



606-356-5302 FAX: 606-356-6843

JOHN E. BROWN III
SECRETARY OF STATE
COMM. OF KENTUCKY

BY

Map Not Included

MEMO

TO: Kenton County Clerk
Kenton County Property Valuation Assessor
Northern Kentucky Area Planning & Zoning
Secretary of State

FROM: Patricia H. Taney, City Clerk

IN RE: Annexation

DATE: JULY 20, 1999

At the July 12, 1999 Independence City Council Meeting, council adopted Ordinance No. 1999-O-07 annexing property owned by Wayne H. Ferguson and Karen S. Ferguson at 35 Pelly Road into the city limits of Independence.

Please mark your records to reflect this change. A copy of Ordinance No. 1999-O-07 is attached for your records.

ORDINANCE NO. 1999-O-07

**AN ORDINANCE ANNEXING TO AND MAKING A PART OF
THE INCORPORATED TERRITORY OF THE CITY OF
INDEPENDENCE, KENTUCKY, CERTAIN UNINCORPORATED
TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE
CITY OF INDEPENDENCE.**

WHEREAS, the City Council has received oral and written requests from Wayne H. Ferguson and Karen S. Ferguson and otherwise deems it to be in the best interests of its citizens as well as those residing in certain unincorporated territory, said territory being contiguous and adjacent to the present city limits, that said territory be annexed to and become part of the incorporated territory of the City.

WHEREAS, all of the requirements of K.R.S. 81A.412 are met and all concerned property owners have manifested their consent.

NOW, THEREFORE, the City Council of the City of Independence, Kentucky, does ordain as follows:

SECTION I

That it is hereby enacted that the hereinafter describe unincorporated territory lying contiguous and adjacent to the present city limits of the City of Independence, Kentucky is annexed and made a part of the incorporated territory of the City of Independence, Kentucky.

SECTION II

Said territory hereby annexed is bound and described as follows, to wit:

A parcel of ground lying and being in Sunshine Subdivision in Independence in Kenton County, Kentucky and more particularly described as follows:

Beginning at a iron pin in the South Right of Way of Pelly Road and said point being the Northwest corner of Lot #37 of Sunshine Subdivision as recorded in Plat Book 6, Page 17; thence with a line partitioning Lot #37 & #38, S 47° 19' E-145.03 feet to a iron pin in the rear line of said subdivision and also being 3.00 feet Southwest of the Southwest corner of Lot #37; thence with the rear line of said subdivision, N 41° 30' E-140.0 feet to a iron pin; thence with a line partitioning Lot #32, N 48° 30' W-145.0 feet to a iron pin in the R/W of Pelly Road and said point being 13.00 feet Southwest of the Northwest corner of Lot #31; thence with the R/W of said road S.41° 30' W – 137.00 feet to the place of beginning containing 20083 square foot. Said property currently owned by Wayne H. Ferguson and Karen S. Ferguson and recorded in Kenton County Deed Book 378, Page 335.

An additional parcel of ground more particularly described as follows:

Beginning at an iron pin in the south right of way of Pelly Road and said point being the northeast corner of Lot No. 27 of Sunshine Subdivision as recorded in Plat Book 6, Page

17; thence with the right of way of said road S. 41° 30' W. 138.00 feet to an iron pin, said point being 13 feet southwest of Lot No. 32; thence with a line partitioning Lot No. 32, S. 48° 30' E. 145.00 feet to an iron pin being 13.0 feet southwest of Lot No. 32; thence with the rear line at said subdivision N 41° 30'E 138.00 feet to an iron pin being the southeast corner of Lot No. 27; thence with the East line of said lot, N.48° 30' W. 145.00 feet to the place of beginning, containing 20,010 square feet. Said property being currently owned by Wayne H. Ferguson and Karen S. Ferguson.

SECTION III

This ordinance shall be in full force and effect from and after its publication as required by law.

SECTION IV

All ordinances, resolutions, minutes and meetings, or parts thereof, in conflict herewith, are to the extent of such conflict, hereby repealed.

SECTION V

If any section, paragraph or clause of this ordinance be held by a proper court to be invalid, such invalidity shall not effect the remaining sections, paragraphs or clauses, it being expressly declared that the remainder of said ordinance would have been passed despite such invalidity.

Thomas M. Kriege
Thomas M. Kriege, Mayor

First Reading: June 29, 1999

Second Reading: July 12, 1999

Ayes: 4

Nays: 0

Published: 7-22-99

ATTEST:

Patricia H. Taney
Patricia H. Taney, City Clerk

THE CINCINNATI ENQUIRER
THE CINCINNATI POST
THE KENTUCKY POST

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

AFFIDAVIT

(CASE NUMBER) PATRICIA H
(CAPTION COPY) ORD.#1999-0-07
(QUOTED COST) \$141.36
(AD #) 31973
(ORDER #) *****

STATE OF OHIO, SS.
HAMILTON COUNTY,

PERSONALLY APPEARED BEFORE ME,

A NOTARY PUBLIC, IN AND FOR HAMILTON

COUNTY, OHIO *Frederick Theobald*

WHO, BEING DULY SWORN, SAYS THAT THE

ANNEXED ADVERTISEMENT WAS PUBLISHED

IN THE

KENTUCKY POST

DAILY NEWSPAPERS 1 TIMES TO WIT:

..... *July 22, 1999*

..... *Frederick Theobald*
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS

23rd
..... DAY OF .. *July* .. 1999

..... *Anita L. Alexander*
NOTARY PUBLIC

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

ORDINANCE NO. 1999-0-07
AN ORDINANCE ANNEXING
TO AND MAKING A PART OF
THE INCORPORATED TERRITORY OF THE CITY OF INDEPENDENCE, KENTUCKY, CERTAIN UNINCORPORATED TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE CITY OF INDEPENDENCE, WHEREAS, the City Council has received oral and written requests from Wayne H. Ferguson and Karen S. Ferguson and otherwise deems it to be in the best interest of its citizens as well as those residing in certain unincorporated territory, said territory being contiguous and adjacent to the present city limits, that said territory be annexed to and become part of the incorporated territory of the City, WHEREAS, all of the requirements of K.R.S. 81A.412 are met and all concerned property owners have manifested their consent, NOW, THEREFORE, the City Council of the City of Independence, Kentucky, does ordain as follows: SECTION I: That it is hereby enacted that the hereinafter described unincorporated territory lying contiguous and adjacent to the present city limits of the City of Independence, Kentucky is annexed and made a part of the incorporated territory of the City of Independence, Kentucky. SECTION II: Said territory hereby annexed is bound and described as follows, to wit: A parcel of ground lying and being in Sunshine Subdivision in Independence in Kenton County, Kentucky and more particularly described as follows: Beginning at an iron pin in the South Right of Way of Pelly Road and said point being the Northwest corner of Lot #37 of Sunshine Subdivision as recorded in Plat Book 6, Page 17; thence with a line partitioning Lot #37 & #38, S 47° 19' E-145.03 feet to an iron pin in the rear line of said subdivision and also being 3.00 feet Southwest of the Southwest corner of Lot #37; thence with the rear line of said subdivision, N 41° 30'E-140.0 feet to an iron pin; thence with a line partitioning Lot #32, N 48° 30'W-145.0 feet to an iron pin in the R/W of Pelly Road and said point being 13.00 feet Southwest of the Northwest corner of Lot #31;

thence with the R/W of said road S 41° 30'W-137.00 feet to the place of beginning containing 20083 square foot. Said property currently owned by Wayne H. Ferguson and Karen S. Ferguson and recorded in Kenton County Deed Book 378, Page 335. An additional parcel of ground more particularly described as follows: Beginning at an iron pin in the south right of way Pelly Road and said point being the northeast corner of Lot No. 27 of Sunshine Subdivision as recorded in Plat Book 6, Page 17; thence with the right of way of said road S. 41° 30'W-138.00 feet to an iron pin, said point being 13 feet southwest of Lot No. 32; thence with a line partitioning Lot No. 32, S. 48° 30'E-145.00 feet to an iron pin being 13.0 feet southwest of Lot No. 32; thence with the rear line at said subdivision N 41° 30'E-138.00 feet to an iron pin being the southeast corner of Lot No. 27; thence with the East line of said lot, N 48° 30'W-145.00 feet to the place of beginning, containing 20,010 square feet. Said property being currently owned by Wayne H. Ferguson and Karen S. Ferguson. SECTION III: This ordinance shall be in full force and effect from and after its publication as required by law. SECTION IV: All ordinances, resolutions, minutes and meetings, or parts thereof, in conflict herewith, are to the extent of such conflict, hereby repealed. SECTION V: If any section, paragraph or clause of this ordinance be held by a proper court to be invalid, such invalidity shall not effect the remaining sections, paragraphs or clauses, it being expressly declared that the remainder of said ordinance would have been passed despite such invalidity. 31973/200382



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