

RECEIVED AND FILED
DATE June 22, 2018

ORDINANCE NO. **BG2018 - 28**

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handwritten Signature

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING A TOTAL OF APPROXIMATELY 0.629 ACRE OF PROPERTY LOCATED AT 570 LOVERS LANE, WITH PROPERTY PRESENTLY OWNED BY GREENHILLS DEVELOPMENT PARTNERS, LLC, WITH SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS; AND FURTHER APPROVING AN 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, Greenhills Development Partners, LLC, property owner, has requested and consented to the annexation of 0.629 acre of property located at 570 Lovers Lane; 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 policy was amended in Municipal Order No. 2014-95 to allow for additional time in which to begin the refund policy among other amendments; and,

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

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City limits; and,

WHEREAS, the property being proposed for annexation in this Ordinance is included in the original annexation target areas; 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, Greenhills Development Partners, LLC, has requested the rebate of the City property taxes which requires the execution of an agreement between Greenhills Development Partners, LLC and the City; and,

WHEREAS, it is in the best interest of the City to approve this consensual annexation of property located at 570 Lovers Lane pursuant to the Annexation Incentive Policy and 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 570 Lovers Lane, identified on the attached map and further described in the attachments to this Ordinance containing a total of 0.629 acre, presently owned by Greenhills Development Partners, LLC, all of which is 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 limits of the City in Chapter One of the City of Bowling Green Code of Ordinances to reflect this

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annexation.

3. The Board of Commissioners, pursuant to the Annexation Incentive Policy, hereby approves the addition of this property as an annexation target area.

4. The Annexation Incentive Agreement between Greenhills Development Partners, LLC and the City for the total acreage of 0.629, a copy of which is attached to and made a part of this Ordinance, is hereby approved.

5. 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.

6. 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.

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

8. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on June 5, 2018, and given final reading on June 19, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

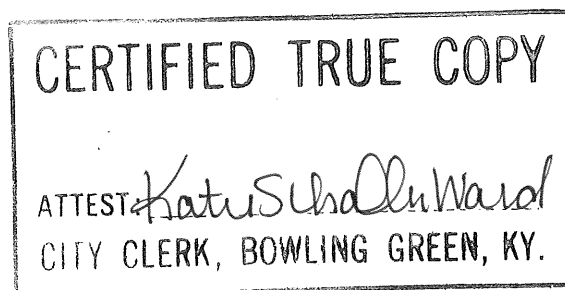
(Ordinance No. BG2018 – 28)

ADOPTED: June 19, 2018

APPROVED: Bruce Wilkinson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Schaller Ward
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 05/21/2018, 11:00 a.m.

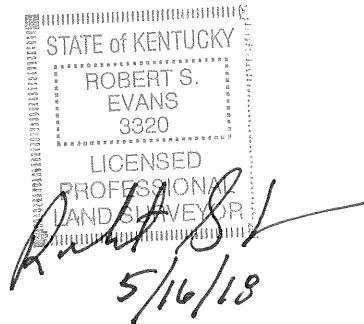


LEGAL DESCRIPTION
ANNEXATION
GREENHILLS DEVELOPMENT PARTNERS
LOVERS LANE

Being a certain parcel of land located on Lovers Lane 2350' +/- southwest from the entrance to Lovers Lane Soccer Complex 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. Sources of record Deed Book 1161 Page 618, and Minor Plat Book 1 Page 197 as recorded in the Warren County Court Clerk's Office. Also from a boundary survey by Arnold Consulting Engineers dated May 2, 2018. This is not a boundary survey and is for annex purposes only. This description does not change the existing territorial limits.

Beginning at a point in the existing city limits said point being in the south right-of-way of Lovers Lane (KY880) said point being common to Greenhills Development Partners LLC. DB. 1114 PG. 264, PB. 42 PG. 223, and Greenhills Development Partners LLC. DB. 1161 PG. 618; thence with said right-of-way North 43 degrees 37 minutes 28 seconds East, 99.68 feet to a point common to Greer Rentals LLC. DB. 1101 PG. 339; thence leaving said right-of-way South 43 degrees 47 minutes 45 seconds East, 133.87 feet to a point; thence South 46 degrees 29 minutes 38 seconds East, 164.25 feet to a point in the line of PB. 42 PG. 223; thence with said line South 39 degrees 49 minutes 00 seconds West, 86.31 feet to a point; thence North 47 degrees 51 minutes 38 seconds West, 303.81 feet to the point of beginning containing 27434.36 sq.ft. 0.629 acres.



NOTES

TOTAL AREA ANNEXED = 0.629 ACRES

RIGHT-OF-WAY ANNEXED = 0.00 ACRES

 PROPOSED ANNEXATION

 EXISTING CITY LIMITS

LOVERS LANE (KY880)
80' RW - P.V.M.T. VARIES
RW PREVIOUSLY ANNEXED
BG 2005-18

P.O.B.

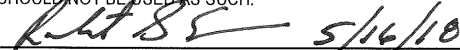
EXISTING
CITY LIMITS

GREER RENTALS LLC.
560 LOVERS LANE
DEED BOOK 1101 PAGE 339
THIS AREA IS STILL IN THE COUNTY

GREENHILLS DEVELOPMENT PARTNERS LLC
570 LOVERS LANE
DEED BOOK 1161 PAGE 618
0.629 acres
27434.36 sq. ft.

GREENHILLS DEVELOPMENT PARTNERS LLC
540 LOVERS LANE
DEED BOOK 1114 PAGE 264
PLAT BOOK 42 PAGE 223

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.

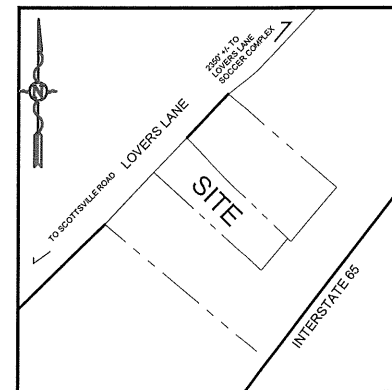

ROBERT S. EVANS PLS# 3320 DATE 5/16/18

ROBERT S. EVANS PLS# 3320 DATE

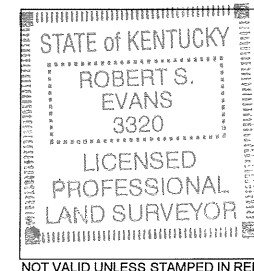
SCALE 1"= 100'
100' 50' 0' 100'

NOTES

- 1) SOURCE OF TITLE - DEED BOOK 1161 PAGE 618, MPB 1 PAGE 197 AS RECORDED IN THE WARREN COUNTY COURT CLERK'S OFFICE
- 2) DESCRIPTION BASED ON SURVEY BY ARNOLD CONSULTING ENGINEERS DATED MAY 2, 2018.
- 3) BEARINGS BASED ON STATE PLANE KENTUCKY SOUTH 1602
- 4) THIS ANNEXATION DOES NOT CHANGE THE EXISTING TERRITORIAL LIMITS.
- 5) THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. THIS DRAWING IS FOR ANNEXATION PURPOSES ONLY.



VICINITY MAP
NOT TO SCALE



SURVEYOR

ROBERT S. EVANS PLS # 3320
1011 COLLEGE STREET
BOWLING GREEN, KENTUCKY
42101
PHONE # (270) 393-3229
e-mail - rob.evans@bgky.org

CLIENT

CITY OF BOWLING GREEN
1001 COLLEGE STREET
BOWLING GREEN, KENTUCKY
42101
PHONE # (270) 393-3000



CITY OF BOWLING GREEN
PUBLIC WORKS DEPARTMENT

ANNEXATION
GREENHILLS DEVELOPMENT

File:

SHEET 1 OF 1

JOB NO. 18071 SCALE 1"= 100' DATE 05/16/2018