

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2025-14**

**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, ARLINGHAUS I, LLC, a Limited Liability Company, is the sole owner of the land herein proposed for annexation; and

WHEREAS, ARLINGHAUS I, LLC., a Limited Liability Company, and the City of Union, Kentucky previously entered into an Annexation Agreement on November 13, 2025, whereby *ARLINGHAUS I, LLC., Limited Liability Company*, consented to annexation of the said Parcel 1 at 16.163 acre and Parcel 2 at 0.915 acre tracts; and

WHEREAS, ARLINGHAUS I, LLC., a Limited Liability Company, is sole owner 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 "A"**; 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 unincorporated territory lying to the south and 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 SR-1 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 November 13, 2025 between ***ARLINGHAUS I, LLC, Limited Liability Company and the CITY OF UNION, 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:

PARCEL 1 **Exhibit "B" Attached**

PARCEL 2 **Exhibit "C" Attached**

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 effect the validity of the remaining provisions hereof.

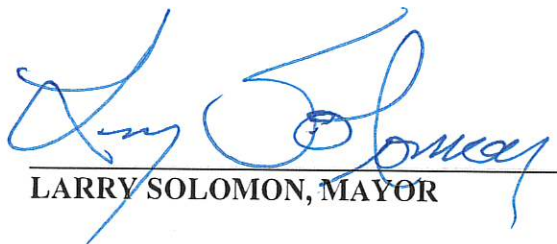
SECTION VI

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

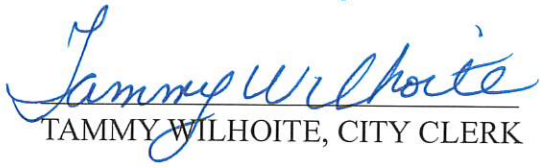
FIRST READING THIS THE 17th day of November, 2025.

PASSED AND APPROVED ON SECOND READING THIS 15th DAY OF December, 2025.

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


LARRY SOLOMON, MAYOR

Attest:


TAMMY WILHOITE, CITY CLERK

Published: _____



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road | 602 Lila Avenue
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000
Fax: 859.727.8452

www.vioxinc.com

August 29, 2024

PARCEL TO BE ANNEXED DESCRIPTION OF 16.163 ACRES

Located in Boone County, Kentucky, approximately 1,100 feet north of Hathaway Road (Kentucky Highway 536), 3,000 feet west of Old Union Road, and being a part of the same property conveyed to Arlinghaus 1, LLC by deed recorded in Deed Book 1222, page 590, in the office of the Boone County Clerk, in Burlington, Kentucky and is more particularly described as follows:

BEGINNING at a point at the common corner of Arlinghaus 1, LLC (Deed Book 1222, page 590), Arlinghaus 1, LLC (D.B. 1194, Pg. 104), Richard Edward Hayden & Martha Ferguson Hayden (Deed Book 543, page 99), and Charles Philip Ferguson Ferguson & Martha Hill Ferguson (Deed Book 865, page 461);

THENCE with the common line of Arlinghaus 1, LLC (Deed Book 1222, page 590) and Arlinghaus 1, LLC (D.B. 1194, Pg. 104) and with the existing corporate boundary of City of Union, Kentucky for the following three (3) courses:

1. N87°28'56"W a distance of 594.00 feet to a point;
2. N04°01'04"E a distance of 1184.00 feet to a point;
3. S86°58'56"E a distance of 477.48 feet to a point;

THENCE through the property of Arlinghaus 1, LLC (Deed Book 1222, page 590) and with the existing corporate boundary of City of Union, Kentucky for the following two (2) courses:

1. S33°17'54"W a distance of 456.83 feet to a point;
2. S56°42'07"E a distance of 1188.00 feet to a point in the common line of Arlinghaus 1, LLC (Deed Book 1222, page 590) and Charles Philip Ferguson & Martha Hill Ferguson (D.B. 865, page 461);

THENCE leaving said existing corporate boundary line with said common line for the following two (2) courses:

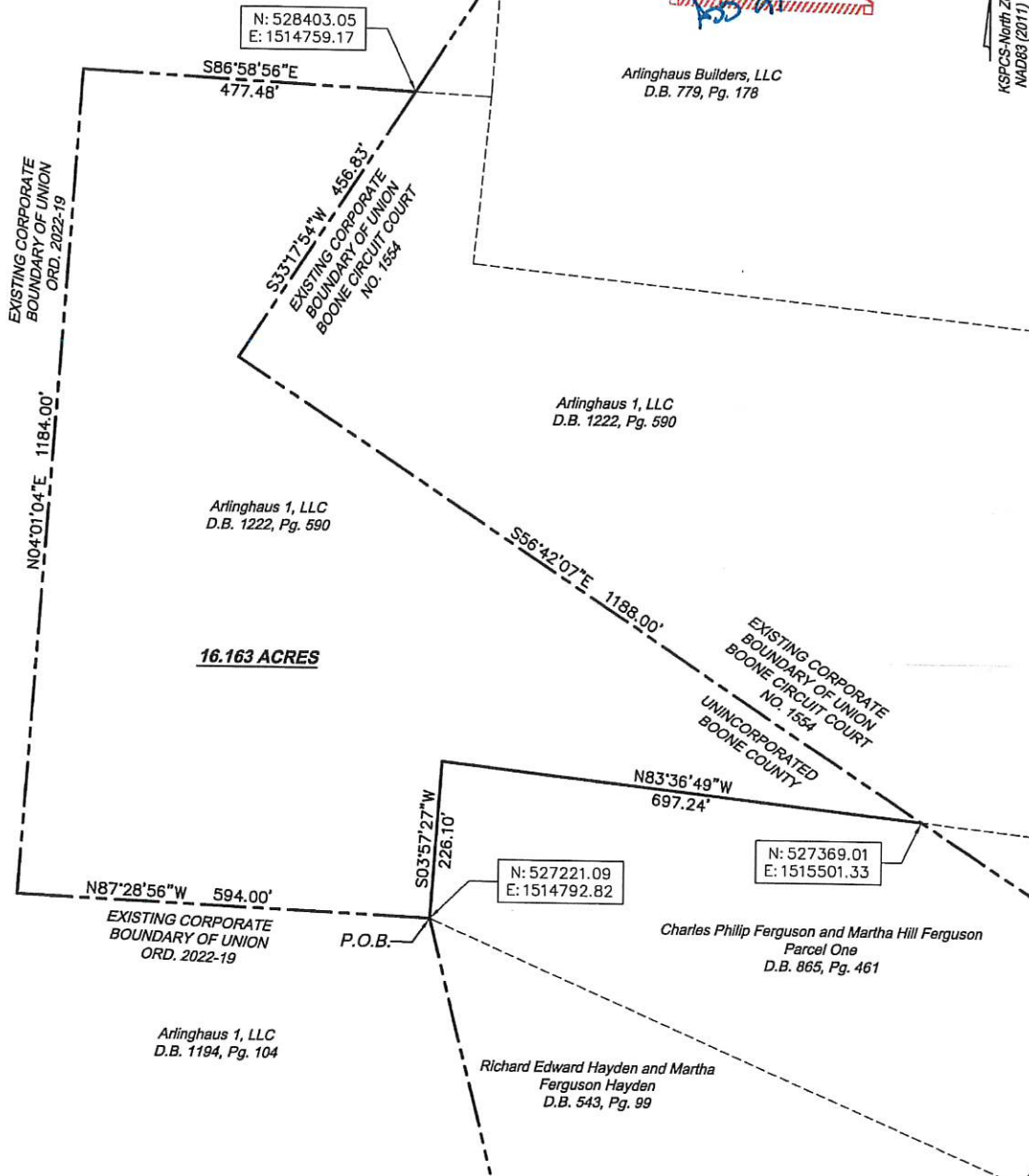
1. N83°36'49"W a distance of 697.24 feet to a point;
2. S03°57'27"W a distance of 226.10 feet to the **POINT OF BEGINNING**, containing 16.163 acres, more or less.

Note: This plat was prepared using existing Boone County Planning Commission GIS information, deeds and plats of record as shown hereon and a survey of the Arlinghaus 1, LLC property by Viox & Viox, Inc. A full survey of this property was not performed.



STATE OF KENTUCKY
 GREGORY A. LARISON
 3357
 LICENSED PROFESSIONAL LAND SURVEYOR

KSPCS-North Zone
 NAD83 (2011)



**PARCEL TO BE ANNEXED
 BY UNION, KENTUCKY**

BOONE COUNTY KENTUCKY

**1100 FEET NORTH OF HATHAWAY ROAD
 3000 FEET WEST OF OLD UNION ROAD**

AUGUST 29, 2024 SCALE: 1"=200'



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects
 466 Erlanger Road • Erlanger, Kentucky 41018
 602 Lila Avenue • Millford, Ohio 45150

Ph Erlanger (859)727-3293 • Ph Millford (513)576-1000 • www.vioxinc.com



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August 29, 2024

PARCEL TO BE ANNEXED
DESCRIPTION OF 0.915 ACRES

Located in Boone County, Kentucky, lying on the north side of Hathaway Road (Kentucky Highway 536, approximately 1,500 feet west of Old Union Road, and being a part of the same property conveyed to Arlinghaus 1, LLC by deed recorded in Deed Book 1222, page 590, in the office of the Boone County Clerk, in Burlington, Kentucky and is more particularly described as follows:

BEGINNING at a point in the north right-of-way line of Hathaway Road, at the most southerly common corner of Arlinghaus 1, LLC and Jefferson S. Powell & Stephanie K. Powell (Deed Book 1008, page 932);

THENCE with said right of way for the following two (2) courses:

1. N84°02'06"W a distance of 127.61 feet to a point;
2. N02°19'09"E a distance of 105.58 feet to a point at the most southerly common corner of Arlinghaus 1, LLC and Sara M. Barnes (Deed Book 1222, page 591);

THENCE leaving said right-of-way line and with the common line of Arlinghaus 1, LLC and Barnes N02°19'09"E a distance of 215.52 feet to a point in the existing corporate boundary of City of Union, Kentucky;

THENCE with said existing corporate boundary line and through the property of Arlinghaus 1, LLC S56°42'07"E a distance of 265.62 feet to a point in the common line of Arlinghaus 1, LLC and Powell;

THENCE leaving said existing corporate boundary line and with said common line S02°19'09"W a distance of 119.63 feet to the ***POINT OF BEGINNING***, containing 0.915 acres, more or less;

Note: This plat was prepared using existing Boone County Planning Commission GIS information, deeds and plats of record as shown hereon and a survey of the Jefferson Powell property by Viox & Viox, Inc. A full survey of this property was not performed.



KSPCS-North, Zone NAD83 (2011)

STATE of KENTUCKY
GREGORY A. LARISON
3357
LICENSED
PROFESSIONAL
LAND SURVEYOR

Sara M. Barnes
D.B. 1222, Pg. 591

Arlinghaus 1, LLC
D.B. 1222, Pg. 590

Nancy Trent
D.B. 909, Pg. 706

EXISTING CORPORATE
BOUNDARY OF UNION
BOONE CIRCUIT COURT
NO. 1554
UNINCORPORATED
BOONE COUNTY

N: 526807.98
E: 1516355.48

S56°42'07"E
265.62'

N02°19'09"E
215.52'

N: 526662.16
E: 1516577.49

Arlinghaus 1, LLC
D.B. 1222, Pg. 590

N: 526592.64
E: 1516346.75

0.915 ACRES

Kristi J. Walke
D.B. 947, Pg. 841

N69°37'48"W
105.58'

N84°02'06"W
127.61'

S02°19'09"W
119.63'

Jefferson S. Powell
& Stephanie K. Powell
D.B. 1008, Pg. 932
P.O.B.

Kentucky Highway 536
Hathaway Road

**PARCEL TO BE ANNEXED
BY UNION, KENTUCKY**

BOONE COUNTY KENTUCKY

NORTH SIDE OF HATHAWAY ROAD
1500 FEET WEST OF OLD UNION ROAD

AUGUST 29, 2024 SCALE: 1"=100'



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ANNEXATION AGREEMENT

This Agreement made between the *CITY OF UNION, KENTUCKY, a Municipal Corporation of the Home Rule Class*, and *ARLINGHAUS I, LLC*

1. Subject to the conditions set forth below, the undersigned, owners of approximately Parcel 1 16.06 Acres, and Parcel 2 0.90 Acres acre tract described in the Plat and legal description attached hereto as *Exhibit A*, (the property) Exhibit "B" (plat), hereby requests that the City of Union, Kentucky annex and make such property a part of the City of Union, Kentucky.

a. City of Union agrees to Abate any City Ad Valorem property taxes on HOA or acreage parcels as well as vacant developed but unsold lots in the Arlinghaus Subdivision. The first property tax assessment on any lot would only be after a third party closing and the subject real estate is deeded to a third party. Abatement does not expire during the duration of the development period.

b. The City shall establish "Lighting District" that includes all Duke Energy and/or Owen Rural Electric street light fixture installation and service and maintenance fees.

c. The City shall provide snow and ice removal services upon any streets where a resident has moved in their home, even if prior to the final layer of asphalt and completion of the street. Developer shall be responsible for keeping obstructions out of pavement area until final course is installed.

d. The City of Union will promptly accept any street for maintenance upon installation of the final layer of asphalt within the subdivision within 45 day from final paving on the street.

e. It is understood that 16.06 acres of the real estate is currently located adjacent to the City of Union boundaries.

f. It is understood that 0.90 acres of the real estate is currently located adjacent to the City of Union boundaries.

2. *ARLINGHAUS I, LLC*, hereby certify to the City of Union, Kentucky that they are the owners of the property by virtue of a deed recorded in Deed Book 1222 at Page 590 of the Boone County Clerk's records at Burlington, Kentucky.

3. *ARLINGHAUS I, LLC*, 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.

LARRY K. SOLOMON, MAYOR
CITY OF UNION, KENTUCKY

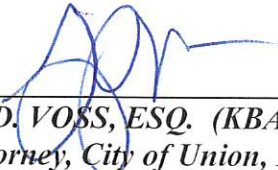
ARLINGHAUS I, LLC

BY: Bob Schroder V.P.
BOB SCHRODER, OFFICER

ATTEST:

TAMMY WILHOITE
CITY CLERK

THIS INSTRUMENT PREPARED BY:


GREG D. VOSS, ESQ. (KBA #73429)
City Attorney, City of Union, Kentucky
301 West Pike Street
Covington, KY 41011
P.O. Box 606 Florence, KY 41022
Telephone: (859) 647-7777 ext. 101
E-Mail: gvoss@vosslaw.net

CONSENT TO ANNEXATION

This Consent made this the 13 day of NOVEMBER, 2025 by **ARLINGHAUS I, LLC**.

WHEREAS, the City of Union, Boone County, Kentucky is desirous of annexing Two Parcels of Real Estate an Parcel 1 16.06 Acres, and Parcel 2 0.90 Acres which is located on Hathaway Road, and owned by Arlinghaus I, LLC; and

WHEREAS, Arlinghaus I, LLC is agreeable to a consensual annexation pursuant to K.R.S. 81A.412.

NOW, THEREFORE, Arlinghaus I, LLC consents to annexation of its real property and further states as follows:

1. The undersigned, owner of Two Parcels of real estate, Hathaway Road, Union, Kentucky, described and legal description attached hereto as **Exhibit "A"** (the property) and Two Plats marked as Exhibit "B", hereby requests that the City of Union, Kentucky annex and make such property a part of the City of Union, Kentucky subject to the conditions set forth below:

a. City of Union agrees to Abate any City Ad Valorem property taxes on HOA or acreage parcels as well as vacant developed but unsold lots in the Arlinghaus Subdivision. The first property tax assessment on any lot would only be after a third party closing and the subject real estate is deeded to a third party. Abatement does not expire during the duration of the development period.

b. The City shall establish "Lighting District" that includes all Duke Energy and/or Owen Rural Electric street light fixture installation and service and maintenance fees.

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e. It is understood that 16.06 acres of the real estate is currently located adjacent to the City of Union boundaries.


f. It is understood that 0.90 acres of the real estate is currently located adjacent to the City of Union boundaries.

2. Arlinghaus I, LLC hereby certifies to the City of Union, Kentucky that it is the owner of

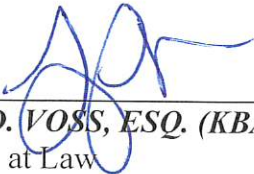
the property which is a portion of the real property conveyed to it by virtue of a deed recorded in Deed Book 1222, Page 590 of the Boone County Clerk's records at Burlington, Kentucky.

3. Arlinghaus I, LLC hereby waives its rights which it has or may have under provisions of K.R.S. 81A.420(2) and (3) and 81A.460 and hereby consents to and request immediate annexation of the property pursuant to K.R.S. 81A.412.

ARLINGHAUS I, LLC

BY:  VP.
BOB SCHRODER, OFFICER

THIS INSTRUMENT PREPARED BY:



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

Attorney at Law

301 West Pike Street

Covington, Kentucky 41011

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