

ORDINANCE NO. **BG2018 - 42**

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Charlie Addison

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 9.62 ACRES OF
PROPERTY LOCATED AT 0 MORGANTOWN
ROAD, WITH PROPERTY PRESENTLY OWNED
BY SEVENPLUS, LLC AND 2.18 ACRES OF
RIGHT-OF-WAY, FOR A TOTAL OF 11.80 ACRES
WITH SAID TERRITORY BEING CONTIGUOUS
TO EXISTING CITY LIMITS, APPROVING THE
ADDITION OF THIS LOCATION TO THE
TARGET ANNEXATION AREA MAP 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, Sevenplus, LLC has requested and consented to the annexation of 9.62 acres of property located at 0 Morgantown Road; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex this property and approximately 2.18 acres of right-of-way as described in the attachments to this Ordinance; 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,

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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 City limits; and,

WHEREAS, the property being proposed for annexation in this Ordinance is 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 real estate 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, Sevenplus, LLC, has requested the rebate of the City real estate property taxes which requires the execution of an agreement between Sevenplus, LLC and the City; and,

WHEREAS, it is in the best interest of the City to approve this consensual annexation of property located at 0 Morgantown Road 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 presently owned by Sevenplus, LLC located at 0 Morgantown Road containing a total of 9.62 acres and approximately 2.18 acres of right-of-way, which property is identified on the attached map and further described in the attachments to this Ordinance, for a total of 11.80 acres, all of which is contiguous to existing city limits, shall be and is hereby annexed into the City of Bowling

(Ordinance No. BG2018 – 42)

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 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 Sevenplus, LLC and the City, 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 September 26, 2018, and given final reading on October 16, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

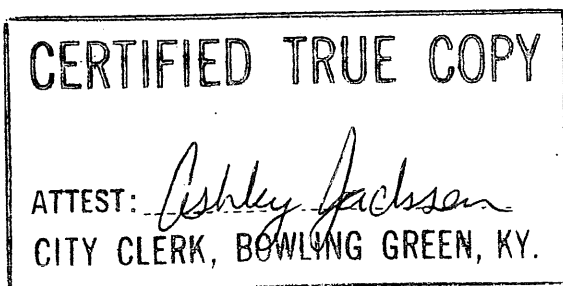
(Ordinance No. BG2018 – 42)

ADOPTED: October 16, 2018

APPROVED: Brian Wickham
Mayor, Chairman of Board of Commissioners.

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 09/13/2018, 10:00 a.m.



LEGAL DESCRIPTION

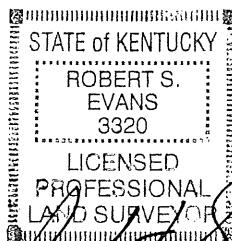
ANNEXATION

SEVENPLUS LLC MORGANTOWN ROAD

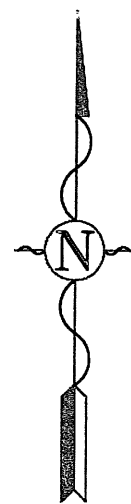
Being a certain parcel of land located on Morgantown Road 3300' +/- west from the intersection of Veterans Memorial Blvd. and adjacent to the city limits of Bowling Green, Kentucky and more particularly described as follows:

The following description was prepared by Robert S. Evans PLS # 3320 BG Public Works – Field Engineering. Sources of record Deed Book 1151 Page 768 & Plat Book 39 Page 111 as recorded in the Warren County Court Clerk's Office. This is not a boundary survey and is for annex purposes only.

Beginning at a point in the existing city limits said point being in the south right-of-way of US231 (Morgantown Road); thence crossing said road North 14 degrees 44 minutes 11 seconds East, 113.28 feet to a point in the north right-of-way and common to the Islamic Center of Bowling Green Deed Book 859 Page 735, Plat Book 29 Page 162 and SEVENPLUS LLC. Deed Book 1151 Page 768, Plat Book 39 Page 111; thence leaving the right-of-way North 14 degrees 44 minutes 11 seconds East, 416.72 feet to a point common to Vision Engineering LLC. Deed Book 1086 Page 378, Plat Book 38 Page 461; thence South 75 degrees 17 minutes 02 seconds East, 903.57 feet to a point in the west right-of-way of Walnut Creek Drive; thence with a curve to left having a radius of 305.00 feet, an arc length of 83.04 feet, and a chord bearing of South 22 degrees 27 minutes 36 seconds East, 82.79 feet to a point; thence South 30 degrees 15 minutes 35 seconds East, 209.89 feet to a point; thence with a curve to the right having a radius of 275.00 feet, an arc length of 35.37 feet, and a chord bearing of South 26 degrees 34 minutes 30 seconds East, 35.35 feet to a point in said right-of-way and common to Morgantown Bank & Trust Deed Book 993 Page 235, Plat Book 39 Page 111; thence leaving said right-of-way North 75 degrees 17 minutes 02 seconds West, 190.25 feet to a point; thence South 14 degrees 42 minutes 58 seconds West, 189.00 feet to a point in the north right-of-way of US231 (Morgantown Road); thence crossing said road South 14 degrees 42 minutes 58 seconds West, 100.00 feet to a point in the south right-of-way; thence with said right-of-way North 75 degrees 17 minutes 02 seconds West, 935.21 feet to the point of beginning containing 11.80 acres.

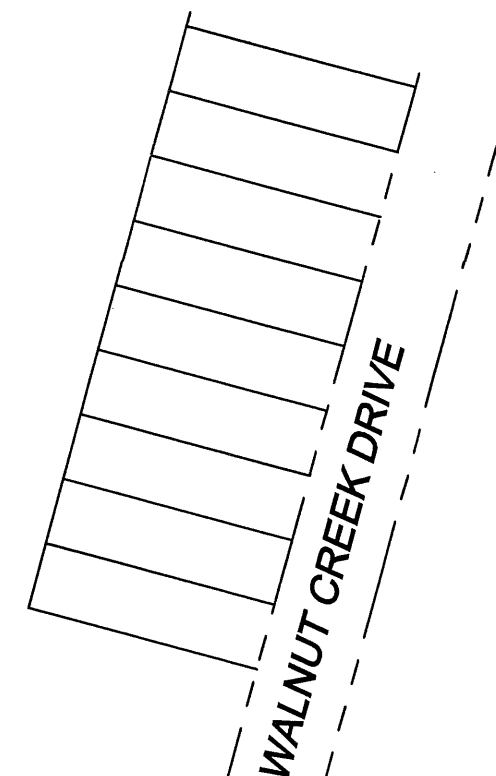


CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	83.04'	305.00'	15°35'59"	S 22°27'36" E	82.79'
C2	35.37'	275.00'	7°22'12"	S 26°34'30" E	35.35'



ISLAMIC CENTER OF BOWLING GREEN INC.
DEED BOOK 859 PAGE 735
PLAT BOOK 29 PAGE 162

VISION ENGINEERING LLC
DEED BOOK 1086 PAGE 378
PLAT BOOK 38 PAGE 461



WALNUT CREEK DRIVE

TOTAL ANNEXED = 11.80 ACRES

SEVENPLUS LLC
DEED BPPK 1151 PAGE 768
PLAT BOOK 39 PAGE 111
9.62 ACRES

R/W ANNEXED
2.18 ACRES

N 14°44'11" E
113.28'

N 14°44'11" E
416.72'

S 75°17'02" E
903.57'

S 30°15'35" E
200.88'

N 75°17'02" W
190.25'

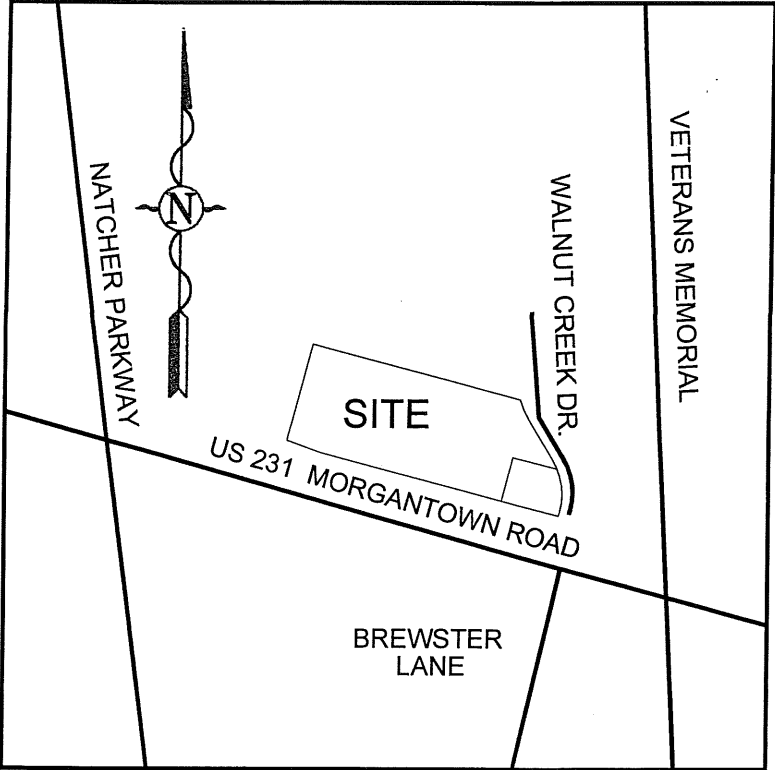
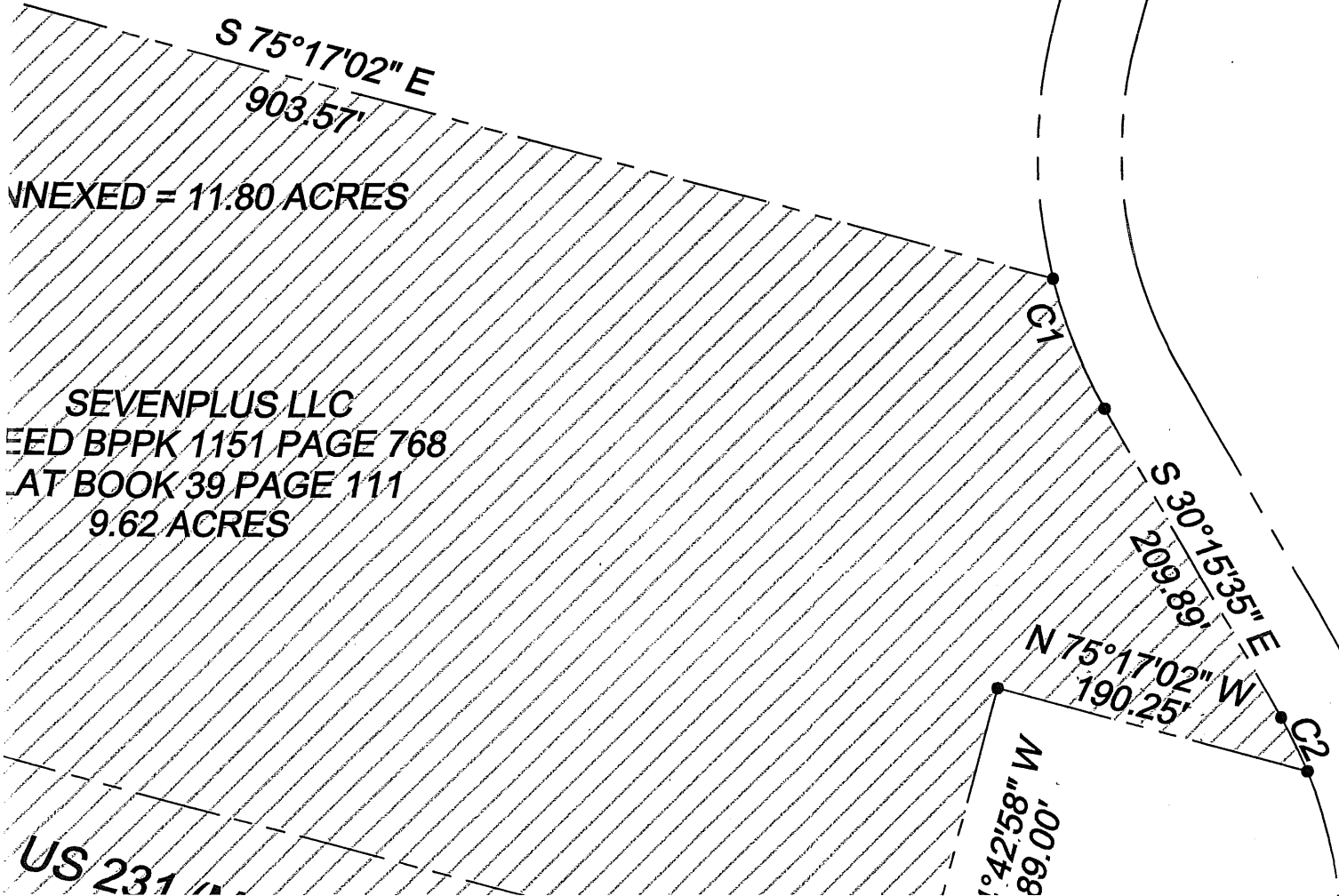
N 42°58" W
89.00'

3300' +/- to
INTERSECTION

US 231



ANGLE	CHORD BEARING	CHORD LENGTH
59"	S 22°27'36" E	82.79'
2"	S 26°34'30" E	35.35'

VISION ENGINEERING LLC
DEED BOOK 1086 PAGE 378
PLAT BOOK 38 PAGE 461



VICINITY MAP
NOT TO SCALE

NOTES

- 1) SOURCE OF TITLE - DEED BOOK 1151 PAGE 768, PLAT BOOK 39 PAGE 111 AS RECORDED IN THE WARREN COUNTY COURT CLERK'S OFFICE
- 2) TOTAL AREA ANNEXED 11.80 ACRES. 2.18 ACRES R/W ANNEXED
- 3) BEARINGS BASED ON STATE PLANE KENTUCKY SOUTH 1602
- 4) THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. THIS DRAWING IS FOR ANNEXATION PURPOSES ONLY.
- 5)  EXISTING CITY LIMITS
- 6)  ANNEX AREA

WALNUT CREEK DRIVE

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- 5) [
- 6) [

SEVENPLUS LLC
DEED BPPK 1151 PAGE 768
PLAT BOOK 39 PAGE 111
9.62 ACRES

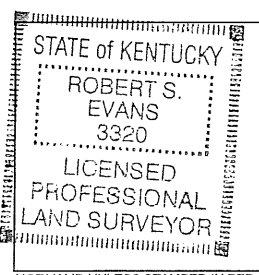
N 14°44'11" E
113.28'

R/W ANNEXED
2.18 ACRES

P.O.B.

3300' +/- to
INTERSECTION
VETERANS
MEMORIAL BLVD.

ANNEXED
BG 2014-6



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 9/11/18
ROBERT S. EVANS PLS# 3320 DATE

US 231 (MORGANTOWN ROAD)
N 75°17'02" W 935.21'

CHARLES & BARBRA ENGLISH
DEED BOOK 1145 PAGE 274

JAMES & VIRGINIA DEDMON
DEED BOOK 524 PAGE 210

W.S. & SHIRLEY BASHAM
DEED BOOK 367 PAGE 266

EXISTING CITY LIMITS

N 75°17'02" W 190.25'

S 14°42'58" W 189.00'

S 14°42'58" W 100.00'

BREWSTER LANE

TO BOWLING GREEN

WALNUT

MORGANTOWN
DEED
PLAT



CITY OF BOWLING GREEN



PUBLIC WORKS DEPARTMENT

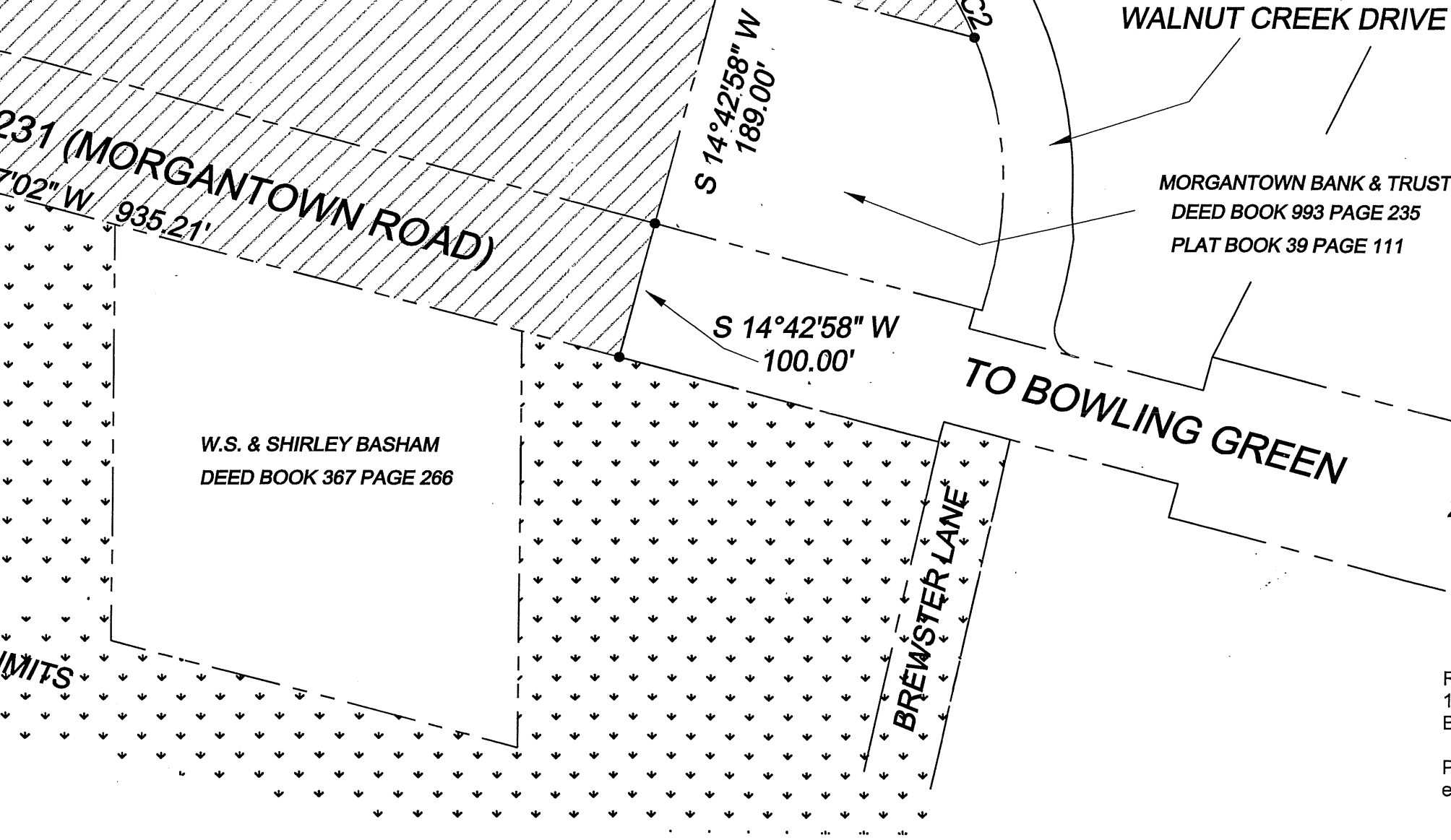
Date	Revision

ANNEXATION
SEVENPLUS LLC

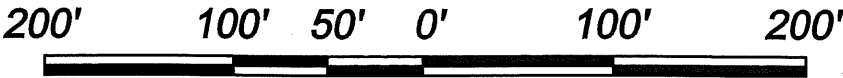
SEVENPLUS LLC
PPK 1151 PAGE 768
BOOK 39 PAGE 111
11.82 ACRES

- AS RECORDED IN THE WARREN COUNTY COURT
CLERK'S OFFICE
- 2) TOTAL AREA ANNEXED 11.80 ACRES. 2.18 ACRES R/W ANNEXED
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AS SUCH. THIS DRAWING IS FOR ANNEXATION PURPOSES ONLY.

- 5)  EXISTING CITY LIMITS
- 6)  ANNEX AREA



SCALE 1" = 100'



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

WORKS DEPARTMENT

Date	Revision

ANNEXATION
SEVENPLUS LLC

SHEET 1 OF 1

JOB NO. 18115 SCALE 1" = 100' DATE 09/11/2018