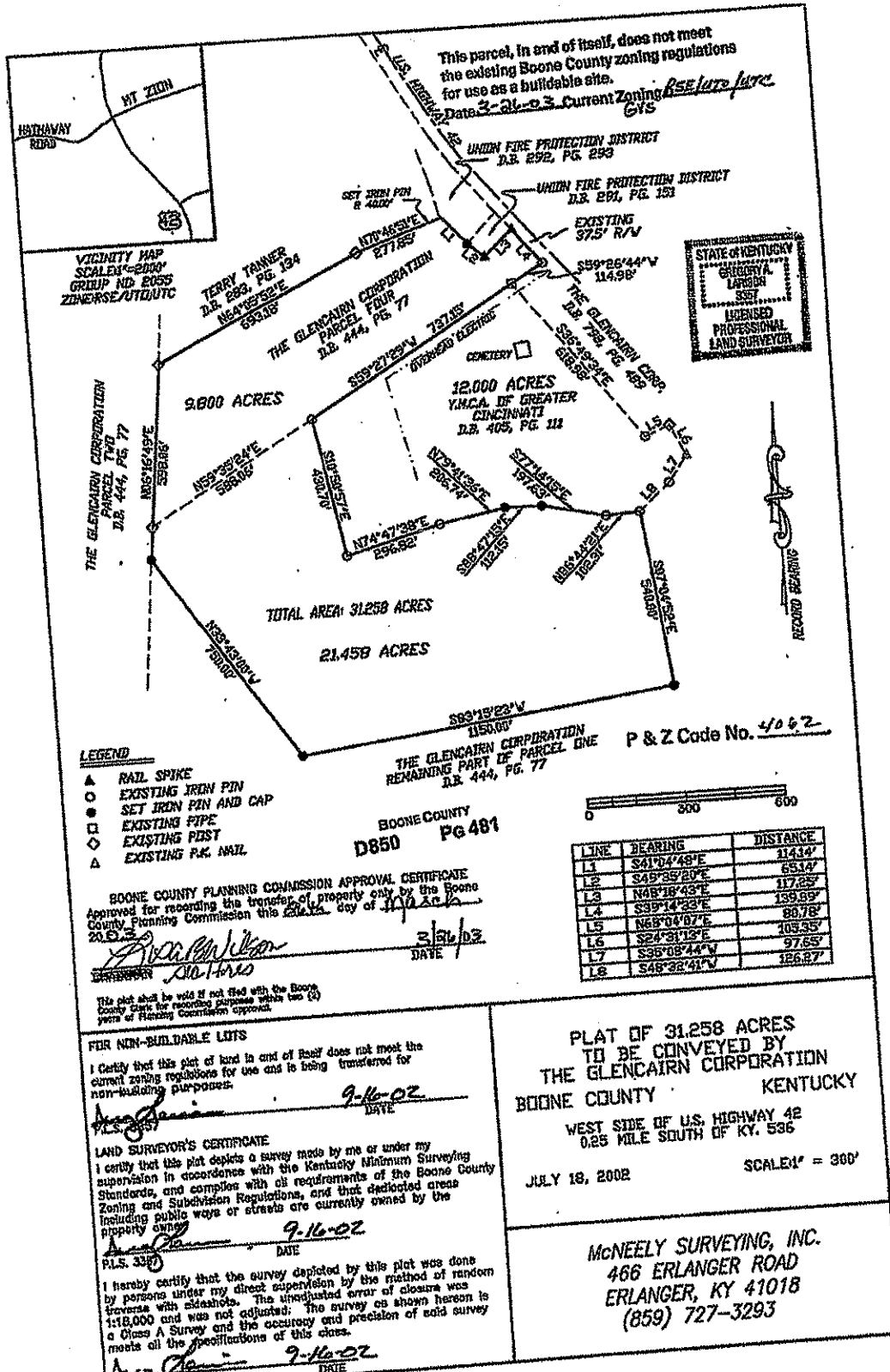
**THE COUNTY OF BOONE,  
COMMONWEALTH OF KENTUCKY**

BY: *Gary W. Moore*  
**HONORABLE GARY MOORE**

**TITLE: BOONE COUNTY JUDGE EXECUTIVE**

**THIS INSTRUMENT PREPARED BY:**

  
**GREG D. VOSS, ESQ. (KBA #73429)**  
*Attorney at Law*  
2131 Chamber Center Drive  
Ft. Mitchell, KY 41017  
Telephone: (859) 647-7777  
Fax: (859) 647-7799



This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a buildable site.  
 Date 9-16-02 Current Zoning RSE Lutz Int'l  
 CYS

STATE OF KENTUCKY  
 GEORGE A. LARSON  
 557  
 LICENSED PROFESSIONAL LAND SURVEYOR

**LEGEND**

- ▲ RAIL SPIKE
- EXISTING IRON PIN
- ◐ SET IRON PIN AND CAP
- ◑ EXISTING PIPE
- ◇ EXISTING POST
- △ EXISTING P.K. NAIL



LINE	BEARING	DISTANCE
L1	S41°04'48"E	114.14'
L2	S49°39'20"E	65.14'
L3	N48°18'48"E	117.25'
L4	S39°14'28"E	159.69'
L5	N68°04'07"E	89.78'
L6	S24°31'18"E	103.55'
L7	S38°08'44"W	97.65'
L8	S48°32'41"W	126.87'

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE  
 Approved for recording the transfer of property only by the Boone County Planning Commission this 22nd day of July 2002  
[Signature]  
 DATE 9/16/02

This plat shall be void if not filed with the Boone County Clerk for recording purposes within two (2) years of Planning Commission approval.

**FOR NON-BUILDABLE LOTS**  
 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] 9-16-02  
 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 Surveying Standards, and compliance 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.  
[Signature] 9-16-02  
 DATE


I hereby certify that the survey depicted by this plat was done by persons under my direct supervision by the method of random traverse with sightings. The unadjusted error of closure was 1:18,000 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.  
[Signature] 9-16-02  
 DATE

PLAT OF 31,258 ACRES  
 TO BE CONVEYED BY  
 THE GLENCAIRN CORPORATION  
 BOONE COUNTY KENTUCKY  
 WEST SIDE OF U.S. HIGHWAY 42  
 0.25 MILE SOUTH OF KY. 536  
 JULY 18, 2002 SCALE 1" = 300'

MCNEELY SURVEYING, INC.  
 466 ERLANGER ROAD  
 ERLANGER, KY 41018  
 (859) 727-3293

P & Z Code No. 4062

BOONE COUNTY  
 D850 Pg 481

EXHIBIT  B

GROUP NUMBER: 2055

Located in Boone County, Kentucky, lying on the west side of U.S. Highway 42 approximately 0.25 mile south of Kentucky Highway 536 and is more particularly described as follows:

Beginning at an existing iron pin in the west right-of-way line of U.S. Highway 42, 37.50 feet as measured perpendicular to the centerline, at the common corner of The Glencairn Corporation (Deed 444, page 77) and another parcel owned by The Glencairn Corporation (Deed Book 798, page 489); thence with the common line of the two parcels S 59-26-44 W 114.98 feet to an existing post at the common corner of The Glencairn Corporation and Y.M.C.A. of Greater Cincinnati (Deed Book 405, page 111); thence with the common line of The Glencairn Corporation and Y.M.C.A. of Greater Cincinnati S 59-27-29 W 737.15 feet to an existing iron pin; thence S 10-50-57 E 430.70 feet to an existing iron pin; thence N 74-47-38 E 296.82 feet to an existing iron pin; thence N 79-41-36 E 206.74 feet to an iron pin (set); thence S 88-47-15 E 112.15 feet to an iron pin (set); thence S 77-14-15 E 197.63 feet to an existing iron pin; thence N 86-44-21 E 102.31 feet to an existing iron pin; thence with a new division of The Glencairn Corporation's property S 07-04-52 E 540.00 feet to an iron pin (set); thence S 83-15-23 W 1150.00 feet to an iron pin (set); thence N 33-43-00 W 750.00 feet to an iron pin (set); thence N 06-16-49 E 598.06 feet to a post at the common corner of The Glencairn Corporation and Terry Tanner (Deed Book 283, page 134); thence with the common line of The Glencairn Corporation and Tanner N 64-05-52 E 693.18 feet to a post; thence N 70-46-51 E, passing an iron pin (set) at 237.85 feet, a total distance of 277.85 feet to a point at the common corner of The Glencairn Corporation and the Union Fire Protection District (Deed Book 292, page 293); thence with the common line of The Glencairn Corporation and the Union Fire Protection District S 41-04-48 E 114.14 feet to an iron pin (set); thence S 49-35-20 E 65.14 feet to a rail spike (set); thence N 48-18-43 E 117.25 feet to an existing rail spike in the west right-of-way line of U.S. Highway 42; thence with said right-of-way line S 39-14-33 E 139.89 feet to the point of beginning containing 31.258 acres and being subject to all easements and right-of-ways of record.

Being a part of Parcel One and all of Parcel Four of the same property conveyed to The Glencairn Corporation by Deed recorded in Deed Book 444, page 77 of the Boone County Clerk's office at Burlington, Kentucky.

This description was prepared from a new survey made by Gregory A. Larison, L. S. 3357, for McNeely Surveying, Inc., July, 2002.

Restrictive Covenant. The above-described property is subject to the following Restrictive Covenants which shall run with the land and be binding upon the Grantee, its successors and assigns:

1. The described property shall be used exclusively as a public park for the citizens of Boone County.

BOONE COUNTY  
D850 PG 482

2. Grantee shall construct and maintain a fence, approved by Grantor, located on the division line between the property conveyed herein and the remaining lands of Grantor.

Reservation of Right to Farm: Grantor reserves the right to farm the property conveyed herein until thirty (30) days following written notice from the Grantee.

Right of First Refusal: Grantee shall have a right of first refusal with respect to the remaining property of Grantor which is contiguous with the property described in Exhibit "A" and that is located west of U. S. 42 and south of Highway Road, is more specifically set out in an Agreement to Purchase Real Estate between Grantor and Grantee and dated 10/16/02, which Agreement is incorporated herein by reference.

132021

157643  
RECORDED BY: HARRY J. JONES 10:52:12AM  
TRANSFER TAX: \$504.00  
BOOK: \_\_\_\_\_  
COUNTY CLERK: MERRYL K. ROUSE  
COUNTY: BOONE COUNTY CLERK  
DEPUTY CLERKS: STACY  
BANK: 0469 PAGES: 477 - 483

BOONE COUNTY  
D850 Pg 483

EXHIBIT 3

CITY OF UNION – ANNEXATION ORDINANCE 2010-004  
KRS 81A.470 – DESCRIPTION BY PROFESSIONAL LAND SURVEYOR

Prepared by Barry J. Burke PLS 2182

(Refer to mapping submitted and dated November 29, 2010)

EXHIBIT

B

GROUP NUMBER: 2055

Situated within Boone County, Kentucky lying along the west side of a city street, re-named Old Union Road (formerly Old US 42) approximately 0.25 mile south of Kentucky SR 536 at its intersection with Hathaway and Mt. Zion Roads and more particularly described as follows:

Beginning at an existing iron pin within the westerly right-of-way line of Old Union Road, said point being 37.5 feet measured perpendicular from the roadway centerline, also the common corner of two (2) parcels owned by The Glencairn Corporation (Parcel Four - DB 444, P77 and DB 798, P489), thence with that common line S 59-26-44 W approximately 90 feet to a point on a line of intersection identified by Boone County GIS as the former corporation line of the city of Union and the Real Point of Beginning; thence continuing on the said common line S 59-26-44 W approximately 24.98 feet to an existing post at the common corner of parcels owned by The Glencairn Corporation and the Y.M.C.A. of Greater Cincinnati (DB 405, P111), respectively; thence S 36-49-34 E 618.98 feet bordering an unincorporated area to the east to an existing iron pin; thence N 68-04-07 E 80.78 feet to an existing pipe; thence S 24-31-13 E 105.35 feet to an existing pk nail; thence S 35-08-44 W 97.65 feet to an existing iron pin; thence S 48-32-41 W 126.27 feet to an existing iron pin; thence with a division of the The Glencairn Corporation's property S 07-04-52 E 540.00 feet to an iron pin (set); thence S 83-15-23 W 1150.00 feet to an iron pin (set); thence N 33-43-00 W 750.00 feet to an iron pin (set); thence N 06-16-49 E 598.06 feet to a post at the common corner of parcels owned by The Glencairn Corporation and Terry Tanner (DB 283, P134); thence with that common line N 64-05-52 E 693.18 feet to a post; thence N 70-46-51 E approximately 147.85 feet to a point on a line of intersection identified by Boone County GIS as the former corporation line of the city of Union; thence in a southeasterly direction with the former corporation line of the city of Union, an approximate distance of 470 feet back to the Real Point of Beginning. Such annexed areas include a summation of the following acreages: a) 12.00 acres (YMCA - DB 405, P111); b) 21.46 acres as surveyed by Greg Larison PLS; and c) graphically approximately 8.72 acres part of the 9.800 acre parcel (DB 444 P77) split by the approximate corporation line. It shown be noted that an accurate location via any monuments regarding the former corporation line of the city of Union is not available in any public records. Thus, the entire annexed parcel as described cannot be accurately closed via standard surveying methods. Therefore, the total area of the subject annexation approximates 42.18 acres.

This description was prepared by Barry J. Burke PLS 2182 from a survey made by Gregory A. Larison PLS 3357 for McNeely Surveying, Inc. in July, 2002.



May 11, 2015

Ms. Kandie Adkinson  
Office of the Secretary of State  
Land Office Section  
Capitol Annex, Suite T21-B  
702 Capitol Avenue  
Frankfort, KY 40601

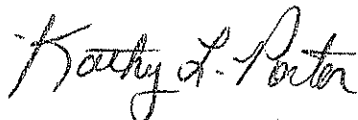
RE: Union Annexation

Dear Ms. Adkinson:

Enclosed please find a copy of City of Union Ordinance No. 2015-07 amending Ordinance No. 2010-004 along with the Annexation Agreements for the 12 acre and 31.25 acre tract adjacent to the present boundaries of the City of Union, Kentucky.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Kathy L. Porter  
City Clerk/Treasurer

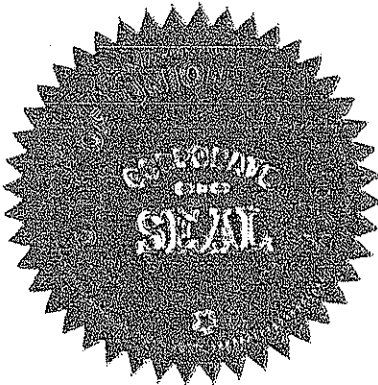
Enclosures: Ordinance No. 2015-07  
Certification: KRS 81A.470 Filings

cc: Kenny Brown, Boone County Clerk  
Steve Gay, Boone County GIS Director  
Allison Lundergan Grimes, Secretary of State

**CERTIFICATION: KRS 81A.470 FILINGS**

I certify I am the duly qualified City Clerk of the City of Union, Kentucky, and the foregoing seventeen (17) pages of Ordinance No. 2015-07 including attached Exhibits are true, correct and complete copies duly adopted by the City Commission at a duly convened meeting held on the 6<sup>th</sup> day of April 2015, all as appears in the official records of said City.

WITNESS, my hand and seal of said City, this 23<sup>rd</sup> day of April 2015.



*Kathy Porter*  
\_\_\_\_\_  
Kathy Porter, Union, KY  
City Clerk/Treasurer

Seal (Notarial or City Seal)

**CITY OF UNION, KENTUCKY**  
**ORIGINAL CORPORATE BOUNDARY INCLUDING ANNEXATIONS,**  
**LAND SWAPS AND DE-ANNEXATIONS**  
**Modernized Descriptions and Plats per LODSOS by Barry J. Burke PLS, July 2015**

<b>ANNEXATION CITY ORDINANCE NOS.</b>	<b>GENERAL LOCATION / DESCRIPTION</b>	<b>APPROXIMATE AREA (Acres or Square Miles)</b>	<b>COMMENTS</b>
Incorporated Feb 23 <sup>rd</sup> , 1962	Original Boundary	One (1) Square Mile / 640 Acres	Noel Walton, PLS Description & Survey
Ord. No. 1973-20	South of Mt. Zion Road / Utz Property	48 Acres	Noel Walton, PLS Description & Survey
Ord. No. 1973-21	North & South of Mt. Zion Road / (Sycamore Dr)	45 Acres	Noel Walton, PLS Description & Survey
Ord. No. 1976-008	South of Mt. Zion Road & 1973-21	155 Acres	Noel Walton, PLS Description & Survey
Ord. No. 1977-007 Florence Ord. No. 0- 6-1982	US 42 / Gunpowder Rd / Mt. Zion Rd / Corporate Boundary	1.42-1.47 Sq. Miles / 900-940 Acres (Includes about 0.64 Sq Miles / 410 Acres Annexed by Florence) Union Net: 490-530 Acres	Noel Walton, PLS Description & Map;  Ray Erpenbeck, PLS Deed Description
Ord. No. 1990-14	South of Mt. Zion Rd / Hempsteade Subd	102.2 Acres	William Viox, PLS Description and Survey Plat
Ord. No. 1990-005 Ord. No. 1992-002	North of Frogtown Rd	64.4779 Acres	Noel Walton, PLS Description & Survey
Ord. No. 1995-001 Ord. No. 1995-006	West US 42 & North of Rice Pike / Lassing Green Subd	74.8973 Acres	DV Leach, PLS Description and Survey Plat
Ord. No. 1997-003 (Land Swaps between Union & Florence)	East & West side of Wetherington Blvd	Union (1.01 Acres) Florence (0.95 Acres)	Ray Erpenbeck, PLS Description and Survey Plats
Ord. No. 1998-006 Ord. No. 1999-005	South of Mt. Zion Rd / Lewis Trust / Hempsteade Subd	28.211 Acres	William Viox, PLS Description and Survey Plat
Ord. No. 1998-008 Ord. No. 1999-006	South of Mt. Zion Rd / Hempsteade Subd	11.1920 Acres	William Viox, PLS Description and Survey
Ord. No. 2004-007	South of Mt. Zion Rd / Hampshire Subd	92.662 Acres	William Viox, PLS Description and Survey Plat
Ord. No. 2005-005	Corner of Frogtown Rd & US 42	Four (4) Tracts 18.30 Acres	Randall Long, PLS Descriptions and Survey Plats

Ord. No. 2007-001	South of Mt. Zion Rd	Two (2) Tracts 8.75 Acres	Otey Brabston, PLS Descriptions and Survey Plats
Ord. No. 2009-011	West of Corporate Boundary & Westbrook Subd	20.309 Acres	Robert Westermeyer, PLS, Description and Survey Plat
Ord. No. 2010-004 Ord. No. 2015-07	South of Corporate Boundary and West of Old Union Road	43.258 Acres	Gregory Larison, PLS, Description and Survey Plat
<b>Approximate Total Area Boundary of City of Union</b>	<b>Original Corporate Boundary including Ordinance Nos. From 1973 to 2015</b>	<b>1842 Acres (2.88 Square Miles to 1882 Acres (2.94 Square Miles)</b>	<b>All City Ordinances with Descriptions, Survey Plats and Maps</b>
<b>AREAS ANNEXED, REMOVED OR DE-ANNEXED – NOT PART OF CITY LIMITS</b>			
Ord. No. 1980-008 (Not Consummated)	From City Limits / Mt Zion Rd / I-75 / Frogtown Rd / to Mt. Zion Rd	1.50 - 2.25 Square Miles	Noel Walton, LS Description
Ord. No. 1980-012; De-Annexation Ord. No. 1984-008	From Hathaway / Camp Ernst / Long Branch / to West of Corporate Boundary	3.9 Square Miles	Noel Walton, LS Description & Map

City of Union - Northwaly Boundary  
adjustment

Properties impacted - minor adjustments

PIDN

OWNER

051,00-00-035.02

Donald R. Guderwis Jr.

051.00-00-018.00

Joan L. Mersch

051.00-00-052.03

Tuck Newman

051.00-00-052.00

Susan Newman

051.00-00-053.05

Susan Newman

051.00-00-053.06

Thomas & CL Dunningway

051.00-00-053.07/09

Phillip Smith

051.00-00-053.02

Kevin Burke

052.00-00-028.03

Glencorin Corp.

052.00-00-024.01

Union Acres LLC

052.00-00-028.01

Charles & Martha Ferguson

5 others along Halburan Road to a lesser extent

~~JB~~ 07/15/15

5' 290' (Sadd)

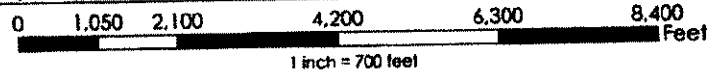
5' 130'

This area, south of US 42, was annexed by City of Union, part of Ordinance 77-07. It was subsequently annexed by City of Florence by Ordinance O-39-93.

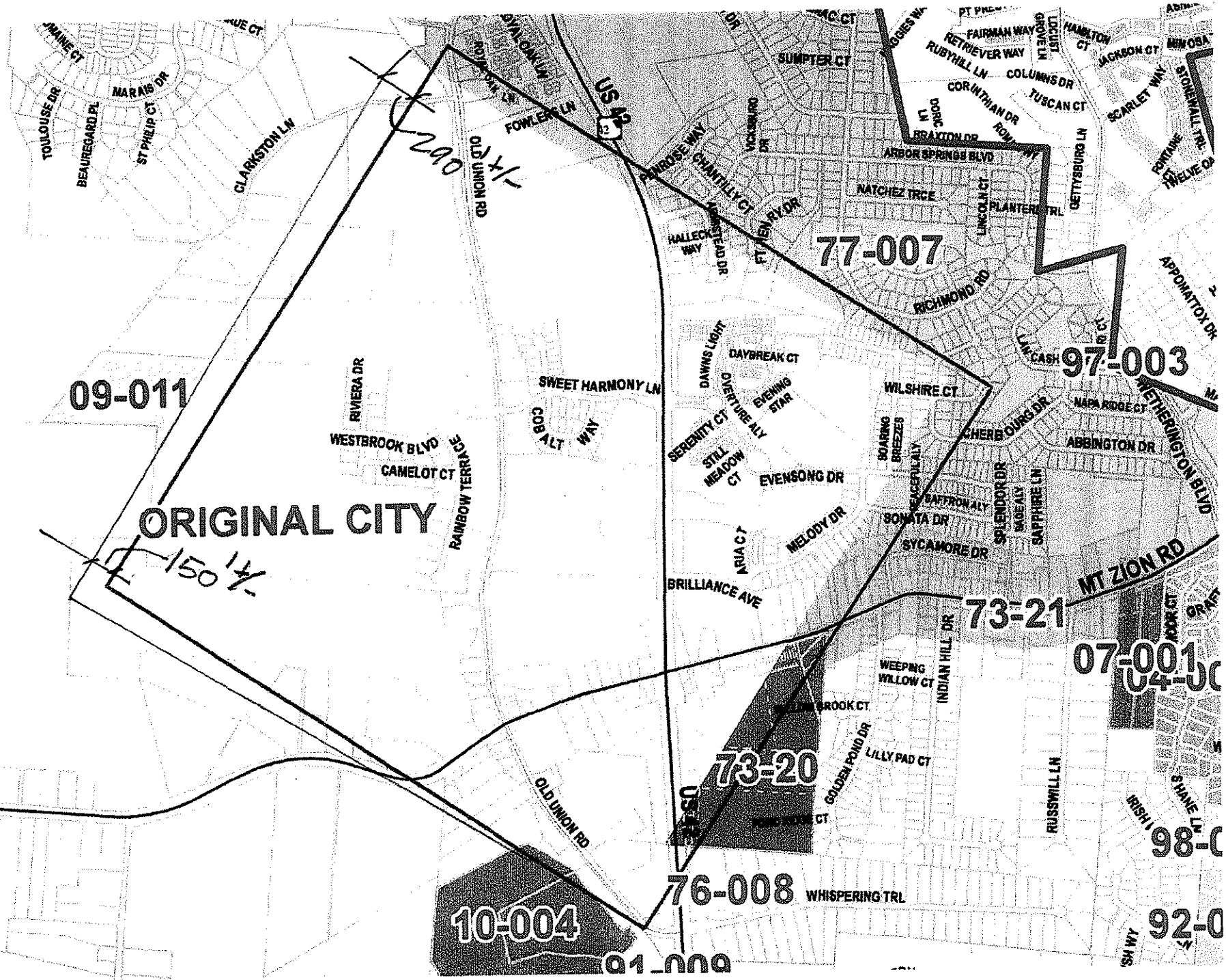


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Boone County GIS - Putting Northern Kentucky on the Map



09-011

ORIGINAL CITY

290

150'

77-007

97-003

73-21

73-20

76-008

10-004

91-009

07-001

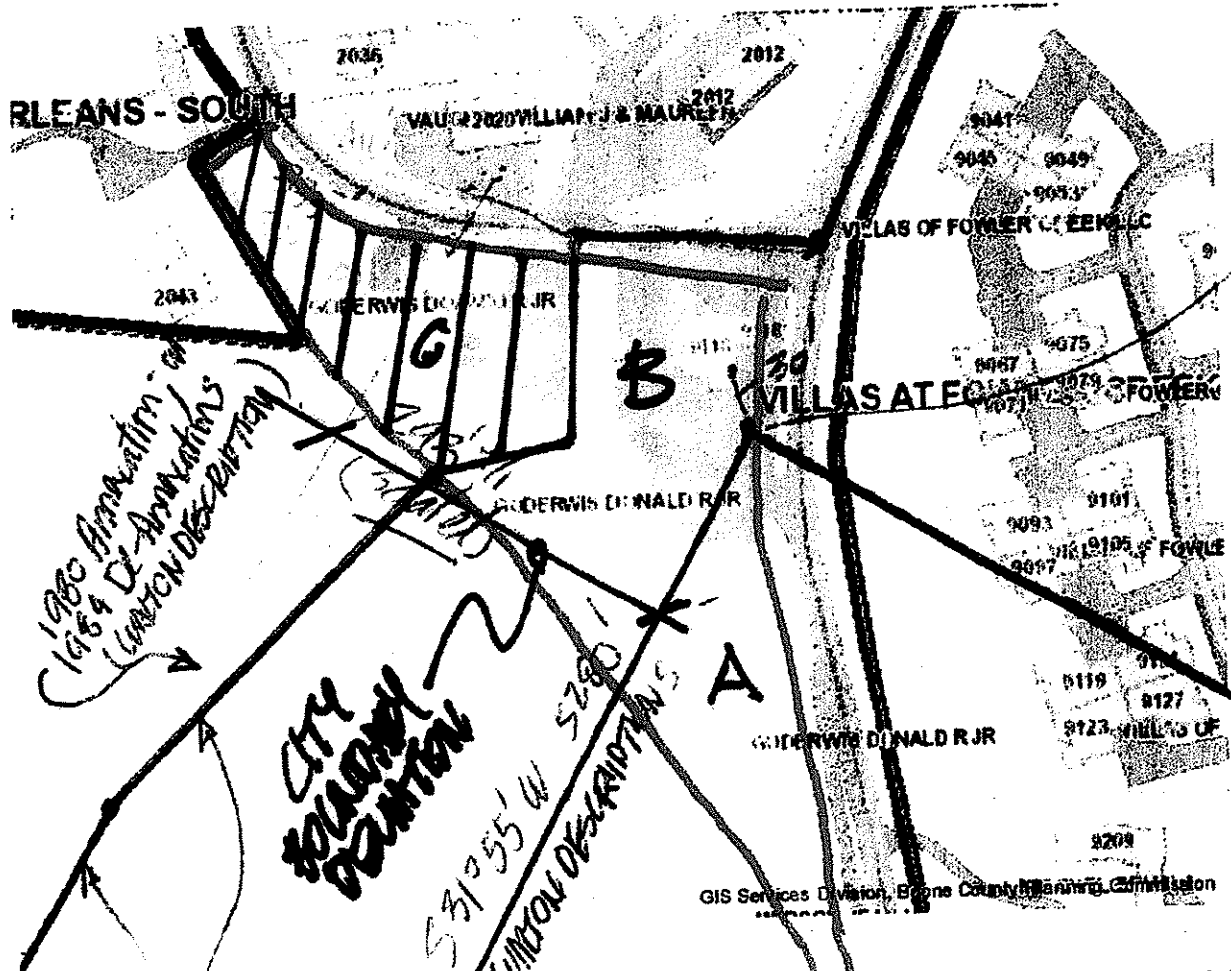
98-C

92-0

US 42

US 42

TOULOUSE DR  
BEAUREGARD PL  
MARAIS DR  
ST PHILIP CT  
CLARKSTON LN  
RIVERA DR  
WESTBROOK BLVD  
CAMELOT CT  
RAINBOW TERRACE  
EDYRIDGE  
OLD UNION RD  
FOWLER LN  
DYLON LN  
SUMPTER CT  
CHANTILLY CT  
HALLEY WAY  
ROCKLEAD DR  
FLYEN RY DR  
NATCHEZ TRCE  
LINCOLN CT  
PLANTER TRL  
RICHMOND RD  
DAYBREAK CT  
OVERTURE ALY  
EVENING STAR  
SERENITY CT  
STILL MEADOW CT  
EVENSONG DR  
WILSHIRE CT  
SHERBOURG DR  
NAPA RIDGE CT  
ABBINGTON DR  
SONATA DR  
SYCAMORE DR  
BRILLIANCE AVE  
MELODY DR  
SAPPHIRE LN  
SAPPY LN  
SAPPHIRE LN  
MT ZION RD  
INDIAN HILL DR  
WEeping WILLOW CT  
LILLY PAD CT  
GOLDEN POND DR  
WHISPERING TRL  
RUSSELL LN  
IRISH LN  
SH WY



Donald R. Godwin, Jr.  
 9118 Old Union Rd  
 Union, Ky. 41091  
 2.0 ACRES (A+B+C)



- A - Remains in Union
- B - Union to Union Boone County
- C - Remains in Union BC.

**CITY OF UNION, KENTUCKY**  
**ORIGINAL CORPORATE BOUNDARY INCLUDING ANNEXATIONS,**  
**LAND SWAPS AND DE-ANNEXATIONS**  
**Modernized Descriptions and Plats per LODSOS by Barry J. Burke PLS, October 2015**

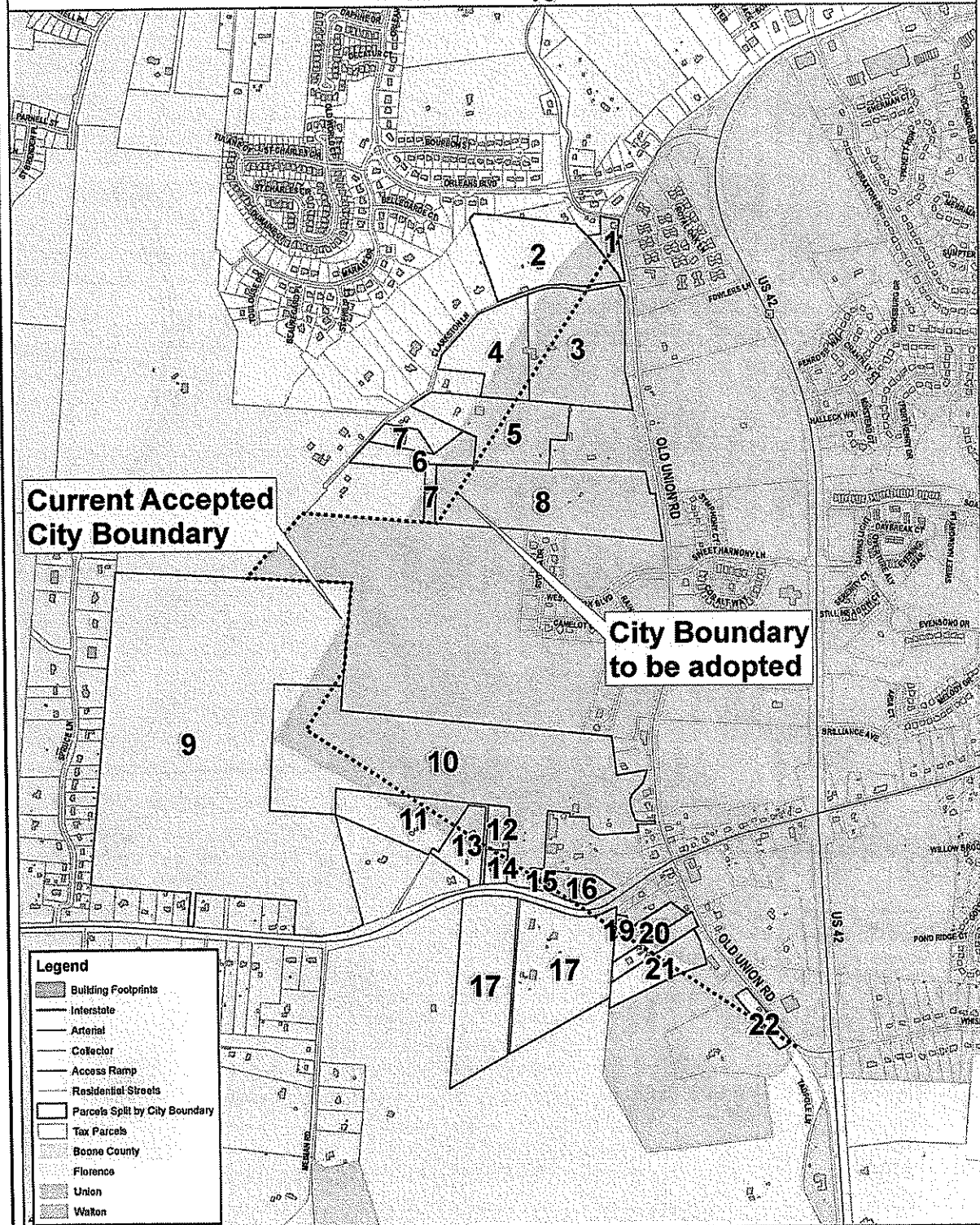
<b>NO.</b>	<b>RESOLUTION NO.</b>	<b>ANNEXATION CITY ORDINANCE NOS.</b>	<b>GENERAL LOCATION / DESCRIPTION</b>	<b>APPROXIMATE AREA (Acres or Square Miles)</b>	<b>COMMENTS</b>
1	2015-13	Incorporated 1854, Feb 23 <sup>rd</sup> , 1962 & 1969	Original Boundary	One (1) Square Mile / 640 Acres	Noel Walton, PLS Description & Survey
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3	2015-15	Ord. No. 1973-21	North & South of Mt. Zion Road / (Sycamore Dr)	45 Acres	Noel Walton, PLS Description & Survey
4	2015-16	Ord. No. 1976-008	South of Mt. Zion Road & 1973-21	155 Acres	Noel Walton, PLS Description & Survey
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6	2015-18	Ord. No. 1990-14	South of Mt. Zion Rd / Hempsteade Subd	102.2 Acres	William Viox, PLS Description and Survey Plat
7	2015-19	Ord. No. 91-003 Ord. No. 91-009	West side of US 42, south side of Double Eagle (Boone County Schools)	316.13 Acres	John W. Ross PLS Description and Survey Plat

8	2015-20	Ord. No. 1992-002 Ord. No. 1992-005	North of Frogtown Rd	63.4779 Acres	Noel Walton, PLS Description & Survey
9	2015-28	Ord. No. 1995-001 Ord. No. 1995-006	West US 42 & North of Rice Pike / Lassing Green Subd	74.8973 Acres	DV Leach, PLS Description and Survey Plats
10	2015-21	Ord. No. 1997-003 (Land Swaps between Union & Florence)	East & West side of Wetherington Blvd	Union (1.01 Acres) Florence (0.95 Acres)	Ray Erpenbeck, PLS Description and Survey Plats
11	2015-29	Ord. No. 1998-006 Ord. No. 1999-005	South of Mt. Zion Rd / Lewis Trust / Hempsteade Subd	28.211 Acres	William Viox, PLS Description and Survey Plat
12	2015-22	Ord. No. 1998-008 Ord. No. 1999-006	South of Mt. Zion Rd / Hempsteade Subd	11.1920 Acres	William Viox, PLS Description and Survey
13	2015-23	Ord. No. 2004-007	South of Mt. Zion Rd / Hampshire Subd	92.662 Acres	William Viox, PLS Description and Survey Plat
14	2015-24	Ord. No. 2005-005	Corner of Frogtown Rd & US 42	Four (4) Tracts 18.30 Acres	Randall Long, PLS Descriptions and Survey Plats
15	2015-25	Ord. No. 2007-001	South of Mt. Zion Rd	Two (2) Tracts 8.75 Acres	Otey Brabston, PLS Descriptions and Survey Plats
16	2015-26	Ord. No. 2009-011	West of Corporate Boundary & Westbrook Subd	20.309 Acres	Robert Westermeyer, PLS, Description and Survey Plat

17	2015-27	Ord. No. 2010-004 (Repealed) Ord. No. 2015-07	South of Corporate Boundary and West of Old Union Road	43.258 Acres	Gregory Larison, PLS, Description and Survey Plat
		<b>Approximate Total Area Boundary of City of Union</b>	<b>Original Corporate Boundary including Ordinance Nos. From 1973 to 2015</b>	<b>1842 Acres (2.88 Square Miles to 1882 Acres (2.94 Square Miles)</b>	<b>All City Ordinances with Descriptions, Survey Plats and Maps</b>
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# City of Union Parcels Split by Proposed City Boundary

www.boonecountygis.com



**Current Accepted  
City Boundary**

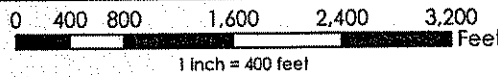
**City Boundary  
to be adopted**

**Legend**

- Building Footprints
- Interstate
- Arterial
- Collector
- Access Ramp
- Residential Streets
- Parcels Split by City Boundary
- Tax Parcels
- Boone County
- Florence
- Union
- Walton

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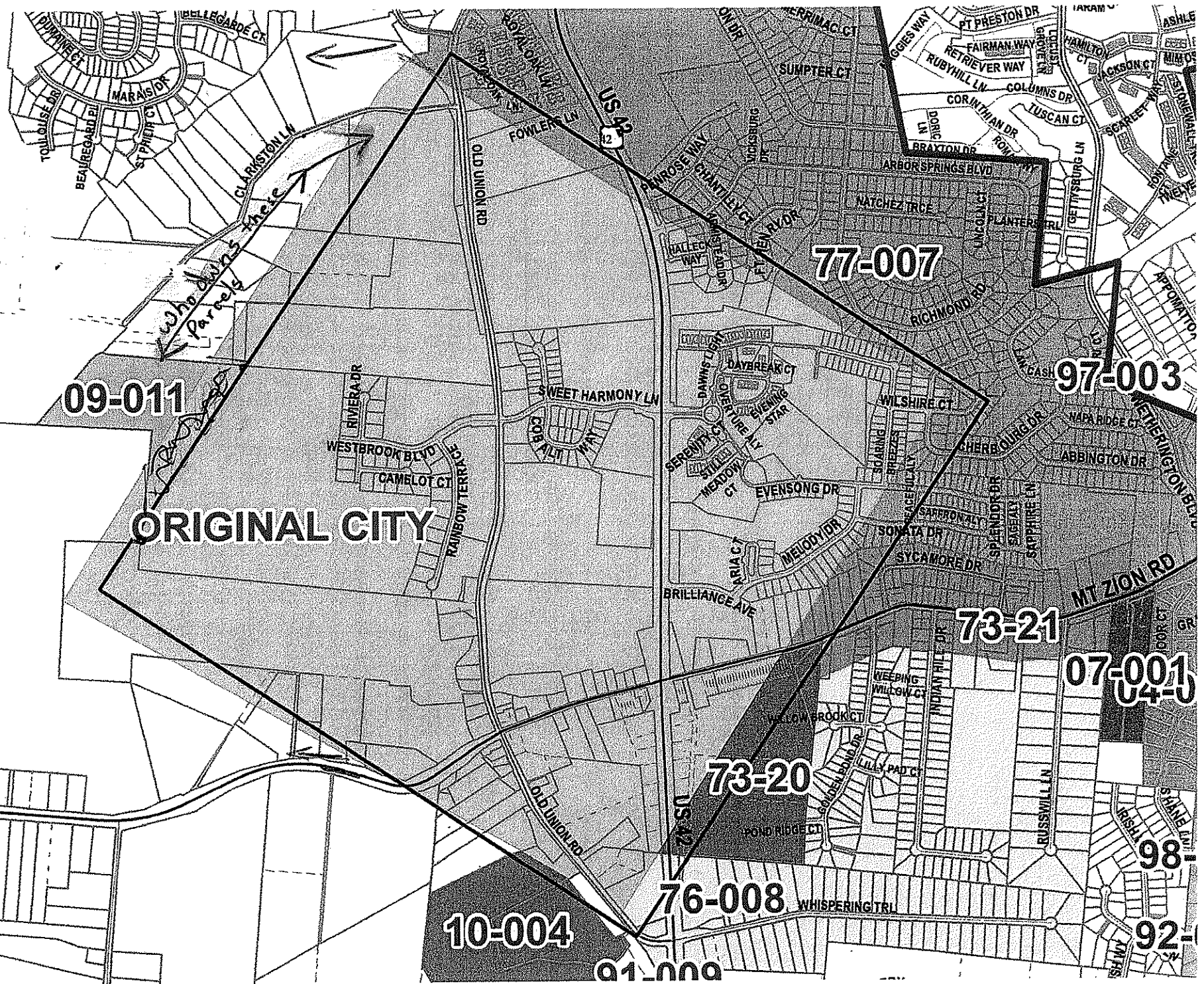
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**Boone County GIS - Putting Northern Kentucky on the Map**

Scale: Boone County, North, MDD 1993  
ArcMap Document (\*.mxd)

Map Created: 01/31/2015



09-011

77-007

97-003

ORIGINAL CITY

73-21

07-001

10-004

76-008

73-20

91-009

98-

92-

Who dubs here?

Map labels include: TOLLHOUSE DR, BEAUREGARD DR, MARAIS DR, STEPHEN CT, BELLEGARDE CT, CLARISTON LN, FOWLER LN, US 42, OLD UNION RD, RIVERA DR, WESTBROOK BLVD, CAMELOT CT, RAINBOW TERRACE, SWEET HARMONY LN, BOGALT WAY, DAYBREAK CT, SERPENT CT, HERB CT, EVENSONG DR, BRILLIANCE AVE, WILSHIRE CT, SONATA DR, SYCAMORE DR, SARRONALY, SPENDOR DR, SAGELEY, SAPPHIRE LN, MT ZION RD, WILLOW ROCK CT, KEELING WILLOW CT, INDIAN HILL DR, RUSSELL LN, WHISPERING TRI, SHANE WAY, AMAS.

Parcel PIDN	OWNER	SITE ADDRESS	MAIL ADDRESS	POST	STATE	ZIP	GISACRES	ACRES IN B	ACRES IN L	ACRES IN FLORENCE
1 051.00-00-035.02	GODERWIS DONALD R JR	9118 OLD UNION RD	12749 US 42	WALTON	KY	41094	1.92	1.32	0.60	0.00
2 051.00-00-048.00	MERSCH JEAN L	2072 CLARKSTON LN	2072 CLARKSTON LN	UNION	KY	41091	15.37	0.00	0.71	14.66
3 051.00-00-052.03	NEWMAN RICK	2073 CLARKSTON LN	2231 CLARKSTON LN	UNION	KY	41091	20.98	4.99	15.98	0.00
4 051.00-00-052.00	NEWMAN SUSAN E		2231 CLARKSTON LN	UNION	KY	41091	11.18	10.94	0.25	0.00
5 051.00-00-053.05	NEWMAN SUSAN E	2231 CLARKSTON LN	2231 CLARKSTON LN	UNION	KY	41091	13.92	5.77	8.18	0.00
6 051.00-00-053.07	SMITH PHILLIP R		2281 CLARKSTON LN	UNION	KY	41091	4.61	4.61	0.00	0.00
7 051.00-00-053.09	SMITH PHILLIP	2281 CLARKSTON LN	2281 CLARKSON LN	UNION	KY	41091	3.24	3.24	0.00	0.00
8 051.00-00-053.01	LIGHTNER ROBERT J	9486 OLD UNION RD	7536 US 42 HWY	FLORENCE	KY	41042	25.72	2.16	23.56	0.00
9 052.00-00-028.03	GLENCAIRN CORPORATION		2142 HATHAWAY RD	UNION	KY	41091	129.94	129.81	0.13	0.00
10 052.00-00-024.01	UNION ACRES LLC	9944 OLD UNION RD	109 SHIRA CT	FLORENCE	KY	41042	65.50	16.97	48.53	0.00
11 052.00-00-028.01	FERGUSON CHARLES PHILIP AN	2144 HATHAWAY RD	2144 HATHAWAY RD	UNION	KY	41091	10.14	8.48	1.66	0.00
12 052.00-00-021.01	RATCLIFF MARK & GAIL		2140 HATHAWAY RD	UNION	KY	41091	1.77	0.02	1.75	0.00
13 052.00-00-028.12	MEDIN PAUL	2142 HATHAWAY RD	2142 HATHAWAY RD	UNION	KY	41091	4.53	3.13	1.39	0.00
14 052.00-00-021.00	RATCLIFF MARK & GAIL	2140 HATHAWAY RD	2140 HATHAWAY RD	UNION	KY	41091	1.42	1.27	0.14	0.00
15 052.00-00-022.00	POWELL JEFFERSON S	2118 HATHAWAY RD	2118 HATHAWAY RD	UNION	KY	41091	0.69	0.30	0.39	0.00
16 052.00-00-023.00	WALKE HERBERT J III	2112 HATHAWAY RD	2112 HATHAWAY RD	UNION	KY	41091	2.80	0.15	2.65	0.00
17 052.00-00-026.00	REEVES ROBERT E	2063 HATHAWAY RD	PO BOX 79	UNION	KY	41091	38.82	38.39	0.44	0.00
18 052.00-00-055.00	TANNER TERRY N & DONNA SU	2021 HATHAWAY RD	PO BOX 3	UNION	KY	41091	0.46	0.06	0.40	0.00
19 052.00-00-057.01	TANNER TERRY N & DONNA SU	2025 HATHAWAY RD	PO BOX 3	UNION	KY	41091	2.82	0.73	2.08	0.00
20 052.00-00-027.01	TANNER TERRY N & DONNA SU	2029 HATHAWAY RD	PO BOX 3	UNION	KY	41091	2.88	1.23	1.64	0.00
21 052.00-00-027.00	TANNER TERRY N & DONNA SUE		PO BOX 3	UNION	KY	41091	5.40	3.09	2.31	0.00
22 052.00-00-028.06	GLENCAIRN CORPORATION	10119 OLD UNION RD	2142 HATHAWAY RD	UNION	KY	41091	1.80	0.43	1.37	0.00

**CITY OF UNION, KENTUCKY**  
**Regular Business Meeting –MINUTES**  
Monday, October 5<sup>th</sup>, 2015

**CALL TO ORDER REGULAR BUSINESS MEETING**

Mayor Larry Solomon called the Monthly Business Meeting of the Union City Commission to order at 7:00 p.m., Monday, October 5<sup>th</sup>, 2015.

**PLEDGE OF ALLEGIANCE**

Mayor Solomon led the audience in the Pledge of Allegiance to the flag.

*City Boundary*

*Changes Adopted 10-5-15*

*Changed in GIS*

*11-25-15*

**ROLL CALL**

A quorum was present:

- Mayor Larry Solomon
- Commissioner Jeremy Ramage
- Commissioner Ken Heil
- Commissioner John Mefford
- Commissioner Bryan Miller

**ALSO PRESENT.**

City Attorney - Greg Voss, Esq.  
City Clerk/Treasurer - Kathy Porter  
Office Assistant - Barbara Reese  
City Administrator - David Martin  
City Engineer - Barry J. Burke, PE PLS

**MEETING MINUTES.**

Prior to meeting, City Commissioners were provided a copy of the minutes of the Special Meeting and Public Hearing from September 28<sup>th</sup>, 2015. Commissioner Ramage made a motion to dispense with the reading of the Special Meeting Minutes and approve as presented. Commissioner Ramage made a motion to approve Special Meeting Minutes. Commissioner Mefford seconded the motion. **Motion carried 4-0 vote.**

**FINANCIAL BALANCE SHEET SUMMARY REPORT.**

Commissioner Heil moved to accept the Financial Summary Balance Sheet as of October 5<sup>th</sup>, 2015. Commissioner Mefford seconded the motion. **Motion carried 4-0 vote.**

**BILLS FOR PAYMENT.**

After review, a check made out to Len Riegler Blacktop, Inc. was being held until Engineer Burke could confirm the invoice received was correct and signed off on invoice. Commissioner Mefford made the motion to pay monthly bills for October 5<sup>th</sup>, 2015. Commissioner Ramage seconded the motion. **Motion carried 4-0.**

### **VISITORS AND GUESTS WISHING TO SPEAK (3 Minute Time Limits).**

Mayor Solomon opened the floor at this time to anyone who would like to address the commission. One guest wished to speak.

Roger Holt, a 24-year resident at 10009 Indian Hill Drive, stated that the curb-fronting in front of his driveway was modified in 2014 to prevent storm water from descending down his driveway from the street. Engineer Burke stated that this was part of the 2014 street repairs and modifications. The curb height should have been no higher than 4-inches and not 7-inches. Mr. Holt would like this curb repaired fronting his driveway. Engineer Burke stated that could contact a specialty contractor to saw-cut the curb. The cost would be a \$500 minimal charge. Engineer Burke also advised that Len Riegler Blacktop, Inc., the 2014 contractor would repair the asphalt apron at no extra cost. Commissioner Miller made the motion for the city to pay \$500 for the repair on the curb fronting Mr. Holt's driveway. Commissioner Mefford seconded the motion. **Motion carried 4-0 vote.**

### **MAYOR COMMENTS.**

Trailer on Frogtown Road and Route 42. Mayor Solomon reported that the Boone County and City of Union are working to have the trailer on the corner of Frogtown and US 42 moved. The land owner (Dr. Wright) and contractor (Mr. Torline) were sent a letter from Boone County Planning Commission (BCPC) on September 24, 2015 giving them 30 days to move said trailer or the issue would be turned over to the County Attorney. If the trailer is not moved by October 26, 2015, BCPC will file charges (according to Mitch Light of BCPC).

Union Park Proposal. Mayor Solomon and Commissioner Ramage were scheduled to meet with Judge Moore and David Whitehouse on October 9, 2015. Due to illness, that meeting had to be rescheduled. A meeting date has yet to be determined.

CEO Quarterly Meeting. Also on Friday October 9, Mayor Solomon and Administrator Martin will attend the quarterly CEO meeting with Judge Moore (of Boone County), Mayor Whalen (of Florence), and Mayor Carnahan (of Walton) and their assistants. These quarterly meetings started last quarter and provide an excellent forum for each of the entity to better communicate and seek ways to work together for the benefit of all city and county residents.

City Boundary Modifications. Recently the City finalized annexation paperwork for the Union Park to be within the City of Union. The Secretary of State (SOS) required the City of Union to validate city borders before granting this annexation and any future annexations. As a result of this requirement, Engineer Burke (a certified land surveyor) reviewed all city borders and found that the northwesterly boundary needed re-alignment. This alignment was off about 150 feet at the southwest corner and about 300 feet at the northwest corner affecting about 23 property owners along Clarkston Lane and Hathaway Road. Thus, the public works committee working with Boone County GIS has correctly rotated the one mile square to correct the error. Engineer Burke reviewed and re-certified all original survey plats and descriptions. He worked with Attorney Voss to correct those plats needed realignment and put together appropriate Resolutions to correct city borders. Once the City Commission approves these Resolutions, City Clerk will put together a packet of all 16 plats, descriptions and approved resolutions (including her own city clerk certification), then forward them to the SOS who will process the packet and update the state records as being accurate. These records will then be added to the City's Website for online usage and other state and local tax and planning purposes.

## **COMMITTEE REPORTS.**

### **Economic Development Committee (EDC) (Commissioner Ramage/Mayor Solomon)**

Mayor Solomon reported the EDC continues working to develop the Drees (Harmony) property. The first step is to work with Harmony and other nearby residents to jointly develop this property with a mix of business and residential uses wanted by these nearby residents...this is now in progress. Additionally, the Harmony church will be altered to be a temporary structured until a more suitable establishment can be attained.

Mr. Robert Schroeder (from Arlinghaus builders) attended the last EDC meeting (September 9, 2015). He was seeking advice and counsel pertaining to developing 17 acres of Arlinghaus property not sold to Kroger for their new Union Marketplace Store. This land sets between the just sold Kroger property and Arbor Springs/Union Village. Mayor Solomon suggested the EDC and he follow the same stated practice followed with the Drees property, i.e., work with the residents of Arbor Springs and Union Village to come up with a mutual agreement to develop the said 17 acres. He liked that suggestion and will be working EDC to help with that development.

### **Communications Committee (Mayor Solomon/Travis Schraffenberger).**

Administrator Martin met with NKU College of Informatics September 24, 2015. He was given a sneak preview of their proposed new City of Union website, and said it look great. He will bring the proposed site to the next Communication Committee meeting (October 19, 2015) for their review.

The Communications Committee was approved to have six volunteer members and a chairman. Currently, five vacancies exist. Administrator Martin will be working to fill those vacancies over the next month and have recommendations ready for the next City Commission Meeting on November 2, 2015.

### **Annual Budget/Five-Year Fiscal Planning (Commissioner Miller/Mayor Solomon).**

Mayor Solomon reported that the city is midway thru the FY 2015-16 Budget and spending was within all allotted budget allocations.

### **Union Community Building - Old Firehouse (Commissioner Mefford / Ramage / Administrator Martin)**

Administrator Martin announced that he is still in the process of getting all five Community Building indoor bays rented for vehicle parking. Once rented, it is estimated that it will generate \$1,400 per month in revenue...about half of the monthly outgoing expenses of the building.

He went onto say that he was working with the BCPC to add "renting of vehicle indoor parking space" as a zone change for the area along old Route 42 from Route 536 to new Route 42. The next step would be to meet with the Technical Design Committee (chaired by Mr. Jim Longano) on October 7, 2015, then onto the full BCPC that same evening. BCPC recommendations would then come back to the City Commission for their final approval. During Administrator Martin's reporting, Commissioner Miller asked about storage at the community building. Attorney Voss stated that storage is permitted indoors only.

Boone County Planning Commission (BCPC) Report (Jim Longano).

Mr. Longano stated that Administrator Martin covered his points about the Community Building, and that all other BCPC topics covered at their last meeting did not pertain to the City of Union.

Public Works/Engineering (Commissioner Heil / Barry J. Burke, P. E. PLS/ Administrator Martin).

The City received complaints that the contractor repairing city streets has not given residents enough notice that they were going to start repairs. As a result, they were caught off guard when repair vehicles were showing up to begin repairs. Commissioner Heil volunteered to work with City contractors to develop a better communication policy to better inform residents when repairs will be taken place. This policy will be incorporated into all approved future construction contracts. Under planned revisions, the contractor will be responsible for notifying the residents when construction is due to start and construction specifics (i.e., removal of vehicles, milling, operations, repaving, etc.) by talking to and/or leaving information well enough in advance (at least two weeks) so affected residents may have due notice. The City would then notify the residents via social media (i.e., posting on new City of Union website, email blasts, etc.) to provide information at least one (1) week before the start of construction. Administrator Martin added that the social media portion of this communication would help increase probability that affected residents would be duly notified.

Other Public Works Items requiring City Commission Action includes the following items;

Contractor Public Works Payment. Engineer Burke inspected Old Union Road and Clarkson Lane intersection repairs. Based on his inspection, he recommended payment be made to Michels Construction, Inc. in the amount of \$12,150. Commissioner Mefford made a motion to pay and Commissioner Miller seconded the motion. **Motion carried 4-0**

Buckling Problem. Engineer Burke reported a street buckling problem on Whispering Trail in front of 1814 Whispering Trail. Following an on-site observation, he advised that the underlying concrete street pavement buckled during hot weather and some curb/gutter damage occurred as well. A \$2,800 quote was submitted by Len Riegler Blacktop, Inc. to repair said buckling. Engineer Burke considered this quote reasonable and recommended repairs be made before winter. A motion was made by Commissioner Heil to fix the buckling problem at 1814 Whispering Trail for \$2,800. Motion was seconded by Commissioner Mefford. **Motion carried 4-0**

Ohio Kentucky Indiana Board- OKI (Commissioner Miller).

Commissioner Miller stated that he nothing to report.

Union Cares (Mayor Solomon).

Mayor Solomon reported that Denny Mathis had knee surgery, so his work and volunteer activities have been curtailed somewhat.

City Clerk Porter and Administrator Martin came across a large amount of T-shirts while cleaning the Community Building. Mayor Solomon recommended these T-shirts be given to Denny Mathis as part of Union Cares...under the presumption that these shirts were donated and not purchased by the City. Staff will check ownership of the T-shirts and, if not purchased, will give them to Mr. Mathis to be given to the needy.

### CITY ATTORNEY REPORT (Greg Voss).

Attorney Voss reported...

- He is working with Administrator Martin on preparing the Community Building leases.
- Sanitation District #1 sent out an inter-local agreement that residents are responsible for sewers from the trunk line to the house. SD1 wants the cities to indemnify, but the law does not allow cities to indemnify.

### CITY ADMINISTRATOR REPORT (David Martin)

Administrator Martin reported...

- There is a 2% discount for property taxes if paid by October 31<sup>st</sup>, 2015.
- Lassing Green street ID signs have been replaced. The stop signs are now at the seven (7) foot high standard regulation by code. The stop sign exiting the subdivision still
- The Adopt-A-Unit 5k run was very well attended. Over a hundred people attended including Commissioner Miller, Commissioner Mefford and Attorney Voss.
- UTC – High School Musical tickets are selling quickly.

### CITY CLERK/TREASURER REPORT (Kathy Porter).

City Clerk Porter reported...

- October 1<sup>st</sup> Property tax bills were mailed and have been receiving payments.
- Received a copy of the letter from BCPC regarding a permit proposing turning 9900 Old Union Road into a pool hall and bar.
- Transferring the \$75,000 for the Whispering Trails flooding problem will be done on October 6<sup>th</sup>, 2015.
- Auditor is currently reviewing City books. The Auditor's goal is to be finished before the next City Commission Meeting (November 2<sup>nd</sup>, 2015) to report findings at that time.

### LEGISLATION: ORDINANCES / RESOLUTIONS / MUNICIPAL ORDERS (prepared by Attorney Greg Voss)

#### **ORDINANCES**

2<sup>nd</sup> Reading of **ORDINANCE NO. 2015-18** - AN ORDINANCE LEVYING AND FIXING THE TAX RATES OF THE CITY OF UNION, KENTUCKY, FOR THE 2015 CALENDAR YEAR; LEVYING SAID TAX UPON REAL AND TANGIBLE PROPERTY; FIXING THE DATE OF PAYMENT, DISCOUNT PAYMENT, DELINQUENCY AND INTEREST CHARGES; FIXING THE PURPOSE THEREFORE; AND SETTING FORTH THE PROCEDURE FOR COLLECTION OF TAXES. Motion to approve Levying and Fixing the Tax Rates the same as last year and approve on 2nd reading was made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0.**

1<sup>st</sup> Reading of **ORDINANCE NO. 2015-19** – AN ORDINANCE SETTING THE COMPENSATION FOR DAVID MARTIN AS THE CITY OF UNION, KENTUCKY'S CITY ADMINISTRATIVE OFFICER. Motion to approve setting the compensation for David Martin as the City of Union, Kentucky's Administrative Officer was made by Commissioner Mefford and seconded by Commissioner Heil. **Motion carried 4-0**

1<sup>st</sup> Reading of **ORDINANCE NO. 2015-20** – AN ORDINANCE HIRING AMY LUTES AS A COMMUNICATIONS SPECIALIST FOR THE CITY OF UNION, KENTUCKY.

#### **RESOLUTIONS**

- ❑ **RESOLUTION NO. 2015- 12** - A RESOLUTION AUTHORIZING THE MAYOR FOR THE CITY OF UNION, KENTUCKY TO EXECUTE THE CONTRACT BETWEEN THE CITY OF UNION, KENTUCKY AND AMY LUTES. **Not Passed**
- ❑ **RESOLUTION NO. 2015- 13** - A RESOLUTION ADOPTING THE DESCRIPTION OF THE ORIGINAL BOUNDARY OF THE CITY OF UNION KENTUCKY OF ONE (1) SQUARE MILE AS INCORPORATED CITY OF UNION, KENTUCKY. A motion to adopt the resolution adopt the description of the original boundary of the city of Union, Kentucky of one (1) square mile as incorporated city of Union, Kentucky made by Commissioner Heil and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 14** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1973-20. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1973-20 made by Commissioner Heil and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 15** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1973-21. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1973-21 made by Commissioner Heil and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 16** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1976-008. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1976-008 made by Commissioner Heil and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 17** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1977-007. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1977-007 made by Commissioner Heil and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 18** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1990-14. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1990-14 made by Commissioner Heil and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 19** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1991-009. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1991-009 made by Commissioner Mefford and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 20** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1992-005. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1992-005 made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 21** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1997-003. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1997-003 made by Commissioner Mefford and seconded by Commissioner Ramage. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 22** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1999-006. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1999-006 made by Commissioner Miller and seconded by Commissioner Mefford. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 23** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2004-007. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2004-007 made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0**
- ❑ **RESOLUTION NO. 2015- 24** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2005-005. A motion to adopt a modern and accurate legal

description of territory previously annexed by Ordinance 2005-005 made by Commissioner Miller and seconded by Commissioner Ramage. **Motion carried 4-0**

- **RESOLUTION NO. 2015- 25** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2007-001. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2007-001 made by Commissioner Ramage and seconded by Commissioner Mefford. **Motion carried 4-0**
- **RESOLUTION NO. 2015- 26** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2009-011. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2009-011 made by Commissioner Ramage and seconded by Commissioner Miller. **Motion carried 4-0**
- **RESOLUTION NO. 2015- 27** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 2015-07. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 2015-07 made by Commissioner Heil and seconded by Commissioner Miller. **Motion carried 4-0**
- **RESOLUTION NO. 2015- 28** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1995-006. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance made by Commissioner Mefford and seconded by Commissioner Miller. **Motion carried 4-0**
- **RESOLUTION NO. 2015- 29** - A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 1995-005. A motion to adopt a modern and accurate legal description of territory previously annexed by Ordinance 1995-005 made by Commissioner Ramage and seconded by Commissioner Mefford. **Motion carried 4-0**

**MUNICIPAL ORDERS:** None presented.

- **MUNICIPAL ORDER 2015- 13** - not needed.

**EXECUTIVE SESSION:** Not needed.

#### **OTHER INFORMATION**

Administrator Martin is following-up with Mills Fence to determine A&A per board and per post costs on the fence for Lassing Green.

#### **ANNOUNCEMENTS**

Mayor Solomon shared with those attending a proclamation honoring Mary Belle Bristow-Noe on the occasion of her 100<sup>th</sup> birthday October 21, 2015. Earlier in the evening, Mayor Solomon, City Clerk Porter, and Administrator Martin presented Mary Belle Bristow-Noe her proclamation and informed her that the day of her birthday, October 21, 2015, will be Mary Belle Bristow-Noe Day for the City of Union.

Trick-or-Treat will be October 31, 2015 from 6:00 PM to 8:00 PM. Residents interested in participating are asked to turn on their porch light. A motion to approve trick-or-treating on October 31, 2015 from 6:00 PM to 8:00 PM was made by Mayor Solomon and seconded by Commissioner Mefford. **Motion carried 4-0.**


The next regular city business meeting will be on Monday, November 2, 2015 at 7:00 PM.

#### **ADJOURNMENT**

With no further business to discuss, Mayor Solomon motioned to adjourn at 8:45 PM. Commissioner Heil seconded that motion. **Motion carried 4-0.**

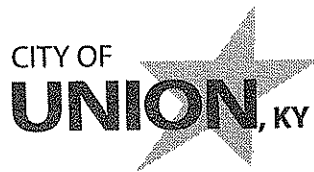
Signed this 5<sup>th</sup> day of October, 2015.

**APPROVED:**

  
\_\_\_\_\_  
Larry Solomon, Mayor

**ATTEST:**

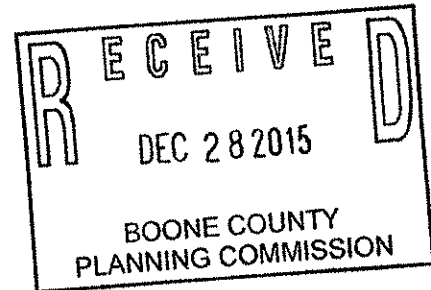
  
\_\_\_\_\_  
Kathy Porter, City Clerk/Treasurer



Larry Solomon  
MAYOR

December 23, 2015

Ms. Kandie Adkinson  
Office of the Secretary of State  
Land Office Section  
Capitol Annex, Suite T21-B  
702 Capitol Avenue  
Frankfort, KY 40601



RE: City of Union, Kentucky – Older Annexation Filings Resolutions – KRS 81.045

Dear Ms. Adkinson:

Per your earlier request in accord with KRS 81A.470, enclosed please find a copies of each of the following annexation resolutions and certifications for the City of Union, Kentucky. Please note that each resolution within the packet includes a copy of the original survey including Descriptions and Plats, as re-certified by the city's professional land surveyor, Barry J. Burke, PLS. Said resolutions were formally approved by the City Commission at its regular meeting on October 5<sup>th</sup>, 2015. Therefore, these resolutions include the following:

1. Resolution No. 2015-13 a resolution adopting the description of the original boundary of the City of Union Kentucky of one (1) square mile as incorporated City of Union, Kentucky along with the City Clerk Certification. You will find an error or deviation from the boundary as shown on the "Kentucky Cities" website based upon GIS mapping compared to the actual boundary that has been corrected via this resolution. Per the "Final Checklist", our City Attorney Greg Voss, Esq. and Boone County GIS staff have been involved with this issue; and, will coordinate any taxation issues and/or mapping changes regarding the properties impacted as well as with the PVA. In accord with KRS 81A.475, a map delineating the boundaries of the area affected along with a list of the properties, as reduced, has been forwarded to the County Clerk. (See the PDF and Excel Attachments).
2. Resolution No. 2015-14 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1973-20 along with the City Clerk Certification.

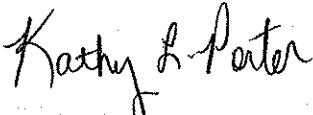
1843 Mt. Zion Road, Union, Kentucky 41091

3. Resolution No. 2015-15 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1973-21 along with the City Clerk Certification.
4. Resolution No. 2015-16 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1976-008 along with the City Clerk Certification.
5. Resolution No. 2015-17 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1977-007 along with the City Clerk Certification.
6. Resolution No. 2015-18 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1990-14 along with the City Clerk Certification.
7. Resolution No. 2015-19 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1991-009 along with the City Clerk Certification.
8. Resolution No. 2015-20 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1992-005 along with the City Clerk Certification.
9. Resolution No. 2015-28 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1995-006 along with the City Clerk Certification.
10. Resolution No. 2015-21 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1997-003 along with the City Clerk Certification.
11. Resolution No. 2015-29 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1999-005 along with the City Clerk Certification.
12. Resolution No. 2015-22 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 1999-006 along with the City Clerk Certification.
13. Resolution No. 2015-23 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 2004-007 along with the City Clerk Certification.
14. Resolution No. 2015-24 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 2005-005 along with the City Clerk Certification.
15. Resolution No. 2015-25 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 2007-001 along with the City Clerk Certification.
16. Resolution No. 2015-26 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 2009-011 along with the City Clerk Certification.

17. Resolution No. 2015-27 a resolution adopting a modern and accurate legal description of territory previously annexed by Ordinance 2015-007 along with the City Clerk Certification.

In behalf of the Union City Commission, I want to thank you for your service to our community in order to satisfy this issue per the statutes. Should you have any questions or need more information on any of the resolutions, descriptions, plats or certifications during your efforts toward updating the Union page and "Interactive Map" on the "Kentucky Cities" DGI website, as required, please do not hesitate to contact me.

Sincerely,



Kathy L. Porter  
City Clerk/Treasurer

- Enclosures:
- Resolution No. 2015-13 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-14 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-15 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-16 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-17 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-18 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-19 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-20 including Certified Survey Description and Plat and City Clerk Certification
  - Resolution No. 2015-28 including Certified Survey Description and Plat and City Clerk Certification
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City Clerk Certification  
Resolution No. 2015-26 including Certified Survey Description and Plat and  
City Clerk Certification  
Resolution No. 2015-27 including Certified Survey Description and Plat and  
City Clerk Certification

cc:

Kenny Brown, Boone County Clerk (PDF GIS Map & Excel Property Owners List)  
✓ Steve Gay, Boone County GIS Director (PDF GIS Map & Excel Property Owners List)  
Allison Lundergan Grimes, Secretary of State (cover letter)