

CERTIFICATION

I, Gina Rawe, City Clerk of the City of Independence, Kenton County, Kentucky, do hereby certify that the attached document is a true copy of Ordinance No. 2021-O-16 regarding the legal description and plat for the annexation of property located on the west side of KY-536, Madison Pike. Ordinance No. 2021-O-16 was passed and adopted at a regular meeting of the Independence City Council, on August 2, 2021.

Further, I hereby certify that the original document is on file as a part of the Official Records of the City and may be reviewed and proved by the files of my Office, at the City of Independence, 5409 Madison Pike, Independence, Kentucky, 41051.

Signed this 10th of March 2026.



Gina Rawe, City Clerk
City of Independence, Kentucky

RECEIVED AND FILED
DATE March 18th
2026
MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Jane Phillips



Independence Vision Statement:

"To become one of America's most livable cities, relentless in the pursuit of an outstanding quality of life for our citizens."

City of Independence, Ky.
ORDINANCE NO. 2021-O-16

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORIES WITHIN THE COUNTY OF KENTON, KENTUCKY AND CONTIGUOUS TO THE PRESENT BOUNDARY LINES OF THE CITY OF INDEPENDENCE, KENTUCKY, AND DEFINING BY METES AND BOUNDS THE TERRITORY ANNEXED

WHEREAS, Kentucky Revised Statute 81A.410 authorizes and delegates city legislative bodies the authority to annex territories; and

WHEREAS, Kentucky Revised Statute 81A.412 provides the way said annexation should be accomplished through the consent of the property owner; and

WHEREAS, the property owner, by way of an annexation agreement, has provided written consent to the annexation; and

WHEREAS the property herein described is adjacent to and contiguous to the city's boundaries; and

WHEREAS, by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land, said property is urban in character or suitable for urban purposes without unreasonable delay; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Independence, Commonwealth of Kentucky:

SECTION I

That the City of Independence does hereby and herewith annex to its present boundaries and include the same within the territorial limits of the City of Independence, Kenton County, Kentucky, the following described unincorporated land, and area, located in the County of Kenton, Commonwealth of Kentucky, approximately one acre, lying on the east side of Kentucky Highway 17 and the north side of Kentucky Highway 46 and is more particularly described as follows: West

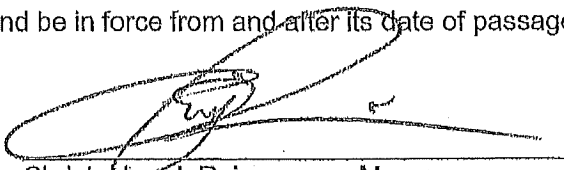
536

SEE ATTACHED EXHIBIT "A", Legal Description, "B", Plat

* SCRIVENERS error
per City Attorney
Jack Gachin

SECTION II

That this ordinance shall take effect and be in force from and after its date of passage.


Christopher J. Reinersman, Mayor

ATTEST:


Gloria Gabbard, City Clerk

Ordinance No. 2021-O-16

First Reading: August 2, 2021

Second Reading: September 13, 2021

Ayes: 5

Nays: 0

Date of Publication: 9/27/2021

ENQUIRER MEDIA

PART OF THE USA TODAY NETWORK

Advertiser:

CITY OF INDEPENDENCE
5409 MADISON PIKE

INDEPENDENCE KY 41051

RECEIVED

OCT 01 2021

City of Independence

LEGAL NOTICE
ATTACHED

This is not an invoice
Account #: CIN-185302
Total Cost of the Ad \$43.04
Last Run Date: 09/27/2021

of Affidavits 1

AFFIDAVIT OF PUBLICATION

Newspaper: CIN-EN Kentucky Enquirer

State of Wisconsin

RE: Order # 0004925797

I, V. Kelly
of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper times, once in each issue dated as follows:

The Independence City Council passed Ordinance No. 2021-O-15, 2021-O-16, 2021-O-17 and 2021-O-18 at their regular meeting on September 13, 2021. The ordinances are available for viewing on the city's website at: <https://www.cityofindependence.org/CityAdministration/?action=CodesAndOrdinances>.
KY, Sep 27, 21#4925797

09/27/2021.

[Signature]

Subscribed and sworn to before me this
27th day of September, 2021

[Signature]
Notary Public

5.15.23

Commission expires

NANCY HEYRMAN
Notary Public
State of Wisconsin

ANNEXATION AGREEMENT

RECEIVED
AUG 05 2011
City of Independence

Whereas, the City of Independence, Kenton County, Kentucky (the "City") is desirous of annexing a parcel of property located at _____ East Mt. Zion Road, Independence, Kentucky, PIDN #019-00-00-036.06, more particularly described in the legal description and plat attached as Exhibits "A" and "B" (the "Property"), owned by COI Park536 Land, LLC, a Kentucky limited liability company, (the "Property Owner" or "COI"),

Whereas, the Property Owner has publicly stated its intention to challenge any and all nonconsensual annexation ordinances by the City pursuant to Kentucky Revised Statute 81A.420; and

Whereas, the City and VTRE Development, LLC ("VTRE") previously entered into a Development Agreement (the "Development Agreement") related to the development of property owned by Judith and Lloyd Spegal (the "Spegal Property"), which Spegal Property is adjacent to the Property, and which has been annexed by the City and rezoned as set forth in the Development Agreement, in accordance with the provisions of KRS 100.209; and

Whereas, VTRE has formed COI as a special purpose entity to acquire the Spegal Property as set forth in the Development Agreement, and wants to add the Property to the Development Agreement to be part of the overall project being developed by VTRE or its successors and assigns.

Whereas, the City is desirous of annexing the Property and the Property Owner is agreeable to a consensual annexation, pursuant to Kentucky Revised Statute 81A.412, if certain conditions and considerations, as set forth in this Annexation Agreement are met.

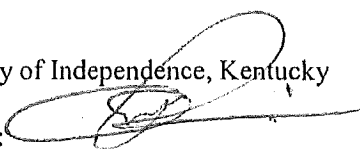
Now Therefore it is Agreed as Follows:

1. That the Property Owner is agreeable and this Annexation Agreement shall serve as notice of their intent and/or consent to be annexed into the City pursuant to Kentucky Revised Statute 81A.412. The City and Property Owner agree that the Property will by separate agreement be incorporated into the Development Agreement and be included as part of the project being developed by VTRE. A description and plat of the Property to be annexed is attached hereto as Exhibits A and B and incorporated by reference herein.

2. The purpose of this annexation is so that the Property Owner and its assigns will enjoy services from the City, including but not limited to, police protection and public works. Furthermore, the Property Owner acknowledges and agrees that being part of the City is positive for the plan to develop the Property in accordance with the Development Agreement.

3. This Annexation Agreement constitutes the entire agreement of the Parties and may not be modified.

City of Independence, Kentucky

By: 
Chris Reinersman, Mayor

COI Park536 Land, LLC, a Kentucky limited liability company

By: 
Name: David Harrison
Its: Manager



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

April 21, 2021

DESCRIPTION OF 1.727 ACRES

Located in Kenton County, Kentucky, approximately 1250 feet southwest of the intersection of Mt. Zion Road and Bristow Road and being part of the same property conveyed to Glenhurst Development, LLC by deed recorded in Record Book I-1790, page 201 in the office of the Kenton County Clerk in Covington, Kentucky and is more particularly described as follows:

Unless otherwise stated, any monument referred to herein as an iron pin (set) is a ½ inch diameter rebar eighteen inches in length with an orange plastic cap stamped "Larison PLS 3357". All bearings referred to herein are based upon KYSPCS-North Zone-NAD 83 (2011).

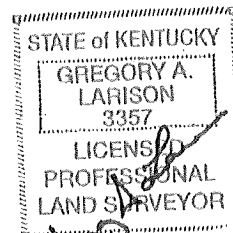
BEGINNING at an existing post at the northerly most common corner of Glenhurst Development, LLC (Record Book I-1790, Page 201) and Lloyd and Judith Lynn Spegal (Deed Book 385, Page 217);

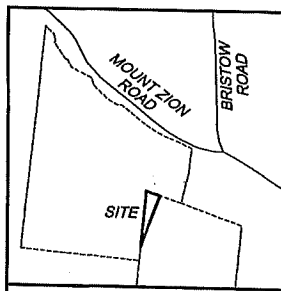
THENCE with the common line of Glenhurst Development, LLC, and Spegal South 72°03'49" East a distance of 200.00 feet to an iron pin (set);

THENCE with the new division line of Glenhurst Development, LLC South 20°38'58" West a distance of 753.10 feet to an iron pin (set) at the common corner of Glenhurst Development, LLC and Spegal;

THENCE with the common line of Glenhurst Development, LLC and Spegal North 05°36'43" East passing an existing iron pin with a plastic cap stamped "Witness PLS 3357" at 765.00 feet, a total distance of 770.00 feet to the **POINT OF BEGINNING** containing 1.727 acres and being subject to all right-of-ways and easements of record.

This description was prepared from a new survey by Gregory A. Larison, PLS 3357, for Viox & Viox, Inc. on April 15, 2021.





VICINITY MAP
SCALE: 1"=2000'

DATE OF SURVEY: 4/15/21

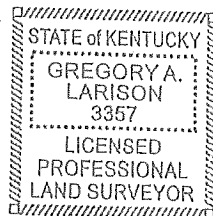
Approved for attachment to deed and conveyance purposes by the Kenton County Planning Commission. This approval does not constitute a guarantee that the resulting parcel complies with any other regulatory agency's requirements. This 19th day of May, 2021.

By: Paul J. Dorpel, Chair
CHAIR, Kenton County Planning Commission

OWNERS CERTIFICATE

We the undersigned, do hereby adopt this plat and consent and accept all easements and matters shown hereon and further certify that the title to the property shown hereon is part or all of the same property conveyed to us by deed recorded in Deed Book I-1790, page 201 of the Kenton County records at Covington, Kentucky.

5/18/2021
Owners Signature Date



LAND SURVEYOR'S CERTIFICATE

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 sideshots. The unadjusted error of closure was 1:69,900 and was not adjusted. The survey as shown hereon is an Urban Survey and the accuracy and precision of said survey meets all the specifications of this class and complies with 201 KAR 18:150.

Not for conveyance or building development by itself, but for attachment to adjacent land in the same ownership.

5/18/21
P.L.S. 3357 DATE

LLOYD SPEGAL & JUDITH LYNN SPEGAL
D.B. 385, PG. 217
PARCEL NO. 1
S72°03'49"E
200.00'

CORNER POST
EX. WITNESS @ 5.0'

1.727 Acres

LLOYD SPEGAL & JUDITH LYNN SPEGAL
D.B. 385, PG. 217
PARCEL NO. 3

N05°36'43"E
770.00'

S20°38'58"W
753.10'
GLENHURST DEVELOPMENT, LLC
R.B. I-1790, PG. 201
REMAINING PROPERTY



KSPCS-North Zone
NAD83 (2011)



- EXISTING IRON PIN
- SET 1/2" x 18" REBAR AND CAP
STAMPED "LARISON PLS 3357"
- ⊙ EXISTING 1/2" x 18" REBAR AND CAP
STAMPED "WITNESS PLS 3357"

1.727 ACRES TO BE CONVEYED BY
GLENHURST DEVELOPMENT, LLC

KENTON COUNTY KENTUCKY

1250 FEET SOUTHWEST OF THE INTERSECTION
OF MT. ZION ROAD & BRISTOW ROAD

APRIL 21, 2021 SCALE: 1"=100'

Owner:
Glenhurst Development, LLC
142 Barnwood Drive
Edgewood, KY 41017

Owner:
VanTrust REal Estate
950 Goodale Boulevard
Columbus, OH 43212



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road • Erlanger, Kentucky 41018

402 Lila Avenue • Millford, Ohio 45150

Ph Erlanger (859)727-3283 • Ph Millford (513)578-1000 • www.vioxinc.com