

CITY OF

I N D E P E N D E N C E

The Heart of Kenton County

RECEIVED

JUL 9 1997

SECRETARY OF STATE
COMMONWEALTH OF KY

July 2, 1997

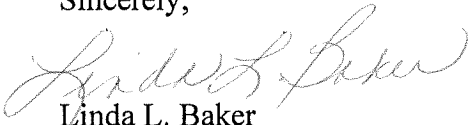
TO WHOM IT MAY CONCERN:

A copy of Independence Ordinance # 1996-0-6 is attached for you to review. It has come to our attention that this parcel of property does not show on the City maps, and there was some concern that the annexation papers had NOT been sent to the appropriate agencies at the time it took place. This is simply a follow-up to address that possible oversight.

If you have received the papers previously, then please disregard this information. If you have not previously received these papers, then please process them as soon as possible.

We appreciate your assistance in this matter.

Sincerely,


Linda L. Baker
City Clerk

TO: Property Valuation Administration
Mr. Mike Schwartz, Northern Kentucky Area Planning
Kenton County Clerk's Office
Secretary of State's Office

ORDINANCE NO. 199 6-O-6

AN ORDINANCE ANNEXING 58.00 ACRES OF LAND, MORE OR LESS, ON MADISON PIKE AND PELLY ROAD, KENTON COUNTY, KENTUCKY, SAID PROPERTY BEING OWNED BY THE KENTON COUNTY BOARD OF EDUCATION AS CONVEYED TO IT BY DEED BOOK 399, PAGE 250 OF THE KENTON COUNTY CLERKS RECORDS AT INDEPENDENCE, AND BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREINAFTER. THIS ANNEXATION IS BY WRITTEN CONSENT OF THE KENTON COUNTY BOARD OF EDUCATION.

WHEREAS, The Kenton County Board of Education is the sole owner of the property herein to be annexed and has consented to such annexation in writing, and

WHEREAS, the property to be annexed is contiguous to the present boundary of the City of Independence as described herein, and

WHEREAS, the herein described property is presently in an unincorporated area, not within the boundaries of another municipality, and

WHEREAS, it is in the best interest of the City of Independence to annex the property herein;

BE IT ORDAINED BY THE CITY OF INDEPENDENCE AS FOLLOWS:

SECTION 1

That the City of Independence, by this Ordinance, hereby annexes into its boundaries a certain parcel of land containing a total of 58.00 acres of land, more or less, being owned by The Kenton County Board of Education, and being more particularly described as set out in the attachment hereto as Exhibit "A", and as set forth in Deed Book 399, Page 250 of the Kenton County Clerks records at Independence.

SECTION II

That the herein annexation is made with the written consent of the property owner, a copy of this consent is attached hereto as Exhibit "B".

SECTION III

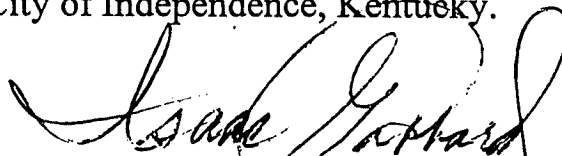
That the land use and zoning shall remain unchanged by virtue of this Ordinance.

SECTION IV

This ordinance shall become effective upon passage and publication according to law.

SECTION V

There is excluded herefrom any area already in any incorporated city, including, but not limited to the City of Independence, Kentucky.



MAYOR OF INDEPENDENCE

ATTEST:



CITY CLERK

FIRST READING: 2-27-96

SECOND READING 3-12-96

PUBLICATION DATE: 3-18-96

MOHRORD

EXCEPTION NO. 2

A small parcel of land lying northwardly from Pelly Pike and described as follows according to a survey made by B. B. Barton, surveyor, in April, 1945:

Beginning at a stake in an old road, or passway leading from Pelly Pike to the Eaton Farm, a corner to Carter's 2 acre tract (a walnut tree bears S. 43-45 W. 23 feet); thence with said road, or passway, and Eaton's land, North 6 degrees West 145.50 feet to a stake in said road, a corner to Mardis's land; thence with the Mardis line South 69 degrees 45 minutes West 468 feet to a post; thence with E. A. Mohr's land South 15 degrees East 364.50 feet to a post; thence with Eaton's and Carter's land North 43 degrees 45 minutes East 517 feet to the place of beginning, containing 2.60 acres.

This exception being the same property conveyed to Russell E. Carter and Sallie Grant Carter, husband and wife, by deed recorded in Deed Book 89, Page 45 in the office of the Kenton County Clerk at Independence, Kentucky.

TRACT 2

A certain tract or parcel of land lying and being in Kenton County, Kentucky, on the Banklick Turnpike Road, now State Highway #17, about 1 mile north of Independence, and bounded thus:

Beginning a "A" black oak stump on the east side of said road; thence South 0.13 E. 8.8 poles to a point; thence S. 75.5 E. 33.25 poles to a point; thence N. 38.25 E. 42.3 poles to a point; thence N. 52 W. 33.98 poles to a point; thence S. 40 W. 22.4 poles to a point; thence S. 88.5 W. 25.7 poles to a point; thence S. 10.5 E. 20 poles to a point; thence S. 76.5 E. 3.4 poles to the beginning, containing 12.5 acres, more or less.

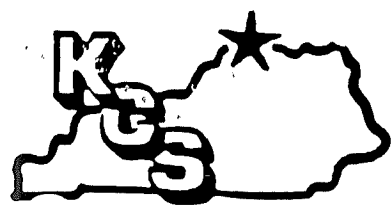
EXCEPTION NO. 1

Beginning at a point in the State Highway #17, formerly the Covington-Banklick Turnpike Company, and the line separating the Yeager farm from the Canty farm and from said point, running with the east right of way line of state highway north 10.5 W. 208.5 feet; thence S. 75.5 E. 208.5 feet; thence S. 10.5 E. 208.5 feet; thence N. 75.5 E. 208.5 feet to the beginning, containing about 1 acre, more or less.

This exception being the same property conveyed to Anna E. S. Yeager by deed recorded in Deed Book 78, Page 66 in the office of the Kenton County Clerk at Independence, Kentucky.

There is excluded from both Tract No. 1 and Tract No. 2, and not intended to be conveyed so much of that parcel or strip of land heretofore conveyed to the Commonwealth of Kentucky for right of way purposes along State Highway #17.

MOHR



A Kenton County Schools
Kentucky

KENTON COUNTY SCHOOLS

20 KENTON LANDS ROAD - ERLANGER, KENTUCKY 41018 (606)344-8888

FAX NUMBER (606) 344-1831

Neil D. Stiegelmeier, SUPERINTENDENT

David R. Afterkirk, DEPUTY SUPERINTENDENT

Joyce J. Fortney, Ed.D., ASST. SUPERINTENDENT, ACADEMIC AFFAIRS

William E. Pelfrey, ASST. SUPERINTENDENT, HUMAN RESOURCES

Kelley S. Gamble, CPA, FINANCE/BUDGET DIRECTOR

February 20, 1996

EXHIBIT "B"

The Honorable Ike Gabbard
Mayor of Independence
5292 Madison Pike
Independence, Kentucky 41051

Dear Mayor Gabbard:

The Kenton County Board of Education at its meeting on February 12, 1996, approved the recommendation to request the incorporation of the Board's property on Rt. 17 (Mohr property) by the City of Independence. Please accept this letter as the district's official request.

I enjoyed meeting with you and the Independence council members at your recent work session.

Please let me know if you need any additional information in order to process our request.

Sincerely,

Neil D. Stiegelmeier
Superintendent

pc: Wed Deters, Board Attorney

THE CINCINNATI ENQUIRER
The Cincinnati Post
The Kentucky Post

312 ELM STREET
CINCINNATI, OHIO 45202-2754
(513) 721-2700

AFFIDAVIT

(CASE NUMBER) LINDA CART
(CAPTION COPY) ORD. # 1996-0-06
(QUOTED COST) \$40.22
(AD #) 14869

STATE OF OHIO, SS.
HAMILTON COUNTY,

PERSONALLY APPEARED BEFORE ME,

A NOTARY PUBLIC, IN AND FOR HAMILTON
COUNTY, OHIO *Russ Burnett*

WHO, BEING DULY SWORN, SAYS THAT THE
ANNEXED ADVERTISEMENT WAS PUBLISHED
IN THE

KENTUCKY POST

DAILY NEWSPAPERS 1 TIMES TO WIT:

March 18, 1996

Russ Burnett
.....
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS

19 DAY OF *March* 1996

Anita L. Alexander
.....
NOTARY PUBLIC

ANITA L. ALEXANDER
Notary Public, State of Ohio
My Commission Expires Aug. 7, 2000

(SUMMARY)
ORDINANCE NO. 1996-0-06
An ordinance annexing approxi-
mately 58.00 acres of land,
more or less, on Madison Pike
and Pelly Road, Kenton County,
Kentucky, said property being
owned by the Kenton County
Board of Education as con-
veyed to it by deed book 399,
Page 250 of the Kenton County
Clerk's records at Indepen-
dence, and being more particu-
larly described by metes and
bounds hereinafter. This annex-
ation is by written consent of
the Kenton County Board of
Education. Be it ordained by
the City of Independence as
follows: Section 1 That the City
of Independence, by this Ord-
inance, hereby annexes into its
boundaries that certain parcel
of land containing 58 acres of
land, more or less, being owned
by The Kenton County Board of
Education, and being more par-
ticularly described as set out in
the attachment hereto as Ex-
hibit "A", and as set forth in
Deed Book 399, Page 250 of the
Kenton County Clerk's records
at Independence, Kentucky.
Isaac Gabbard, Mayor of Inde-
pendence. ATTEST: Linda
Carter, City Clerk, First Read-
ing: 2-27-96, Second Reading:
3-12-96, Publication Date:
3-18-96. 14869/701996



(SUMMARY)

ORDINANCE NO. 1996 - O - 06

AN ORDINANCE ANNEXING APPROXIMATELY 58.00 ACRES OF LAND, MORE OR LESS, ON MADISON PIKE AND PELLY ROAD, KENTON COUNTY, KENTUCKY, SAID PROPERTY BEING OWNED BY THE KENTON COUNTY BOARD OF EDUCATION AS CONVEYED TO IT BY DEED BOOK 399, PAGE 250 OF THE KENTON COUNTY CLERKS RECORDED AT INDEPENDENCE, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREINAFTER. THIS ANNEXATION IS BY WRITTEN CONSENT OF THE KENTON COUNTY BOARD OF EDUCATION.

BE IT ORDAINED BY THE CITY OF INDEPENDENCE AS FOLLOWS:

SECTION I

That the City of Independence, by this Ordinance, hereby annexes into its boundaries that certain parcel of land containing 58 acres of land, more or less, being owned by The Kenton County Board of Education, and being more particularly described as set out in the attachment hereto as Exhibit "A", and as set forth in Deed Book 399, Page 250 of the Kenton County Clerk's records at Independence, Kentucky.

Isaac Gabbard
MAYOR OF INDEPENDENCE

ATTEST:

Linda Carter
CITY CLERK

FIRST READING: 2-27-96

SECOND READING 3-12-96

PUBLICATION DATE: 3-18-96

IND.SUM