



606-356-5302 FAX: 606-356-6843
OFFICE OF CITY CLERK

September 12, 2002

Mr. John Y. Brown III
Secretary of State
Capitol Building
Frankfort Kentucky 40601

Enclosed is Ordinance Number 2002-O-17, which annexes certain unincorporated territories, lying contiguous and adjacent to the City of Independence. City council adopted this ordinance at its regular council meeting that was held on Monday, September 9, 2002. The legal descriptions of the parcels annexed are attached to the ordinance.

If you need anything further or have questions regarding this annexation, please don't hesitate to call me at 859-356-5302.

Sincerely,

Patricia H. Taney
City Clerk

pht/
Attachment

RECEIVED
September 16, 2002

JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *H. Adkins*

CERTIFICATION OF CITY RECORD

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Independence, Kentucky, and as such City Clerk I further certify that the foregoing is a true, correct and complete copy of Ordinance No. 2002-O-17 duly adopted by the City Council of the City of Independence on the 9th day of September 2002 and signed by the Mayor as evidence of the approval thereof, and now in full force and effect, all as appears from the official records of the City of Independence in my possession and under my control.

WITNESS my hand and the Seal of the City as of the 12th day of September, 2002.

[SEAL]

Patricia H. Taney
Patricia H. Taney, City Clerk
City of Independence, Ky.

Subscribed and sworn to before me by Patricia H. Taney, City Clerk, this, the 12th day of September, 2002.

Kathy L. Stenger
Notary Public
My Commission Expires on March 21, 2005

ORDINANCE NO. 2002-O-17

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 deems it to be in the best interests of its citizens and in the best interests of any persons that reside at **121 Pelly**, said territory being contiguous and adjacent to the present City Limits, that said territory be annexed to and become a part of the corporate territory of the City of Independence, Kentucky;

WHEREAS, the owner of record of the land to be annexed has given prior consent to the annexation;

NOW THEREFORE, pursuant to KRS Chapter 81A(412), the City Council of the City of Independence, Kentucky, does ordain as follows:

SECTION I

That it is hereby adopted that the hereinafter described unincorporated territory lying contiguous and adjacent to the present City Limits of the City of Independence, Kentucky, including the right-of-way of Pelly Road which abuts the property described in Section II hereof, is annexed and made a part of the corporate territory of the City of Independence, Kentucky.

SECTION II

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

SEE ATTACHED LEGAL DESCRIPTIONS

“EXHIBIT A”

SECTION III

Said ordinance shall be published according to law.

SECTION IV

All ordinances, resolutions, minutes of 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 affect 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, City of Independence

ATTEST:

Patricia H. Taney
PATRICIA H. TANEY, CITY CLERK

First reading: August 5, 2002

Second reading: Sept. 9, 2002

Ayes: 6
Nays: 0

Publication: _____, 2002

7-30-02

Dear Mayor, Council and whom it may concern:

I am the sole owner of the property located at 121 Pelly Road,
located in Independence Kentucky. I am also seeking voluntary
annexation into the city. Any consideration you may give this
matter is greatly appreciated.

A handwritten signature in black ink, reading "C. Gail Malott". The signature is written in a cursive style with a large, stylized initial "C" and a prominent flourish at the end.

C. Gail Malott

EXHIBIT A

ANDREW R. AMENT & JERRY L. CANNON
LAND SURVEYORS
655 FAIR OAKS LANE, EDGEWOOD, KENTUCKY 41017
606-341-7878 FAX 606-341-7827

LEGAL DESCRIPTION FOR
A 2.1312 ACRE TRACT

A certain tract of land lying and being on the south side of Pelly Road and 0.5 miles east of Kentucky Route No. 17 in Kenton County, Kentucky and being more particularly described as follows, to-wit:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a 24" long by ½" diameter rebar with a yellow cap stamped "LS 2936". All bearings herein are referred to an adjoining property owned by Lloyd Brueckner as per Deed Book 173, Page 265.

BEGINNING at an iron pin found in the south right of way line of Pelly Road at the northwest corner of Lloyd Brueckner; thence with the westerly line of Brueckner S 50° 42' 43" E—194.43 feet to an iron pin set in the center of an existing hub in the new right of way line of Pelly Road and being the **REAL PLACE OF BEGINNING**; thence continuing S 50° 42' 43" E—169.98 feet to an iron pin set in the center of an existing hub in the new right of way line of Kentucky Route No. 17 ; thence with said right of way line of Kentucky Route No. 17 S 10° 06' 15" W—221.00 feet to an iron pin set in the center of an existing hub; thence S 21° 54' 21" E—213.34 feet to an iron pin set in the center of an existing hub in the easterly line of Rick Crawford (D.B. 420, Pg. 187); thence with said line N 51° 00' 14" W—575.85 feet to an iron pin set in the center of an existing hub in the new right of way line for Pelly Road; thence with said right of way line N 60° 59' 44" E—299.54 feet to the place of beginning containing 2.1312 Acres more or less exclusive of all right of ways and easements of record.

The above description is in accordance with a survey made by me on April 21, 1999 and is the remaining part described in Deed Book 328 Page 146 of the Kenton County Court Clerk's Records at Independence.

Jerry L. Cannon
Registered Land Surveyor
Lic. No. 2936

PELLEY ROAD

NOTE: THE IMPROVEMENTS ARE NOT SHOWN, THEY WILL BE REMOVED BY THE COMMONWEALTH OF KENTUCKY.

I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY MADE UNDER MY DIRECTION BY THE METHOD OF RANDOM TRAVERSE, THE NORTH-POINT AND BEARINGS SHOWN HEREON ARE BASED ON MAGNETIC NORTH, THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE; THE UNADJUSTED ERROR OF CLOSURE MEETS OR EXCEEDS 1" IN 5000' LINEAR ERROR OF CLCS. RATIO: THIS SURVEY AND PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF ALL LOCAL AUTHORITIES; AND THAT THERE ARE NO VISIBLE ENCROACHMENTS EXCEPTS AS SHOWN

JERRY L. CANNON
REGISTERED LAND SURVEYOR
REG. NO. 2936

4-21-99
DATE

- INDICATES 1/2"x 24" IRON PIN WITH YELLOW CAP STAMPED 2936 ON IT, SET. ALL IRON PINS SET DRIVEN THRU THE CENTER OF AN EXISTING HUB FOUND.
- HUB FOUND AT CORNERS OF TEMPORARY EASEMENT.

CONVEYED TO THE COMMONWEALTH OF KENTUCKY
PARCEL NO. 513A

LLOYD BRUECKNER
D.B. 173, PG. 266

TEMPORARY ESM'T.
PARCEL NO. 613B

2.1312 ACRES
ALL THE REMAINING PART OF
D.B. 328, PG. 146

RICKY CRAWFORD
D.B. 420, PG. 187

CONVEYED TO THE COMMONWEALTH OF KENTUCKY
PARCEL NO. 613

IRON PIN
FOUND BY
POST



SURVEY FOR BOUNDARY

GERALD & ROBERTA ZIMMERER PROPE

LOCATED ON THE SOUTH SIDE OF PELLEY ROAD AND
0.5 MILES EAST OF KENTUCKY ROUTE NO. 17
KENTON COUNTY, KENTUCKY

SCALE: 1"= 100'
DATE: 4-21-99
DWN BY: J.L.C.
JOB NO.:
9938ZIMMERER

ANDREW R. AMENT & JERRY L. CANNON
LAND SURVEYORS
855 FAIR OAKS LANE, EDGEWOOD, KENTUCKY 40017
606-341-7878 FAX 606-341-7878

VICINITY MAP



DONALD WEAVER
D.B. 245, PG. 133