

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 an Ordinance regarding the annexation of property located on the east side of KY-17, Madison Pike. Ordinance No. 2007-O-12 was passed and adopted at a regular Meeting of the Independence City Council, on August 27, 2007.

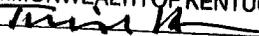
Further, I hereby certify that the original document is on file as a part of the Official Records of the City and may be reviewed and proved by the files of my Office, at the City of Independence, 5409 Madison Pike, Independence, Kentucky, 41051.

Signed this 8th day of February 2024.



Gina Rawe, City Clerk
City of Independence, Kentucky

RECEIVED AND FILED
DATE February 22, 2024

MICHAEL G. ADAMS
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 



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. 2007-O-12

AN ORDINANCE OF THE CITY OF INDEPENDENCE, KENTON COUNTY, KENTUCKY, ANNEXING 22.53 ACRES, MORE OR LESS, LYING ON THE EASTERLY SIDE OF RELOCATED KENTUCKY HIGHWAY SR#17, SOUTH OF PELLY ROAD, AND BEING THE SAME PROPERTY OWNED BY THE KENTON COUNTY FISCAL COURT, AND MORE PARTICULARLY DESCRIBED HEREINAFTER.

WHEREAS, the City of Independence adopted Ordinance No. 2007-O-02 which was an Ordinance of Intent to annex a 22.53 acre parcel of ground, said parcel lying on the easterly side of the relocated Kentucky Highway SR#17, south of Pelly Road, said parcel being owned by the Kenton County Fiscal Court, and

WHEREAS, the appropriate amount of time for objection / appeal / remonstrance to such Intent having passed with the City of Independence not having been notified of any such action;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, KENTON COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I

The City of Independence hereby annexes the 22.53 acre parcel or property located on the easterly side of relocated Kentucky Highway SR#17, south of Pelly Road, said property being owned by the Kenton County Fiscal Court, being more particularly described as PIDN's 046-00-00-025.02, acquired by deed recorded at Official Record Book I-2032, page 183 of the Kenton County Clerk's records at Independence, Kentucky.

SECTION II

The territory which is the subject of this Ordinance is more accurately and completely described and illustrated in Exhibit 'A', attached to this Ordinance. The Exhibit accurately defines the boundary of the territory intended to be annexed.

SECTION III

The City hereby declares that it is desirable to annex the territory subject to this ordinance, as described in Exhibit "A".

SECTION IV

This ordinance shall be effective upon its adoption and approval according to law, and publication thereafter.

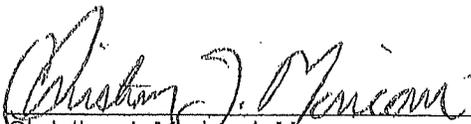
SECTION V

All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

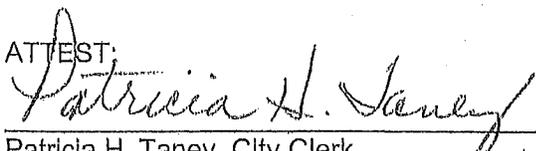
SECTION VI

The foregoing Ordinance was read, passed and adopted by the Council of the City of Independence, Kentucky, meeting in a Special session held on the 27th day of August 2007, with 6 Yes votes, 0 No votes, and 0 Abstentions, and was thereafter approved by the Mayor and order published in Summary according to law.

PASSED AND APPROVED the 27th day of August 2007.



Christian J. Moriconi, Mayor

ATTEST:


Patricia H. Taney, City Clerk

FIRST READING: June 4, 2007
SECOND READING: August 27, 2007
Ayes 6
Nays 0

PUBLISHED: September 14, 2007

PIDN

046-00-00-021.08

VI-2032 Pg 183

MT DT SPLIT Y N

PIDN

EXHIBIT "A"

046-00-00-025.02

LIBERTY ORCHARD, LC TO
KENTON COUNTY FISCAL COURT

MT DT SPLIT Y N

Situated in the County of Kenton, Commonwealth of Kentucky, lying along the easterly side of relocated Kentucky Highway No. 17, south of Pelly Road, and being particularly described as follows:

Beginning at a pin at the original south corner of Lot No. 10 of the division of the lands of A. F. Fleming in 1873, plat in Inventory Book 6 at page 247, said pin also being a corner to James L. Kudera (Deed Book 290, page 248); thence with the line of Kudera and the southeast line of Lot No. 10, N 39° 44' 46" E 918.56 feet and N 42° 29' 36" E 231.80 feet to a pin at the east corner of Lot No. 10 and a corner to Richard Zornes (Deed Book 147, page 71); thence with the line of Zornes and Lloyd Elmer Bruecker (Deed Book 301, page 271) and the northeast line of Lot No. 10 and Lot No. 9, N 51° 56' 11" W 660.50 feet and N 51° 15' 20" W 665.00 feet more or less to a point in the east right of way line of relocated Kentucky Highway No. 17 (Vol. I-246, Page 112, Kenton County Records), said point being 286.58 feet right of Kentucky Highway No. 17 Station 565+61.57; thence in a southerly direction along the east right of way line of said highway 243.84 feet to a point 126.31 feet right of Kentucky Highway No. 17 Station 563+87.68; thence in a southerly direction along the east right of way line of said highway 425.64 feet to a point 144.36 feet right of Kentucky Highway No. 17 Station 559+77.58; thence in a southerly direction along the east right of way line of said highway 94.35 feet to a point 183.73 feet right of Kentucky Highway No. 17 Station 558+95.56; thence in a southerly direction along the east right of way line of said highway 121.73 feet to a point 118.11 feet right of Kentucky Highway No. 17 Station 557+97.13; thence in a southerly direction along the east right of way line of said highway 222.29 feet to a point 142.72 feet right of Kentucky Highway No. 17 Station 555+83.88; thence in a southerly direction along the east right of way line of said highway 246.06 feet to a point 116.47 feet right of Kentucky Highway No. 17 Station 553+47.66; thence in a southerly direction along the east right of way line of said highway 196.51 feet to a point 206.69 feet right of Kentucky Highway No. 17 Station 551+80.34; thence in a southerly direction along the east right of way line of said highway 127.20 feet to a point 134.51 feet right of Kentucky Highway No. 17 Station 550+62.23; thence in a southerly direction along the east right of way line of said highway 437.72 feet to a point 111.55 feet right of Kentucky Highway No. 17 Station 546+42.28; thence in a southerly direction along the east right of way line of said highway 170.54 feet to a point 226.79 feet right of Kentucky Highway No. 17 Station 545+16.56; thence leaving said highway and following along the grantor's southeast property line (Deed Book 401, Page 257) N 37° 53' 30" E 522.00 feet more or less to an iron pin at the east corner of the grantor's original 81.0448 acre tract as described in Deed Book 401 at Page 257 of the Kenton County Clerk's records at Independence, Kentucky; thence along the grantor's line N 48° 29' 20" W 55.25 feet to the place of beginning.

Containing 25.5 Acres More or Less

This conveyance is subject to all easements and restrictions of record and/or in existence.

It is the intention of the grantor and grantee herein that the grantor convey all of it's remaining property, east of the newly relocated Kentucky Highway No. 17, to the grantee herein.

DEED

VI-2032 Pg 182

J3
1600
95000

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Orchard, LC, a Kentucky Limited Liability Company, for and in consideration of One Dollar and other good and valuable considerations (\$1.00) paid by the Grantee, herein, the receipt of which is acknowledged, does bargain, sell and convey to Kenton County Fiscal Court, its successors and assigns forever, the following described real estate, County of Kenton and Commonwealth of Kentucky, to-wit:

Grantee Mailing Address: 303 Court Street, Covington, KY 41011
Grantor Mailing Address: 8080 Stellen Drive, Florence, KY 41042

Group: Independence
PIDN: 046-00-00-025.02 & 046-00-00-021.08

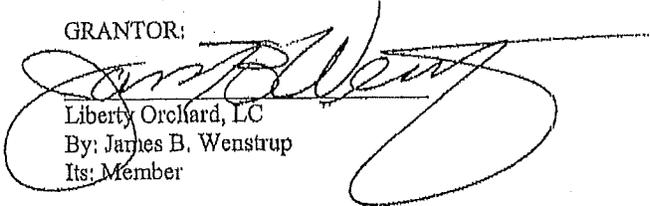
See attached Exhibit "A" for legal description which is incorporated by reference herein.

Being part of the same property conveyed to the Grantor herein by deeds recorded in Deed Book 419, page 242 and by deed recorded in Deed Book 417, page 149 of the Kenton County Clerk's records at Independence, Kentucky.

Together with all the privileges and appurtenances to the same belonging. To have and to hold the same to the said Grantee, Kenton County Fiscal Court, its successors and assigns forever, the Grantor, Liberty Orchard, LC, a Kentucky Limited Liability Company, its successors and assigns hereby covenanting with the Grantee that the title so conveyed is clear, free and unencumbered and that it will warrant and defend the same against all legal claims whatsoever.

IN WITNESS WHEREOF, the said Grantor, Liberty Orchard, LC, a Kentucky Limited Liability Company, hereunto sets its hand, this 13 day of December, 2006.

GRANTOR:


Liberty Orchard, LC
By: James B. Wenstrup
Its: Member

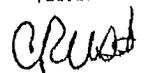
STATE OF KENTUCKY
COUNTY OF KENTON

The foregoing instrument was acknowledged before me this 13 day of December, 2006 by the Grantor, Liberty Orchard, LC, a Kentucky Limited Liability Company, acting by and through James B. Wenstrup, its Member, duly authorized pursuant to its operating agreement, to be its voluntary act and deed.


NOTARY PUBLIC

My commission expires: 10/25/08

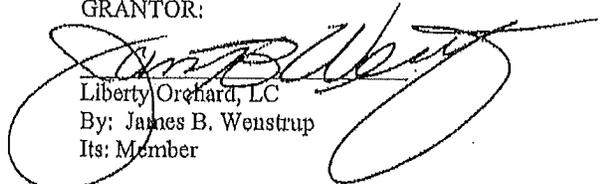
Recorded
INDEPENDENCE
Doc type: DEED
Book/page: I-2032/ 182 3 pg
Doc#: 06 12 13 059 00141
Dt/tm Recorded: 12/13/2006 11:56:25am
Total fees: 766.00 Tax: 750.00
Clerk name: C RUST



CONSIDERATION CERTIFICATE

We, the undersigned, being the Grantee, Kenton County Fiscal Court, and the Grantor, Liberty Orchard, LC, a Kentucky Limited Liability Company, in a certain deed dated December 13, 2006, to which this Certificate is attached, or the authorized representatives thereof, do hereby certify, pursuant to K.R.S. Chapter 382, that the consideration reflected in this Deed is either the full consideration paid or the estimated value of the property interest conveyed therein for said property. Fair Cash Value is \$750,000.00.

GRANTOR:


Liberty Orchard, LC
By: James B. Wenstrup
Its: Member

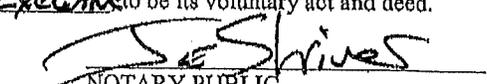
GRANTEE:


Kenton County Fiscal Court
By: Ralph A. Drees
Its: Judge/Executive

STATE OF KENTUCKY
COUNTY OF KENTON

The foregoing Consideration Certificate was acknowledged, subscribed and sworn to before me this 13 day of December, 2006 by the Grantee, Kenton County Fiscal Court, acting by and through Ralph A. Drees, its Judge/Executive to be its voluntary act and deed.

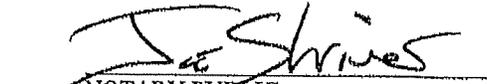
My commission expires: 10/29/08


NOTARY PUBLIC

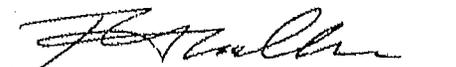
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COUNTY OF KENTON

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My commission expires: 10/29/08


NOTARY PUBLIC

NO TITLE EXAMINATION BY PREPARER
THIS INSTRUMENT PREPARED BY:


RONALD G. MULLEN, ATTORNEY
KENTUCKY LAND TITLE AGENCY, INC.
2362 Grandview Drive
Ft. Mitchell, KY 41017
(859) 344-1919

Return Deed to: Garry Edmondson
Kenton County Attorney
303 Court Street, Rm 307
Covington, KY 41011

