

KEVIN D. DeFEBBO
City Manager

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8

KATIE SCHALLER, CMC, CKMC
Assistant City Manager/City Clerk

DEBORAH JENKINS
Internal Auditor

OFFICE OF THE CITY MANAGER

March 30, 2007

RECEIVED AND FILED
DATE April 4, 2007

Kentucky Secretary of State
ATTN Kandie Adkinson
Capitol Building, 700 Capital Avenue
Frankfort, Kentucky 40601

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Adkinson

IN RE: Annexation of 29.23 acres located on Lovers Lane, Mt. Victor Lane and Cemetery Road

Dear Ms. Adkinson:

As a result of the adoption and publication of Ordinance No. BG2007-5, unincorporated territory has been annexed by the City of Bowling Green effective upon the ordinance's publication date of March 23, 2007.

A certified copy of the above-referenced ordinance, a description of the property and a map are enclosed for this annexed area.

Sincerely,

Katie E. Schaller
Assistant City Manager/City Clerk

Enclosures

RECEIVED AND FILED
DATE April 4, 2007

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY [Signature]

ORDINANCE NO. BG2007 - 5

Amended

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING ~~36.03~~ 29.23 ACRES OF
PROPERTY LOCATED ADJACENT TO LOVERS
LANE, MT. VICTOR LANE AND CEMETERY
ROAD, WITH PROPERTY PRESENTLY OWNED
BY TIMOTHY G. GEEGAN, JOHN PATRICK
GEEGAN, LAURA GEEGAN, O. L. AVERY, JR.
AND JR. FOOD STORES, INC. 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, Timothy G. Geegan, John Patrick Geegan, Laura Geegan, O. L. Avery, Jr. and Jr. Food Stores, Inc. have requested and consented in writing to the annexation of approximately 23.85 acres of property belonging to them located adjacent to Lovers Lane, Mt. Victor Lane and Cemetery Road which is further identified on the attached map; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex these properties and additional rights-of-way of Lovers Lane, and Mt. Victor Lane and Cemetery Road consisting of approximately ~~12.18~~ 5.38 acres for a total annexation of ~~36.03~~ 29.23 acres as described in the attachments to this Ordinance; and,

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

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

1. The properties located adjacent to Lovers Lane, Mt. Victor Lane and Cemetery Road

BG2007-5

identified on the attached map and further described in the attachment to this Ordinance containing approximately ~~36.03~~ 29.23 acres which are contiguous to existing City limits and presently owned by Timothy G. Geegan, John Patrick Geegan, Laura Geegan, O. L. Avery, Jr. and Jr. Food Stores, Inc. shall be and are hereby annexed into the City of Bowling Green, Kentucky by consent of the owners, 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, Engineering 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 March 8, 2007, and given final reading on March 20, 2007, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: March 20, 2007

APPROVED: Elwood Walker
Mayor, Chairman of Board of Commissioners

ATTEST: Katie Schaller
City Clerk

CERTIFIED TRUE COPY

ATTEST: Katie Schaller
CITY CLERK, BOWLING GREEN, KY.

SPONSORED BY: Kevin D. DeFebbo, City Manager, 02/27/2007, 11:00 a.m.

Ordinance No. BG2007-5 was amended on the floor of a special Board of Commissioners meeting on March 8, 2007.

MOUNT VICTOR ANNEXATION

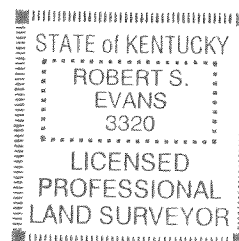
A certain parcel of land located near Cemetery Road and Lovers Lane and being adjacent to the city limits of Bowling Green, Kentucky and more particularly described as follows:

Beginning at a point in the existing city limits of Bowling Green, Kentucky said point being a corner to Steeplechase Section III (PB. 24 Page 113) and in the south line of Lovers Lane Acres Section III (PB. 17 Page 181) and being in the west right-of-way of KY 880/ Lovers Lane; thence with the right-of-way North 03 degrees 17 minutes 04 seconds East, 94.96' to a point; thence along a curve to the right with a radius of 1652.00', an arc of 82.47', and a chord bearing of North 07 degrees 54 minutes 51 seconds East to a point; thence North 08 degrees 49 minutes 55 seconds East, 92.05' to a point; thence North 17 degrees 46 minutes 23 seconds East, 80.21' to a point; thence along a curve to the right with a radius of 1650.00', an arc of 182.10', and a chord bearing of North 18 degrees 28 minutes 12 seconds East to a point; thence South 68 degrees 22 minutes 06 seconds East, 5.00' to a point; thence along a curve to the right with a radius of 1645.00', an arc of 227.59', and a chord bearing of North 25 degrees 35 minutes 43 seconds East to a point; thence North 24 degrees 36 minutes 13 seconds East, 82.29' to a point; thence North 40 degrees 22 minutes 22 seconds East, 79.47' to a point; thence along a curve to the right with a radius of 1645.00', an arc of 275.89', and a chord bearing of North 39 degrees 56 minutes 47 seconds East to a point; thence North 44 degrees 45 minutes 04 seconds East, 558.65' to a point in the west right-of-way of KY 880/ Lovers Lane; thence with the right-of-way North 15 degrees 51 minutes 23 seconds East, 27.17' to a point in the south right-of-way of Mt. Victor Lane; thence with the right-of-way North 41 degrees 06 minutes 42 seconds West, 297.05' to a point in the south right-of-way; thence crossing Mr. Victor Lane North 49 degrees 11 minutes 24 seconds East, 280.88' to a point in the south right-of-way of KY 234/ New Cemetery Road, said point common between a corner of the O.L Avery, Jr. Inc. property (DB. 791 Page 280) and the Alvin P. Ford property (DB. 676 Page 211); thence with the right-of-way South 32 degrees 45 minutes 19 seconds East, 236.16 to a point in the west right-of-way of KY. 880/ Lovers Lane; thence with said right-of-way South 48 degrees 17 minutes 48 seconds West, 201.26' to a point; thence crossing KY. 880/ Lovers Lane South 41 degrees 06 minutes 42 seconds East, 217.87' to a point in east right-of-way of KY. 880/ Lovers Lane and the north right-of-way of Mount Victor Lane and common to the Jr. Food Stores Inc. property (DB 796 PG 869); thence with the right-of-way North 42 degrees 03 minutes 14 seconds East, 198.99' to a point in the south right-of-way of KY 234/ New Cemetery Road; thence with said right-of-way and the Jr. Food Stores Inc. property (DB 796 PG 869, DB 810 PG 249, DB 917 PG 312, DB 659 PG 506, and PB 25 PG 98) South 39 degrees 43 minutes 00 seconds East, 178.21'; thence South 39 degrees 42 minutes 50 seconds East, 100.94'; thence South 30 degrees 43 minutes 33 seconds East, 89.51'; thence South 44 degrees 04 minutes 05 seconds East, 60.54'; thence South 44 degrees 03 minutes 23 seconds East, 66.90'; thence South 44 degrees 03 minutes 52 seconds East, 140.95'; thence South 49 degrees 01 minutes 48 seconds East, 133.68' to a point common with the south right-of-way of KY 234/ New Cemetery Road and the west right-of-way of Ewing Ford Road, and also being a corner of the JR. Food Stores property (DB. 659 Page 506, PB. 25 Page 98); thence along the west right-of-way of Ewing Ford Road South 29 degrees 51 minutes 57 seconds West, 224.64' to a point common with a corner of the Jr. Food Stores property, the west right-of-way of the Ewing Ford Road, and the north right-of-way of Mt. Victor Lane; thence crossing Mt. Victor Lane South 29 degrees 51 minutes 57 seconds West, 50.71' to a point in the west right-of-way of Old Lovers Lane and in the south right-of-way of Mt. Victor Lane, said point also being a corner of the AST Inc.

property (DB. 630 Page 291); thence with the south right-of-way of Mt. Victor along a curve to the right with a radius of 741.19', an arc of 110.57', and a chord bearing of North 46 degrees 34 minutes 29 seconds West to a point; thence North 43 degrees 11 minutes 58 seconds West, 38.45' to a point common with the right-of-way and the AST Inc. property and the O.L. Avery Jr. Inc. property (DB. 499 Page 191, MPB 13 Page 46); thence with Avery South 33 degrees 39 minutes 36 seconds West, 320.57' to a point common with a corner of Avery and in the line of Mount Victor Apartments (PB. 23 Page 177); thence with Avery North 57 degrees 41 minutes 57 seconds West, 244.37' to a point common with the Avery line (DB. 499 Page 191, MPB 13 Page 46) and the O.L. Avery Jr. Inc property (DB. 403 Page 174), and being a corner of the Mount Victor Apartments; thence with the Avery line South 30 degrees 54 minutes 21 seconds West, 1013.46' to a point common with the Lovers Lane Acres Section I property (PB. 17 Page 106), a corner of the Mount Victor Apartments property, and a corner of the Avery property; thence along the Avery line North 53 degrees 22 minutes 38 seconds West, 185.03' to a point common with a corner of Lot 1, Lot 2, and Lot 12 of the Lovers Lane Acres Section I property; thence South 22 degrees 09 minutes 04 seconds West, 107.55' to a point common with a corner between Lot 2 and Lot 3 of the Lovers Lane Acres Section 1 property; thence North 89 degrees 25 minutes 41 seconds West, 256.48' to a point common with a corner between Lot 2 and Lot 3 of the Lovers Lane Acres Section 1 property and being a point in the east right-of-way of KY 880/ Lovers Lane; thence crossing Lovers Lane North 89 degrees 25 minutes 41 seconds West, 94.05' to a point common with the west right-of-way of KY 880/ Lovers Lane and being a point in the line of the Steeplechase Section III property (PB. 24 Page 113); thence with the west right-of-way North 05 degrees 36 minutes 32 seconds East, 132.00' to a point; thence North 06 degrees 18 minutes 24 seconds East, 11.44' to the point common with the west right-of-way and being the point of beginning, thus containing 32.74 acres.

There is an Exception to the aforementioned parcel beginning at a point common being a corner to the Lovers Lane Acres Section II property (PB. 17 Page 124), said point also being a corner of the BGMU property (DB. 468 Page 390, MPB. 5 Page 168) and being in the East right-of-way of KY 880/ Lovers Lane; thence following the Lovers Lane right-of-way along a curve to the right with a radius of 1560.00', an arc of 164.79', and a chord bearing of North 12 degrees 25 minutes 52 seconds East to a point in the right-of-way; thence with the right-of-way North 17 degrees 18 minutes 23 seconds East, 100.66' to a point in the right-of-way; thence with the right-of-way along a curve to the right with a radius of 1560.00', an arc of 152.25', and a chord bearing of North 21 degrees 57 minutes 04 seconds East to a point in the right-of-way; thence with the right-of-way North 31 degrees 54 minutes 00 seconds East, 374.42' to a point in the right-of-way, said point being a common corner to the O.L. Avery Jr. Inc. property (DB. 403 Page 174) and a corner of Lot 17 of the Lovers Lane Acres Section II property; thence with the Lot 17 line South 53 degrees 08 minutes 44 seconds East, 142.37' to a point common to Lot 17 and Avery; thence with the Lovers Lane Acres Section II line South 20 degrees 55 minutes 49 seconds West, 802.81' to a point common in the line of Lovers Lane Acres Section I (PB. 17 Page 106), a corner of the Avery property, and a corner of the BGMU property; thence with the BGMU line North 51 degrees 00 minutes 27 seconds West, 189.50' to the point of beginning, containing 3.46 acres.

The following descriptions were prepared by Robert S. Evans PLS # 3320 BG Public Works – Field Engineering from deeds and plats of record in the Warren County Court Clerks 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. No survey fieldwork was performed. The total area of the Annexed Area is 29.28 acres.



	OWNER	DEED REFERENCE	AREA
1	O.L. AVERY JR. INC.	DB. 403 PG. 174 DB. 499 PG. 191 DB. 791 PG. 280	18.92 ACRES
2	JR. FOOD STORES INC.	DB. 796 PG. 869 DB. 810 PG. 249 DB. 917 PG. 312 DB. 669 PG. 506	3.61 ACRES
3	TIMOTHY G. GEEGAN JOHN P. GEEGAN LAURA GEEGAN	DB. 929 PG. 446 DB. 929 PG. 449	1.32 ACRES

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 29°51'57" W	60.71'
L-2	N 43°11'58" W	38.45'
L-3	N 06°18'24" E	11.44'
L-4	S 68°22'06" E	5.00'

CURVE TABLE

CURVE	RADIUS	ARC	CH. BEARING	CHORD
C-1	741.19'	110.57'	N 46°34'29" W	110.46'
C-2	1652.00'	82.47'	N 07°54'51" E	82.46'
C-3	1650.00'	182.10'	N 18°28'12" E	182.01'
C-4	1645.00'	227.59'	N 25°35'43" E	227.41'
C-5	1645.00'	275.89'	N 39°56'47" E	275.67'
C-6	1560.00'	164.79'	N 12°25'52" E	164.72'
C-7	1560.00'	162.25'	N 21°57'04" E	162.19'

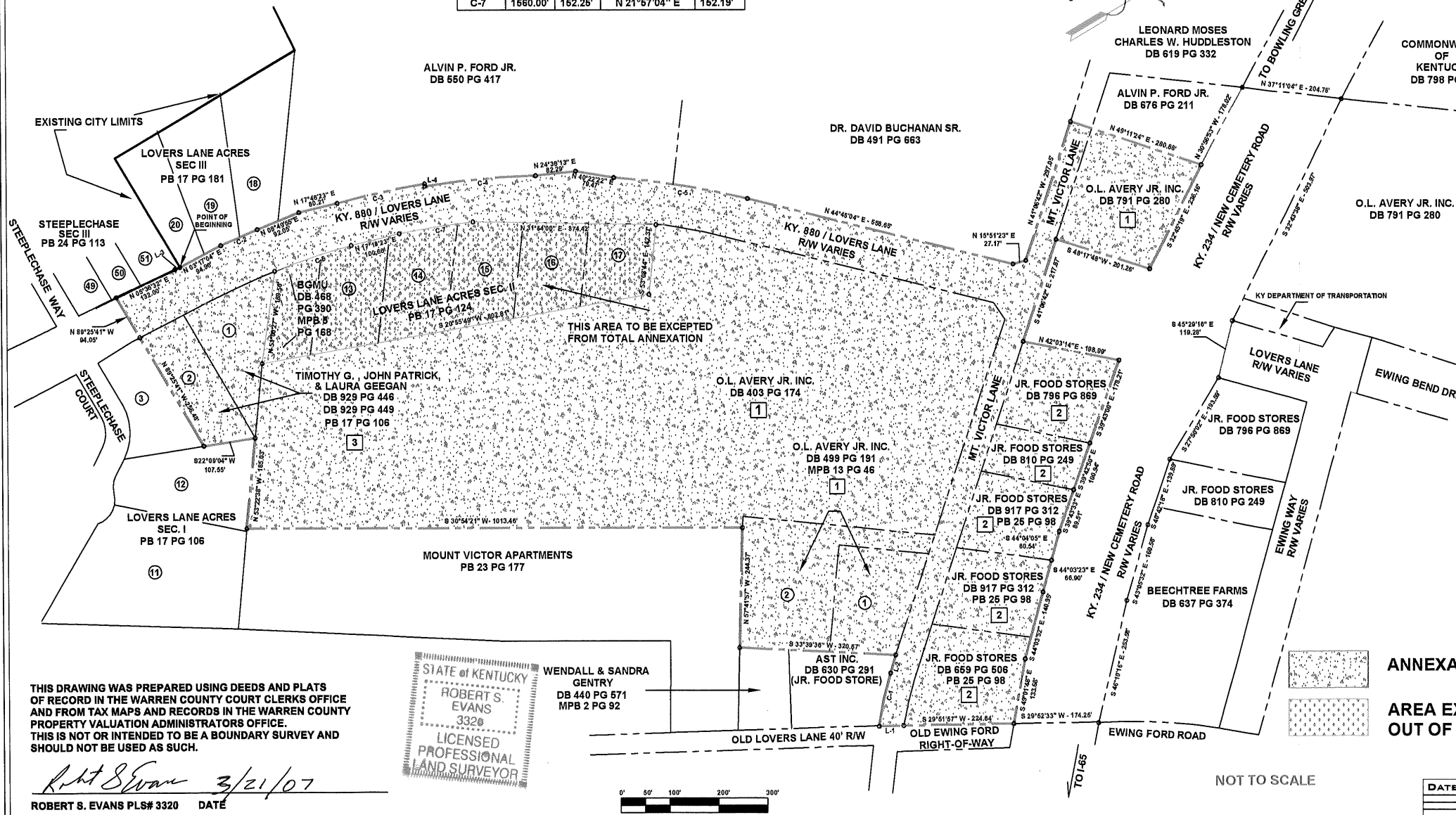
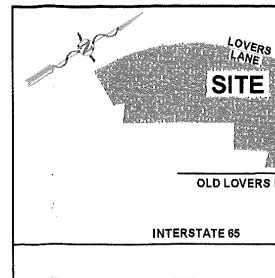
TOTAL AREA 32.74 ACRES

PROPERTY 23.85 ACRES

RIGHT-OF-WAY 5.43 ACRES

EXCEPTED AREA 3.46 ACRES

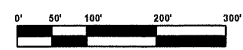
TOTAL ANNEXED AREA 29.28 ACRES



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.

STATE OF KENTUCKY
ROBERT S. EVANS
3320
LICENSED PROFESSIONAL LAND SURVEYOR

WENDALL & SANDRA GENTRY
DB 440 PG 671
MPB 2 PG 92



NOT TO SCALE

ANNEXA
AREA EX
OUT OF

Robert S. Evans 3/21/07
ROBERT S. EVANS PLS# 3320 DATE