

ORDINANCE NO. BG2016 - 33

ORDINANCE ANNEXING PROPERTY BY CONSENT
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kendie Adkinson

ORDINANCE ANNEXING A TOTAL OF APPROXIMATELY 6.87 ACRES LOCATED AT 6132 AND 6140 SCOTTSVILLE ROAD, WITH PROPERTY PRESENTLY OWNED BY NEXT PHASE, LLC, AND SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS, AND APPROVING THE ADDITION OF THIS LOCATION TO THE TARGET ANNEXATION AREA MAP AND FURTHER APPROVING ASSOCIATED ECONOMIC DEVELOPMENT ANNEXATION INCENTIVE AGREEMENT

WHEREAS, pursuant to KRS 81A.412, the City of Bowling Green may annex any area which meets the requirements for annexation if the owner of record of the land to be annexed gives prior consent in writing; and,

WHEREAS, Next Phase, LLC, property owner, has requested and consented to the annexation of 6.87 acres of property located at 6132 and 6140 Scottsville Road, Parcel Number 054A-44C; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex this property as described in the attachments to this Ordinance; and,

WHEREAS, the proposed property to be annexed is adjacent or contiguous to the City, and the property is urban in character and suitable for development for urban purposes without unreasonable delay; and,

WHEREAS, in Municipal Order No. 2012-183, the Board of Commissioners approved the City of Bowling Green Economic Development Annexation Incentive Policy in order to encourage voluntary annexation of vacant or partially developed property adjacent to the City limits, particularly in areas likely to result in job creation; and,

WHEREAS, the Annexation Incentive Policy targeted five (5) specific areas adjacent to the current City limits; and,

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WHEREAS, the property being proposed for annexation in this Ordinance is close to, but not included in the original annexation target areas; and,

WHEREAS, the Annexation Incentive Policy authorizes the Board of Commissioners to add other target areas at its discretion and it is in the best interests of the City to add the property proposed to be annexed to the Target Annexation Area map; and,

WHEREAS, pursuant to the Annexation Incentive Policy, the property owner consenting to annexation may receive a rebate of City property taxes paid on the annexed property for a period not to exceed five (5) years to aid in covering development costs with the rebate period to begin no later than ten (10) years from the date of the annexation; and,

WHEREAS, Next Phase, LLC has requested the rebate of the City property taxes which requires the execution of an agreement between Next Phase, LLC and the City; and,

WHEREAS, it is in the best interest of the City to approve this consensual annexation of property located at 6132 and 6140 Scottsville Road, Parcel Number 054A-44C, pursuant to the Annexation Incentive Policy and to approve the agreement setting out the annexation incentives.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky pursuant to KRS 81A.412 as follows:

1. The property located at 6132 and 6140 Scottsville Road, identified on the attached map and further described in the attachments to this Ordinance containing a total of 6.87 acres, presently owned by Next Phase, LLC, all of which is adjacent or contiguous to existing City limits, shall be and is hereby annexed into the City of Bowling Green, Kentucky by consent of the owner, and the boundaries of the City are hereby extended so as to include and incorporate all of this real estate into the City of Bowling Green.

2. A copy of this Ordinance shall be forwarded to the Public Works Department, Planning and Design Division and it is hereby authorized and directed to make the necessary changes to the territorial

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limits of the City in Chapter One of the City of Bowling Green Code of Ordinances to reflect this annexation.

3. The Annexation Incentive Agreement between Next Phase, LLC and the City for the total acreage of 6.87, a copy of which is attached to and made a part of this Ordinance, is hereby approved.

4. The Mayor and all other appropriate City officers and officials are authorized and directed to execute this Agreement and any and all other documents necessary to carry out this transaction and to complete this annexation, and the City Manager is to act for and in the name of the City throughout the administration and performance thereof.

5. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

6. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

7. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on October 18, 2016, and given final reading on November 1, 2016, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: November 1, 2016

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
Assistant City Clerk

CERTIFIED TRUE COPY

ATTEST: Kate Schaller Ward
CITY CLERK, BOWLING GREEN, KY.

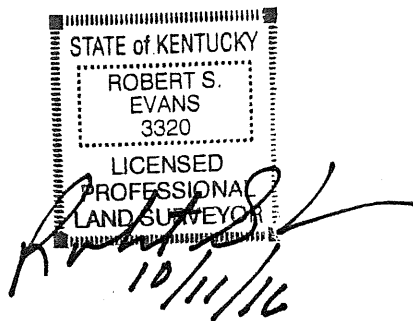
SPONSORED BY: Bruce Wilkerson, Mayor, 10/11/2016, 11:50 a.m.

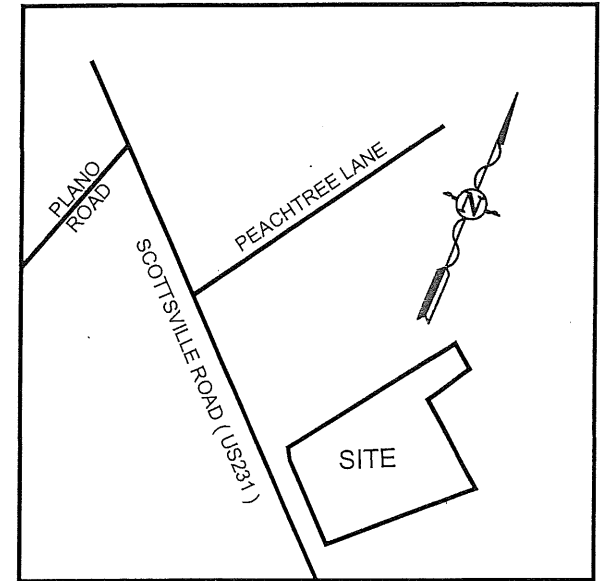
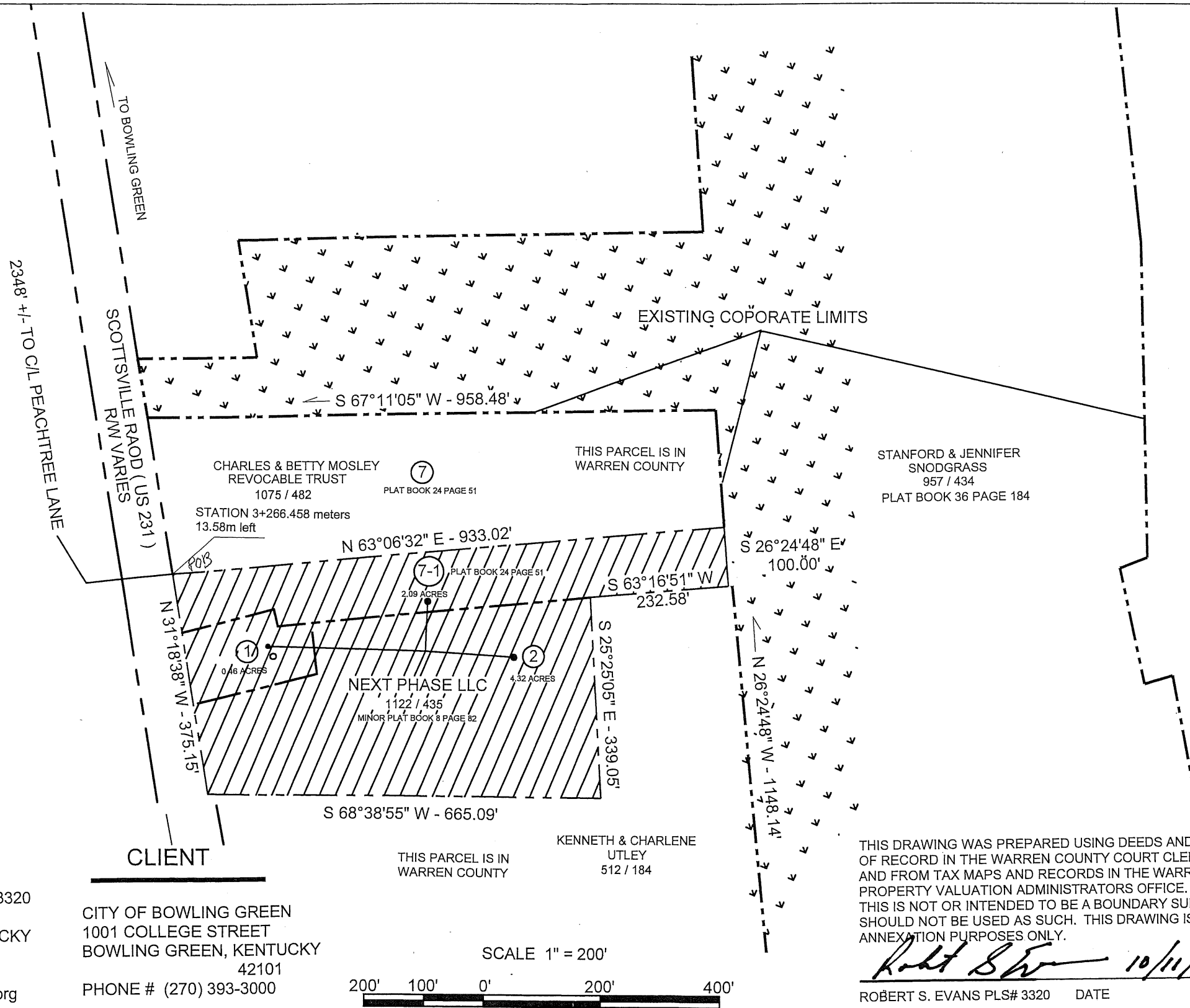
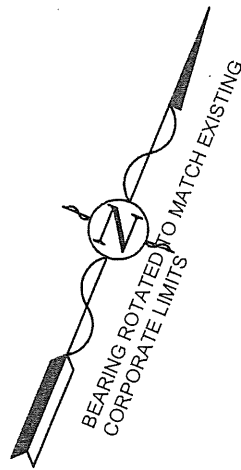
ANNEXATION
6132 SCOTTSVILLE ROAD (US231)

A certain parcel of land located on Scottsville Road (US 231) approximately 2348' +/- to the intersection of Peachtree Lane and US 231 (Scottsville Road) and adjacent to the city limits of Bowling Green, Kentucky and more particularly described as follows:



The following description was prepared by Robert S. Evans PLS # 3320 BG Public Works – Field Engineering. Source of record Deed Book 1122 Page 435, Minor Plat Book 8 Page 82 and Plat Book 24 Page 51 as recorded in the Warren County Court Clerk's Office, and from tax maps and records in the Warren County PVA office. This is not a boundary survey and is for annex purposes only.

Beginning at a point 13.58 meters (44.54') left of centerline station 3+266.458 (meters) of US 231 Scottsville Road said point is common to Lot # 7 and Lot# 7-1 of Plat Book 24 Page 51; thence with Lot# 7 & Lot# 7-1 N 63°06'32" E, 933.02' to a point in the existing city limits and common with Stanford & Jennifer Snodgrass Deed Book 957 Page 434 and Plat Book 36 Page 184; thence with Snodgrass S 26°24'48" E, 100.00' to a point common with Snodgrass and Kenneth & Charlene Utley Deed Book 512 Page 184; thence with Utley for three calls S 63°16'51" W, 232.58' to a point; thence S 25°25'05" E, 339.05' to a point; thence S 68°38'55" W, 665.09' to a point in the east right-of-way of US 231 Scottsville Road; thence with said right-of-way N 31°18'38" W, 375.15' to the point of beginning containing 6.87 acres.





NOTES

- 1) TOTAL ANNEXATION 6.87 ACRES
- 2) ANNEXED AREA 
- 3) EXISTING CITY BOUNDARY 
- 4) SOURCE OF TITLE = DEED BOOK 1122 PAGE 435
PLAT BOOK 24 PAGE 51
MINOR PLAT BOOK 8 PAGE 82
- 5) ALL BEARINGS ARE ROTATED TO MATCH EXISTING CORPORATE LIMITS DESCRIPTION
- 6) NO RIGHT-OF-WAY TO BE ANNEXED

SURVEYOR

CLIENT

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BOWLING GREEN, KENTUCKY
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PHONE # (270) 393-3000

SCALE 1" = 200'

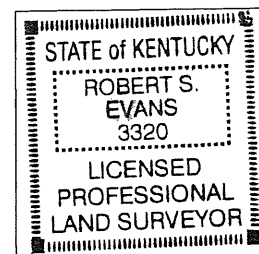


STANFORD & JENNIFER
SNODGRASS
957 / 434
PLAT BOOK 36 PAGE 184

THIS DRAWING WAS PREPARED USING DEEDS AND PLATS OF RECORD IN THE WARREN COUNTY COURT CLERKS OFFICE AND FROM TAX MAPS AND RECORDS IN THE WARREN COUNTY PROPERTY VALUATION ADMINISTRATORS OFFICE. THIS IS NOT OR INTENDED TO BE A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. THIS DRAWING IS FOR ANNEXATION PURPOSES ONLY.

Robert S. Evans 10/11/16

ROBERT S. EVANS PLS# 3320 DATE



NOT VALID UNLESS STAMPED IN RED



CITY OF BOWLING GREEN

PUBLIC WORKS DEPARTMENT

ANNEXATION
6132 SCOTTSVILLE ROAD- US231

SHEET 01 OF 01

JOB NO. 16143 SCALE 1" = 200' DATE 10/11/2016