

RECEIVED AND FILED  
DATE Sept. 6, 2019

ORDINANCE NO. BG2019 - 39

ORDINANCE ANNEXING RIGHT-OF-WAY BY CONSENT  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Addins ORDINANCE ANNEXING 0.491 ACRE OF  
RIGHT-OF-WAY LOCATED ON CEMETERY  
ROAD AT THE INTERSECTION OF BRITWAY  
DRIVE AND INDIAN HILLS DRIVE, PRESENTLY  
OWNED BY THE COMMONWEALTH OF  
KENTUCKY TRANSPORTATION CABINET  
WITH SAID TERRITORY BEING CONTIGUOUS  
TO EXISTING CITY LIMITS

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, the Commonwealth of Kentucky Transportation Cabinet has requested and consented in writing to the annexation of 0.491 acre of right-of-way located on Cemetery Road (KY-234) at the intersection of Briteway Drive and Indian Hills Drive; and,

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

WHEREAS, the proposed right-of-way to be annexed is adjacent or contiguous to the City; and,

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

1. The right-of-way presently owned by the Commonwealth of Kentucky Transportation Cabinet located on Cemetery Road at the intersection of Briteway Drive and Indian Hills Drive, containing 0.491 acre of right-of-way, which right-of-way is identified on the attached map and further described in the attachments to this Ordinance, 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 right-of-way into the City of Bowling Green.

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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 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.

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 All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

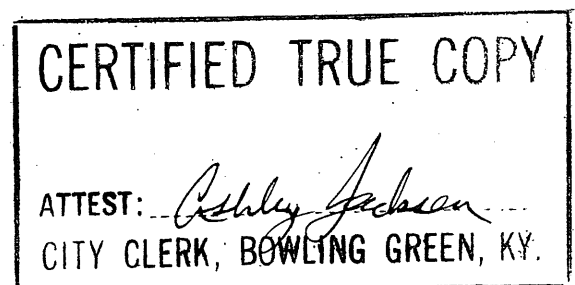
5. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on August 20, 2019, and given final reading on September 3, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: September 3, 2019

APPROVED: Lee Panipat  
Mayor Pro Tem, Chairman of Board of Commissioners

ATTEST: Ashley Jackson  
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 08/14/2019, 8:30 a.m.



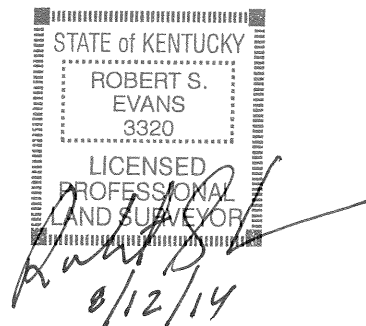
## LEGAL DESCRIPTION

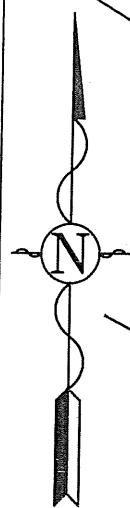
### ANNEXATION CEMMETERY ROAD, BRIEWAY DRIVE, & INDIAN HILLS DRIVE

Being the right-of-way of the KY 234 (CEMETERY RD.) @ the intersection of Brite Way Drive and Indian hills Drive and being more particularly described as follows:

The following description was prepared by Robert S. Evans PLS # 3320 BG Public Works – Field Engineering. Sources of record KYTC Project KY 234 CEMETERY ROAD FD52 114 023 010-012C Metric and Plat Books 369/137, 7/15, 16/63, 37/418. This annex description is oriented to State Plane Coordinates Kentucky South 1602. This description is counter clockwise to follow territorial limits. This is not a boundary survey and is for annex purposes only.

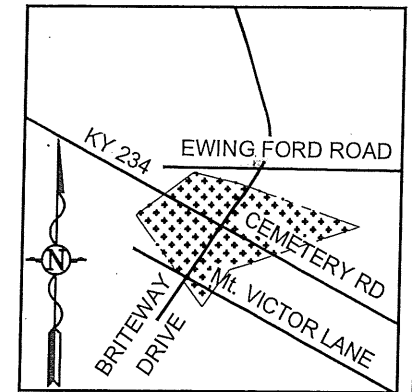
Beginning at a point 21.786 meters left of centerline station 11+429.839 said point in the existing city limits and common to Dorothy Hurt DB. 587 PG. 701; thence with said city limits and crossing Indian Hills Drive North 70 degrees 57 minutes 14 seconds West, 166.58 feet to a point; thence North 77 degrees 02 minutes 19 seconds West, 56.60 feet to a point; thence South 53 degrees 15 minutes 12 seconds West, 89.56 feet to a point in the northeast right-of-way of Cemetery Road (now Mt. Victor Lane); thence with Mt. Victor Lane and crossing Brite Way Drive South 36 degrees 55 minutes 18 seconds East, 142.43 feet to a point in the northeast right-of-way of Cemetery Road (now Mt. Victor Lane); thence with the right-of-way of Brite way Drive North 36 degrees 42 minutes 06 seconds East, 56.96 feet to a point in the south right-of-way of KY 234 Cemetery at station 11+400 22.00 meters right of centerline; thence crossing KY 234 Cemetery Road North 71 degrees 37 minutes 50 seconds East, 173.63 feet to the point of beginning containing 0.491 acres.



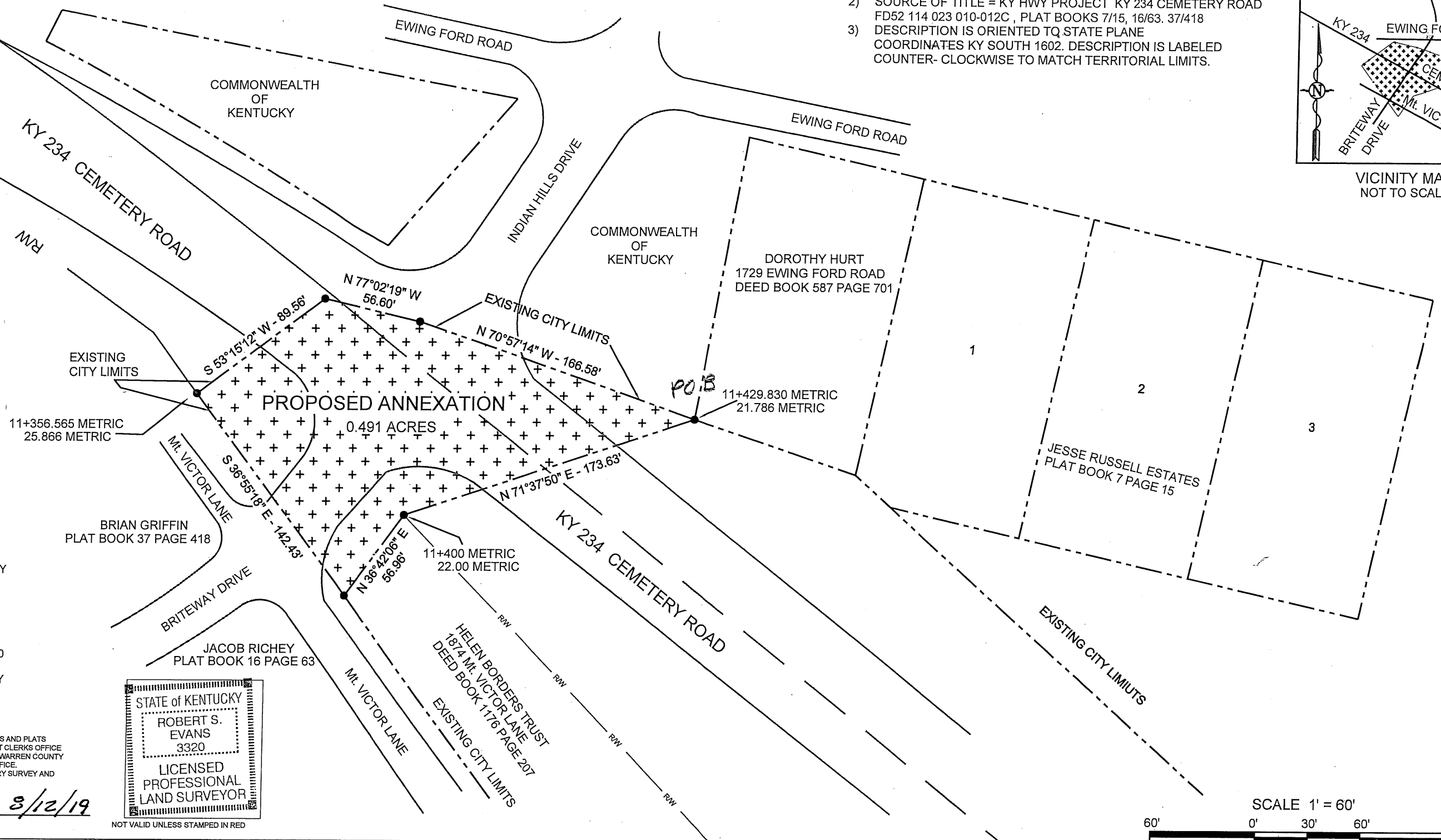


### NOTES

- 1) PROPOSED R/W ANNEXATION = 0.491 ACRES
- 2) SOURCE OF TITLE = KY HWY PROJECT KY 234 CEMETERY ROAD  
FD52 114 023 010-012C, PLAT BOOKS 7/15, 16/63. 37/418
- 3) DESCRIPTION IS ORIENTED TO STATE PLANE  
COORDINATES KY SOUTH 1602. DESCRIPTION IS LABELED  
COUNTER- CLOCKWISE TO MATCH TERRITORIAL LIMITS.



VICINITY MAP  
NOT TO SCALE



### CLIENT

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

### SURVEYOR

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

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* 8/12/19  
ROBERT S. EVANS PLS# 3320 DATE



NOT VALID UNLESS STAMPED IN RED

SCALE 1" = 60'  
60' 0' 30' 60' 120'



CITY OF BOWLING GREEN

PUBLIC WORKS DEPARTMENT

ANNEXATION  
BRITE WAY/ INDAIN HILLS DR.

SHEET 1 OF 1

JOB NO. 19118 SCALE 1" = 60' DATE 08/12/2019