

RECEIVED AND FILED
DATE January 22, 2019

ORDINANCE NO. **BG2018 - 51**

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
By - Katie Adkins

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING A TOTAL OF APPROXIMATELY 6.58 ACRES OF PROPERTY LOCATED AT 618 LOVERS LANE, WITH PROPERTY PRESENTLY OWNED BY PROPERO II BOWLING GREEN, 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, Propero II Bowling Green, LLC, property owner, has requested and consented to the annexation of 6.58 acres of property located at 618 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, Propero II Bowling Green, LLC, has requested the rebate of the City property taxes which requires the execution of an agreement between Propero II Bowling Green, LLC and the City; and,

WHEREAS, it is in the best interest of the City to approve this consensual annexation of property located at 618 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 618 Lovers Lane, identified on the attached map and further described in the attachments to this Ordinance containing a total of 6.58 acres, presently owned by Propero II Bowling Green, 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 Propero II Bowling Green, LLC and the City for the total acreage of 6.58, 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 December 18, 2018, and given final reading on January 15, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

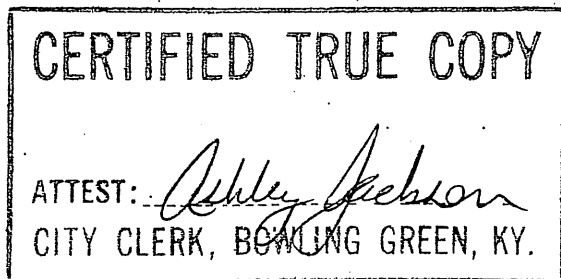
(Ordinance No. BG2018 – 51)

ADOPTED: January 15, 2019

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 12/10/2018, 12:45 p.m.



LEGAL DESCRIPTION

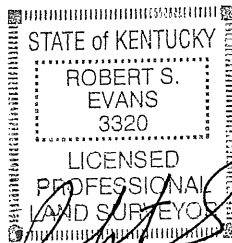
ANNEXATION

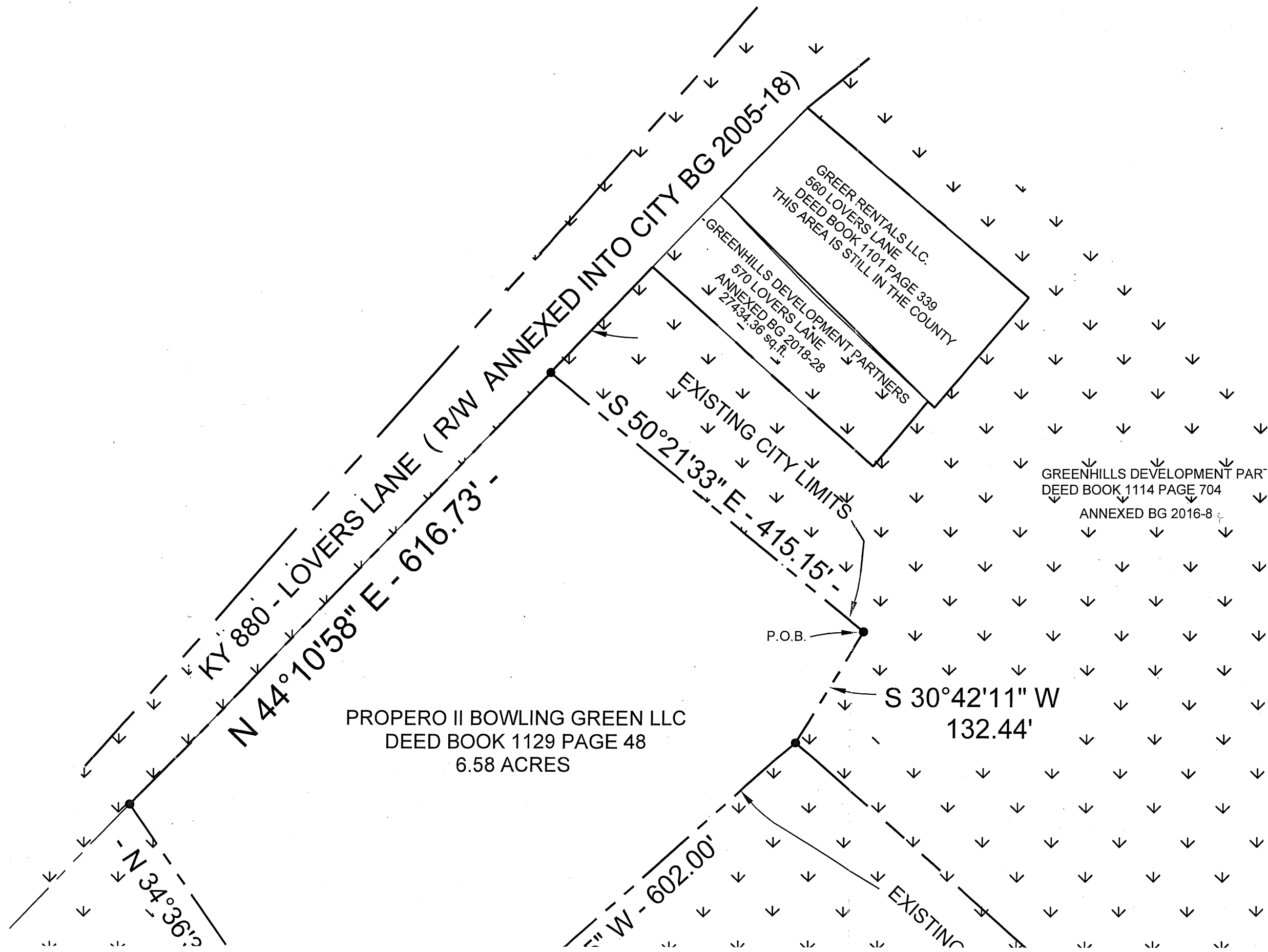
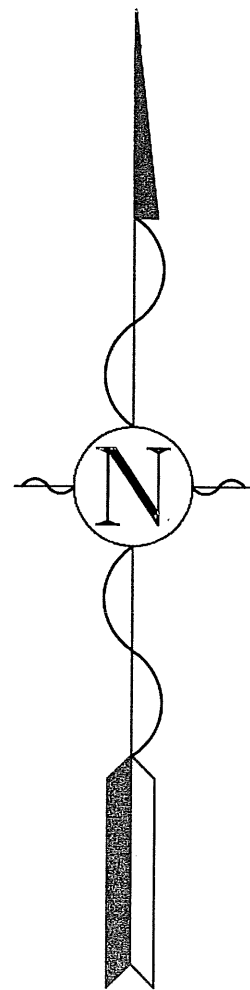
618 LOVERS LANE

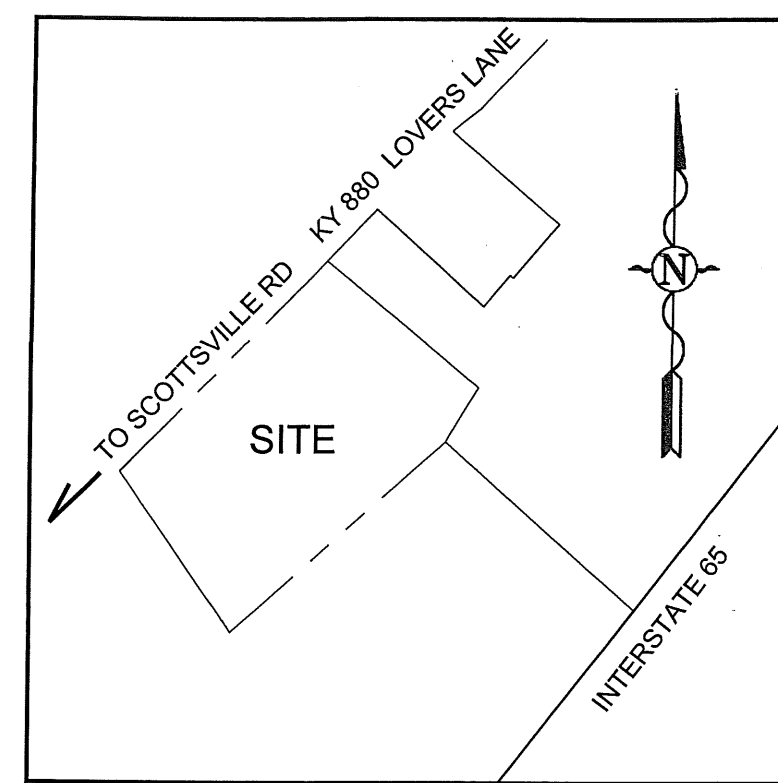
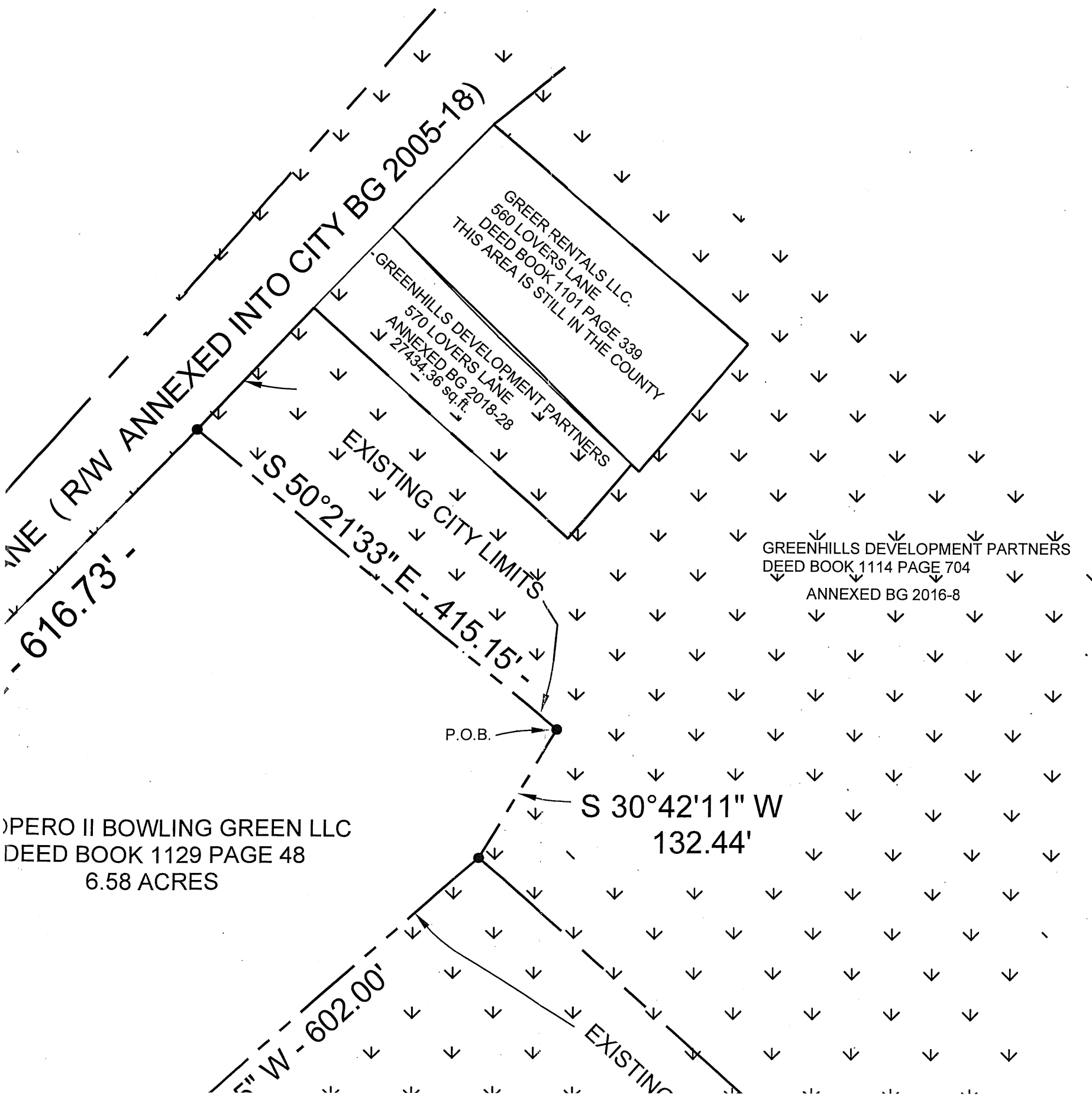
Being a certain parcel of land located on Lovers Lane 2600' +/- southwest from the entrance to Lovers Lane Soccer Complex and adjacent to the city limits of Bowling Green, Kentucky and more particularly described as follows:

The following description was prepared by Robert S. Evans PLS # 3320 BG Public Works – Field Engineering. Sources of record Deed Book 1129 Page 48 as recorded in the Warren County Court Clerk's Office. 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 common to Green Hills Development Partners Deed Book 1114 Page 704; thence with the existing city limits South 30 degrees 42 minutes 11 seconds West, 132.44 feet to a point common to Vision Development LLC Deed Book 904 Page 977; thence continuing with city limits South 48 degrees 14 minutes 25 seconds West, 602.00 feet to a point common to Plat Book 40 Page 198; thence North 34 degrees 36 minutes 35 seconds West, 409.94 feet to a point in the south right-of-way of KY 880 – Lovers Lane; thence with said right-of-way North 44 degrees 10 minutes 58 seconds East, 616.73 feet to a point in said right-of-way; thence leaving the right-of-way South 50 degrees 21 minutes 33 seconds East, 415.15 feet to the point of beginning containing 6.58 acres.






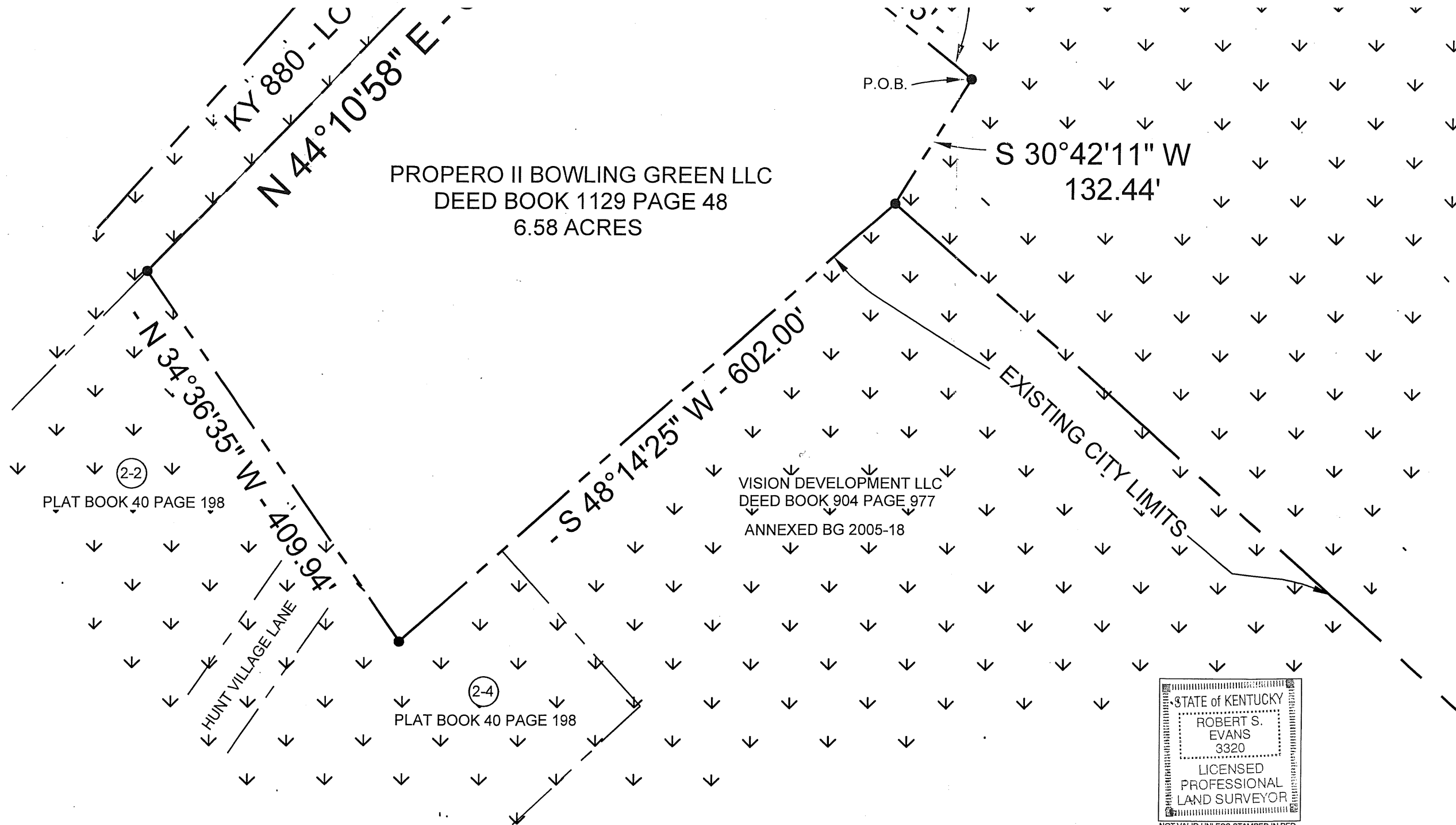


VICINITY MAP
NOT TO SCALE

NOTES

- 1) SOURCE OF TITLE - DEED BOOK 1129 PAGE 48
AS RECORDED IN THE WARREN COUNTY COURT
CLERK'S OFFICE
- 2) TOTAL AREA ANNEXED 6.58 ACRES. NO RW ANNEXED
- 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.
- 6)  EXISTING CITY LIMITS

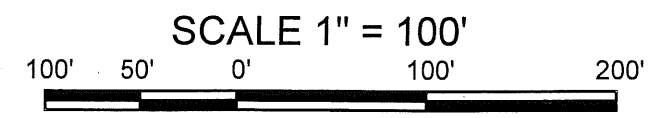
OPERO II BOWLING GREEN LLC
DEED BOOK 1129 PAGE 48
6.58 ACRES



STATE of KENTUCKY
ROBERT S.
EVANS
3320
LICENSED
PROFESSIONAL
LAND SURVEYOR
NOT VALID UNLESS STAMPED IN RED

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 9/6/10
ROBERT S. EVANS PLS# 3320 DATE



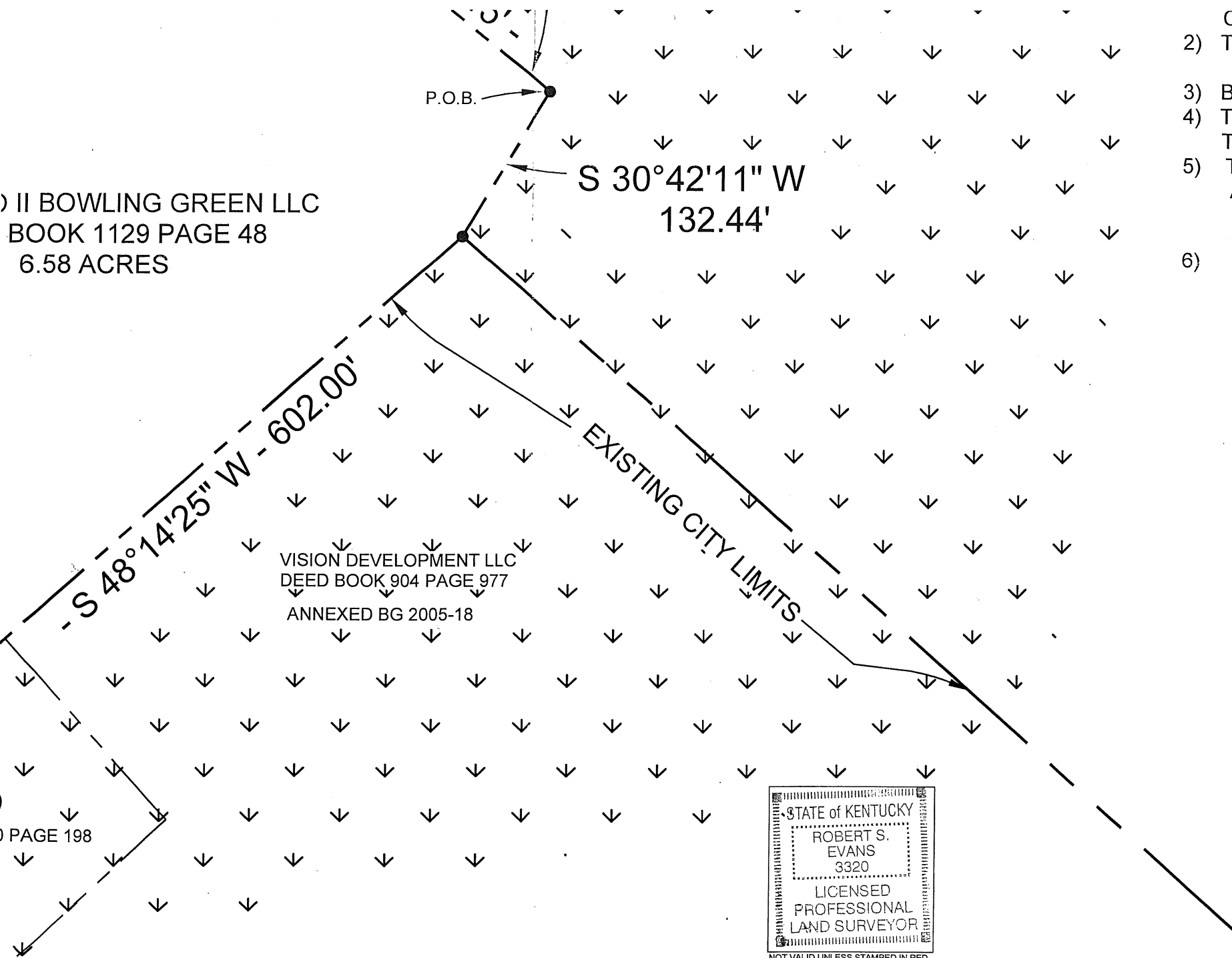
CITY OF BOWLING GREEN

PUBLIC WORKS DEPARTMENT

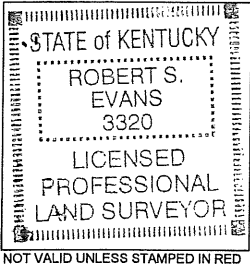
Date	Revision

ANNEXATION
618 LOVERS LAN

II BOWLING GREEN LLC
BOOK 1129 PAGE 48
6.58 ACRES



0 PAGE 198



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AND FROM TAX MAPS AND RECORDS IN THE WARREN COUNTY
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Robert S. Evans 9/6/18
ROBERT S. EVANS PLS# 3320 DATE

- CLERK'S OFFICE
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6)  EXISTING CITY LIMITS

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
618 LOVERS LANE

SHEET 1 OF 1

JOB NO. 18116 SCALE 1" = 100' DATE 09/06/2018