

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2022-19**

**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 is the sole owner of the land herein proposed for annexation; and

WHEREAS, ARLINGHAUS I, LLC previously executed an Annexation Consent on September 7, 2022 whereby *ARLINGHAUS I, LLC* consents to the annexation of the said 81.293 acre parcel, less .035 acres already located in the city limits, located on Hathaway Road, Union Incorporation Boundary, City of Union, Kentucky; and

WHEREAS, the *ARLINGHAUS I, LLC*, 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, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE
CITY OF UNION, KENTUCKY:***

SECTION I

It is the intention that the hereinafter described unincorporated territory 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

The following items are conditions to the annexation between Arlinghaus I, LLC and the City of Union Kentucky:

1. 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.
2. 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.
3. 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.
4. 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.

SECTION IV

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 Consent dated September 7, 2022, by *ARLINGHAUS I, LLC* 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 LEGAL DESCRIPTION ATTACHED HEREIN
AS EXHIBIT "B"**

SECTION V

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

SECTION VI

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 VII

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

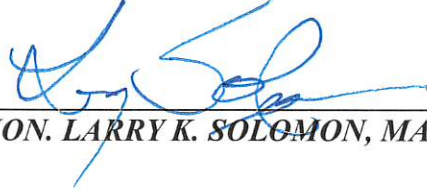
FIRST READING APPROVED:

September 7th, 2022

SECOND READING APPROVED:

October 3, 2022

APPROVED:



HON. LARRY K. SOLOMON, MAYOR

ATTEST:

Tammy Wilhoite
TAMMY WILHOITE, CITY CLERK

Published: _____