

**CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2007-015**

**AN ORDINANCE ORDERING THE PARTIAL CLOSURE OF SELTMAN  
DRIVE IN UNION, KENTUCKY**

*WHEREAS*, K.R.S. 82.405 provides a procedure for the closure in whole or in part of a public way within the City of Union, Kentucky, and

*WHEREAS*, in Plat Slide 433A of the Boone County Clerk's Records in Burlington, Kentucky, a public way known as Seltman Drive was set forth therein for public use on October 1, 1997; and

*WHEREAS*, Seltman Drive has not been constructed;

*WHEREAS*, the City Commission for the City of Union, Kentucky has determined that it is necessary for a portion of Seltman Drive located in the City of Union, Kentucky be closed;

*WHEREAS*, the City of Union, Kentucky identified all of the property owners abutting the public way or a portion thereof; and

*WHEREAS*, written notice of the proposed closing was given to all property owners in or abutting the public way, or a portion thereof; and

*WHEREAS*, all property owners in or abutting the public way or a portion thereof have now given their written, notarized consent to the closing, and copies of the consents are attached hereto and marked cumulative *Exhibit "A"*

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

**SECTION I**

That the City Commission having met all of the requirements as provided in K.R.S. 82.405 hereby declares the public way known as Seltman Drive as shown on Plat Slide 433A of the Boone County Clerk's Records is hereby closed, with the *exception* as follows: a certain portion of Seltman Drive being 7.5 feet on each side of the center line of Seltman Drive for 130 feet N 58° 00' 46 E., creating a 15 foot pedestrian walkway in the middle of Seltman Drive as set forth in *Exhibit "B"* shall remain open as a public walkway.

**SECTION II**

This Ordinance shall be in effect upon passage and publication as required, and shall be recorded in the Boone County Clerk's Office at Burlington, Kentucky as required by K.R.S. 82.405 (2)(c).

**SECTION III**

**FIRST READING APPROVED:**

**December 10, 2007**

**SECOND READING APPROVED:**

**January 14, 2008**

**APPROVED:**

  
\_\_\_\_\_  
**DONALD KIRBY, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**KATHY PORTER, CITY CLERK**



**CONSENT TO CLOSE STREET**

**JOHN BAIN and ELIZABETH ANN BAIN, Husband and Wife**, having first been duly cautioned and sworn state as follows:

1. That **JOHN BAIN and ELIZABETH ANN BAIN, Husband and Wife**, are the owners of certain real estate being Lot No. 129, Section 8, Union Village Subdivision, located at 10001 Braxton Road, Union, Kentucky, and recorded in Deed Book 908 at Page 669 of the Boone County Clerk's Records at Burlington, Kentucky;

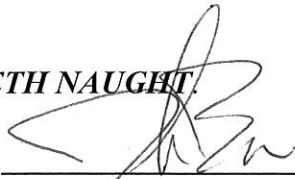
2. That said real estate may abut a certain public way known as Seltman Drive and more fully described in Plat Slide 433 A of the aforesaid Boone County Clerk's records;

3. Said Seltman Drive was dedicated to public use in said Plat Slide 433A of the aforesaid Boone County Clerk's Records;

4. That the City of Union, Kentucky, pursuant to K.R.S. 82.405 has determined that a portion of Seltman Drive as described on **EXHIBIT "A"**, attached hereto, should be closed;

That as abutting property owners to Seltman Drive, and pursuant to K.R.S. 82.405, we hereby consent to the closing of that portion of Seltman Drive as described in **EXHIBIT "A"**.


***FURTHER THE AFFIANTS SAYETH NAUGHT.***

  
\_\_\_\_\_  
**JOHN BAIN**

  
\_\_\_\_\_  
**ELIZABETH ANN BAIN**

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

**SUBSCRIBED and SWORN** to before me, a Notary Public, by **JOHN BAIN**  
and **ELIZABETH ANN BAIN, Husband and Wife**, on this the 10<sup>th</sup> day of  
November, 2007.

  
\_\_\_\_\_  
**NOTARY PUBLIC**  
**Commonwealth of Kentucky**

My Commission Expires: 10-30-2010

and with this plat, it  
feet(s) and storm  
of maintained 45  
days

City Representative

Date

State of  
County of

The foregoing instrument was acknowledged  
before me, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ by

Notary Public

SELTMAN  
D.B. 225 PG. 305



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FIGURE

4 A

**CONSENT TO CLOSE STREET**

**RONALD LOUIS STERLING and DONNA JEAN STERLING, Husband and Wife**, having first been duly cautioned and sworn state as follows:

1. That **RONALD LOUIS STERLING and DONNA JEAN STERLING, Husband and Wife**, are the owners of certain real estate being Lot 130 , Section 8, Union Village Subdivision, located at 9093 Braxton Drive, Union, Kentucky and recorded in Deed Book 685 at Page 262 of the Boone County Clerk's Records at Burlington, Kentucky;

2. That said real estate abuts a certain public way known as Seltman Drive and more fully described in Plat Slide 433A of the aforesaid Boone County Clerk's records;

3. Said Seltman Drive was dedicated to public use in said Plat Slide433 A of the aforesaid Boone County Clerk's Records;

4. That the City of Union, Kentucky, pursuant to K.R.S. 82.405 has determined that a portion of Seltman Drive as described on **EXHIBIT "A"**, attached hereto, should be closed;

That as abutting property owners to Seltman Drive, and pursuant to K.R.S. 82.405, we hereby consent to the closing of that portion of Seltman Drive as described in **EXHIBIT "A"**.

**FURTHER THE AFFIANTS SAYETH NAUGHT.**

  
**RONALD LOUIS STERLING**

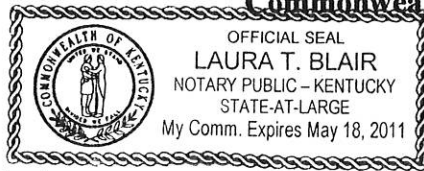
  
**DONNA JEAN STERLING**

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

**SUBSCRIBED and SWORN** to before me, a Notary Public, by **RONALD LOUIS STERLING and DONNA JEAN STERLING, Husband and Wife**, on this the 13<sup>th</sup> day of November, 2007.

*Laura T Blair*

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



My Commission Expires: \_\_\_\_\_



CONSENT TO CLOSE STREET

**ARLINGHAUS I, LLC, a Kentucky Limited Liability Company**, as successor in interest by way of merger with Arlinghaus Builders, Inc., **by and through Joe Arlinghaus, its Executive Officer**, having first been duly cautioned and sworn state as follows:

1. That **ARLINGHAUS I, LLC**, is the owner of certain real estate recorded in Deed Book 730 at Page 293 of the Boone County Clerk's Records at Burlington, Kentucky;

2. That said real estate abuts a certain public way known as Seltman Drive and more fully described in Plat Slide 433A of the aforesaid Boone County Clerk's records;

3. Said Seltman Drive was dedicated to public use in said Plat Slide 433A of the aforesaid Boone County Clerk's records;

4. That the City of Union, Kentucky, pursuant to K.R.S. 82.405 has determined that a portion of Seltman Drive as described on *EXHIBIT "A"*, attached hereto, should be closed;

5. That as abutting property owners to Seltman Drive, and pursuant to K.R.S. 82.405, we hereby consent to the closing of that portion of Seltman Drive as described in *EXHIBIT "A"*.

***FURTHER THE AFFIANTS SAYETH NAUGHT.***

ARLINGHAUS I, LLC

BY: Joe Arlinghaus  
JOE ARLINGHAUS

TITLE: Executive Officer

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

***SUBSCRIBED and SWORN*** to before me, a Notary Public, by **Arlinghaus I, LLC, a Kentucky Limited Liability Company**, as successor in interest by way of merger with Arlinghaus Builders, Inc., **by and through Joe Arlinghaus, its Executive Officer**, on this the 9 day of November, 2007.

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Robert Schwedes  
NOTARY PUBLIC  
Commonwealth of Kentucky

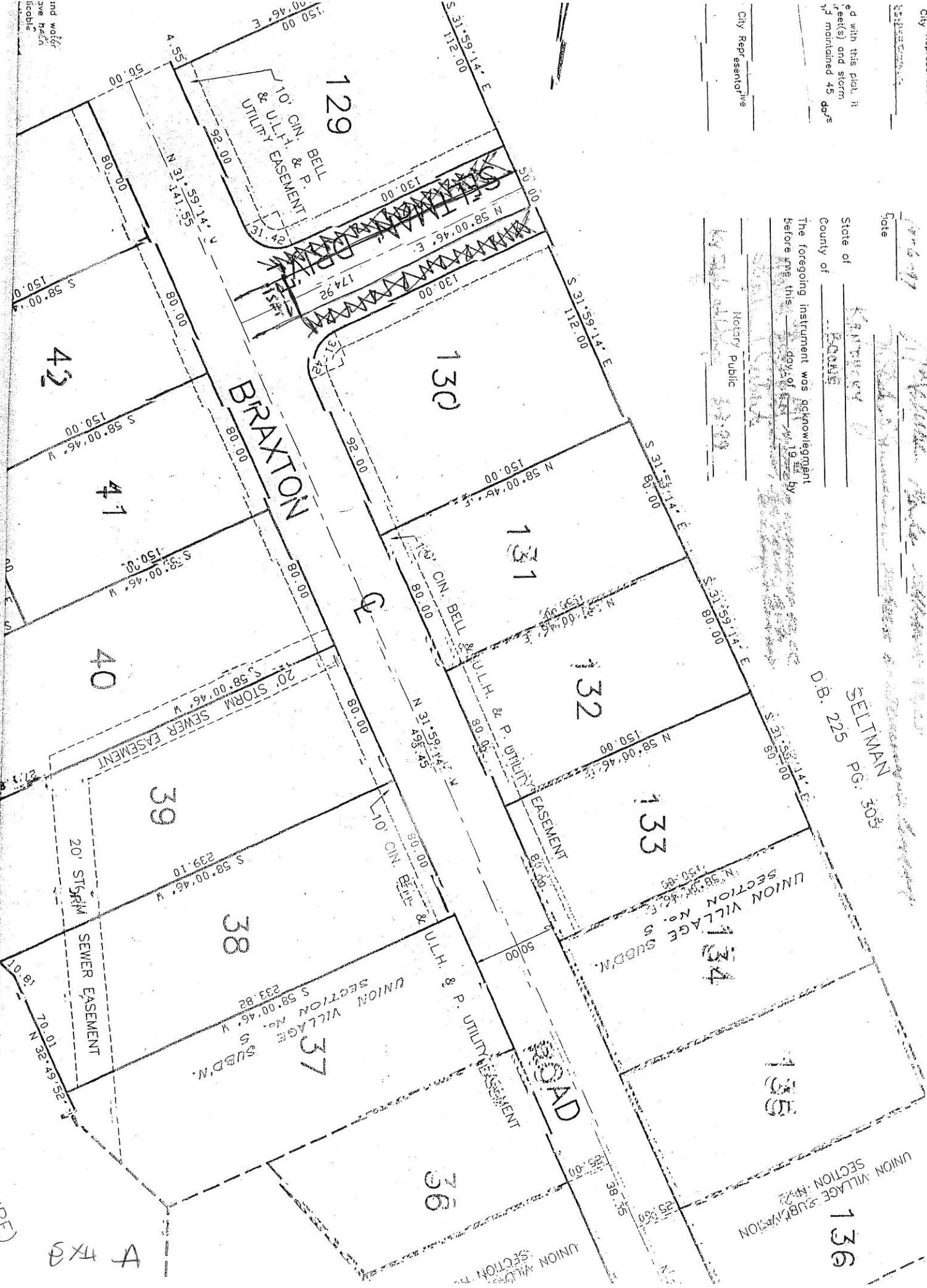
My Commission Expires: 10/7/11

ed with this plat, it  
feet(s) and storm  
17 maintained 45  
dps

City Rep. essential

Date \_\_\_\_\_  
State of \_\_\_\_\_  
County of \_\_\_\_\_  
The foregoing instrument was acknowledged  
before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by  
Notary Public \_\_\_\_\_

SELTMAN PG. 305  
D.B. 225



5x4 A

