

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2021-08**

**AN ORDINANCE ANNEXING 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, TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife, are the sole owners of the land herein proposed for annexation; and

WHEREAS, TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife, previously entered into an Annexation Agreement on March 15, 2021 whereby consented to annexation of the said 7.533 acres as described in the attached *Exhibit "A"* Union Incorporation Boundary, City of Union, Kentucky; and

WHEREAS, TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife, are the 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, Kentucky, a copy of which is attached hereto and marked as **Exhibit "B"**; and

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

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

SECTION I

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

SECTION II

The hereinafter described unincorporated territory is zoned Rural Suburban Estates (RES) and shall be amended to Suburban Residential One (SR1 with cluster) after annexation.

SECTION III

That the requirements of the Kentucky Revised Statutes having been met in all respects, the hereinafter described territory, the same having been contemplated for annexation under the Annexation Agreement dated March 15, 2021 between *TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife*, 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:

GROUP NO. 2046

PIDN: _____

**SEE LEGAL DESCRIPTION ATTACHED HEREIN
AS EXHIBIT "C"**

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 THIS THE 15th day of March, 2021

PASSED AND APPROVED ON SECOND READING THIS THE 5th day April, 2021.

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



HON. LARRY K. SOLOMON, MAYOR

ATTEST:



**CHRISTY EVERMAN
CITY CLERK/TREASURER**



VIOX & VIOX
Civil Engineers, Surveyors, and Landscape Architects

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January 29, 2021

DESCRIPTION OF 7.533 ACRES

Located in Boone County, Kentucky, lying approximately 1750 feet south of Longbranch Road and approximately 500 feet east of Ballyshannon Drive and being part of the same property conveyed to Timothy Kahmann & Christie Kahmann recorded in Deed Book 515, page 68, in the office of the Boone County Clerk at Burlington, Kentucky, and being more particularly described as follows:

BEGINNING at a point at the common corner of Timothy Kahmann, Norbert A. Kahmann Trust (Will Book 83, page 209) and in the west line of Lot 94 of Orleans-South Subdivision, Section 6 (Plat Cabinet 4, Slide 240);

THENCE with the common line of Timothy Kahmann and Norbert A. Kahmann Trust for the following two (2) courses:

1. N 85°20'01" W a distance of 947.44 feet to a point;
2. N 06°18'31" E a distance of 192.20 feet to a point at the common corner of Timothy Kahmann and Longbranch Development, LLC (Deed Book 1047, page 259);

THENCE with the common line of Kahmann and Longbranch Development LLC N 14°13'31" E a distance of 145.14 feet to a point;

THENCE with a new division line for the following five (5) courses:

1. S 81°22'15" E a distance of 232.15 feet to a point;
2. N 85°00'42" E a distance of 189.95 feet to a point;
3. S 74°50'50" E a distance of 186.03 feet to a point;
4. N 68°26'32" E a distance of 184.94 feet to a point;
5. N 82°47'18" E a distance of 153.02 feet to a point in the common line of Timothy Kahmann and Timothy F. Davenport (Deed Book 993, page 137);

THENCE with the common line of Kahmann, Davenport and Orleans-South Subdivision, Section 6 S 04°36'46" W a distance of 430.43 feet to the point of beginning containing 7.533 acres, more or less.

This description is not base upon a field survey and is only intended to be used for zone change and annexation purposes and not for transfer.

CONSENT TO ANNEXATION

This Consent made this the 25 day of February, 2021 by **TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife.**

WHEREAS, the City of Union, Boone County, Kentucky is desirous of annexing real property totaling 7.533 acres owned by **TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife**; and

WHEREAS, TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife, are agreeable to a consensual annexation pursuant to K.R.S. 81A.412.

NOW, THEREFORE, TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife. consent to annexation of their real property and further state as follows:

1. That the parties entered into an Annexation Agreement subject to the conditions set forth below, the undersigned, owner of approximately a 7.533 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. **TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife** hereby certify to the City of Union, Kentucky that they is the owners of the property which is a portion of the real property conveyed to them by virtue of a deed recorded in Will Book 83 at Page 209 of the Boone County Clerk's records at Burlington, Kentucky.

3. **TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband Wife,** hereby waive their 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

Timothy Kahmann
TIMOTHY KAHMANN

Christie Kahmann
CHRISTIE KAHMANN

THIS INSTRUMENT PREPARED BY:



GREG D. VOSS/ESQ. (KBA #73429)

Attorney at Law

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ANNEXATION AGREEMENT

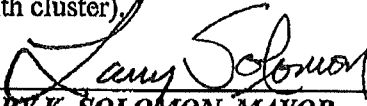
This Agreement made between the ***CITY OF UNION, KENTUCKY, a Municipal Corporation of the Home Rule Class***, and ***TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife***

1. Subject to the conditions set forth below, the undersigned, owners of approximately 7.533 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. ***TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife***, hereby certify to the City of Union, Kentucky that they are the owners of the property by virtue of a deed recorded in Will Book 83 at Page 209 of the Boone County Clerk's records at Burlington, Kentucky.

3. ***TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife***, hereby waive their 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.

4. The foregoing request and waiver by ***TIMOTHY KAHMANN and CHRISTIE KAHMANN, Husband and Wife***, are subject to the condition that the City of Union, Kentucky agrees to amend and alter the zoning Rural Suburban Estates (RSE) of the subject real property after annexation to Suburban Residential One (SR1 with cluster).


LARRY K. SOLOMON, MAYOR
CITY OF UNION, KENTUCKY


TIMOTHY KAHMANN



CHRISTIE KAHMANN

ATTEST:



**CHRISTY EVERMAN
CITY CLERK/TREASURER**

THIS INSTRUMENT PREPARED BY:



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