

## CITY OF BOWLING GREEN

F O U N D E D 1 7 9 8

OFFICE OF THE CITY MANAGER

DEBORAH JENKINS, CFE  
Internal Auditor

JENNIFER PORTMANN  
Purchasing Agent

KEVIN D. DeFEBBO  
City Manager

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

ASHLEY WATT  
Assistant City Clerk

September 1, 2009

Ms. Kandie Adkinson  
Administrative Supervisor  
Land Office Division  
Office of the Secretary of State  
Suite 152, State Capitol  
700 Capital Avenue  
Frankfort, KY 40601-3493

RECEIVED AND FILED  
DATE Sept 3, 2009  
  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
*Kandie Adkinson*

Dear Ms. Adkinson:

Following the return of annexation documentation for Ordinance No. BG2009-23 for the City of Bowling Green, our surveyor reviewed the property description and map. He stated that the deed description is correct and the plat, although technically correct, included a couple of bearings that were labeled in a counter-clockwise direction. Those bearings have been revised by the surveyor and the updated documents are enclosed. Please file the boundary change at this time.

If you have any additional questions, please let me know.

Respectfully,

Katie Schaller  
Assistant City Manager/City Clerk

Enclosures

RECEIVED AND FILED  
DATE Sept. 3, 2009

ORDINANCE NO. BG2009 - 23

ORDINANCE ANNEXING PROPERTY BY CONSENT

TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Handie Adams

ORDINANCE ANNEXING PORTIONS OF LOTS 5  
AND 7 OF PROPERTY LOCATED AT CHERRY  
FARMS SUBDIVISION, WITH PROPERTY  
PRESENTLY OWNED BY CHERRY PARK, LLC,  
AND 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, Cherry Park, LLC, through its attorney, has requested and consented in writing to the annexation of portions of Lots 5 and 7 of property belonging to it located at Cherry Farms Subdivision, which is further identified on the attached map; 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.

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

1. The property located at Cherry Farms Subdivision identified on the attached map and further described in the attachment to this Ordinance containing portions of Lots 5 and 7, which is contiguous to existing City limits and presently owned by Cherry Park, LLC shall be and is 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.

**BG2009-23**

(Ordinance No. BG2009 – 23)


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.

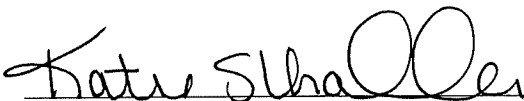
3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

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

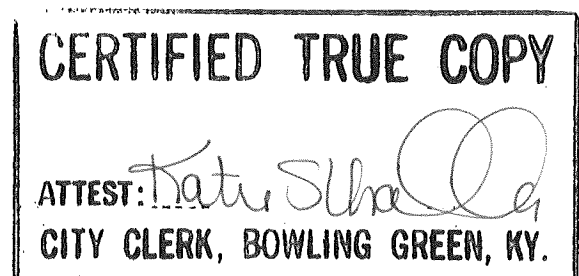
5. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on July 7, 2009, and given final reading on July 21, 2009, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: July 21, 2009

APPROVED:   
Mayor, Chairman of Board of Commissioners

ATTEST:   
City Clerk

SPONSORED BY: Kevin D. DeFebbo, City Manager, 06/18/2009, 3:00 p.m.



**Legal Description  
Cherry Farms Annexation**

A portion of land lying in Warren County, Kentucky. Said parcel being located in the area of Bowling Green between Cumberland Trace, Old Scottsville Road and Scottsville Road. Said land being a portion of Lot 5 and Lot 7 of the Cherry Farms Subdivision recorded in Plat Book 37 Page 61, and being more particularly described as follows:

The basis of the bearings for this legal description is based on grid north as established by Kentucky State Plane Coordinates (KY South Zone 1602).

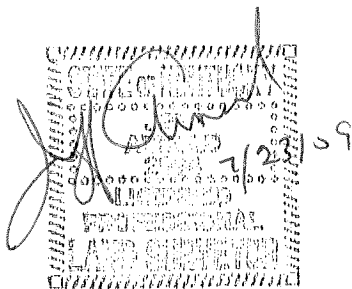
**Beginning** at a point in the line of Lot 7 of the Cherry Farms Subdivision (Plat Book 37 Page 61) and Lot 5 of the Deer Meadow Subdivision (Plat Book 25 Page 155), said point lying S 69°02'51" E a distance of 43.26' from the southwestern most corner of Lot 5. Thence, with the lines of Lot 7 and Lot 5, S 69°02'51" E a distance of 265.21' to a ½" iron pin with 1" cap found stamped "J Arnold PLS 2934" in the r/w of Deer Meadow Way, said point being the southeastern most corner of Lot 5 of the Deer Meadow Subdivision and the northeastern most corner of Lot 7 of the Cherry Farms Subdivision.

Thence, with the lines of Lot 7 and Lot 5 of the Cherry Farms Subdivision, the r/w of Deer Meadow Way, and Lots 8, and 47-52 of the Deer Meadow Subdivision the following two calls, S 11°14'54" W a distance of 813.48' to a 1" iron pipe found.

Thence, S 11°13'46" W a distance of 300.40' to a point, said point being the common corner between Lot 52 and Lot 53 of a revision to Deer Meadow Subdivision (Plat Book 27 Page 19) and in the line of Lot 5 of the Cherry Farms Subdivision.

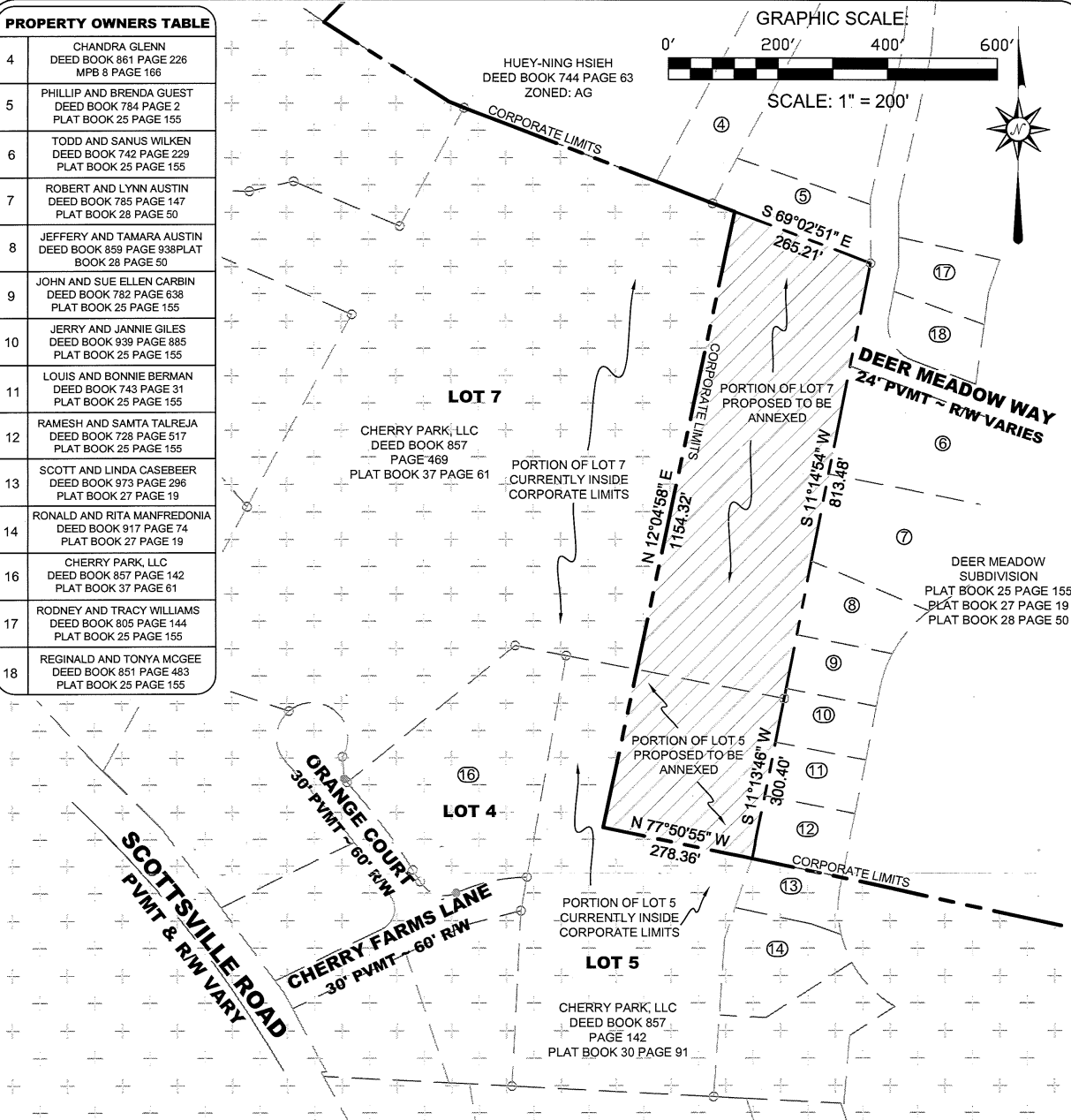
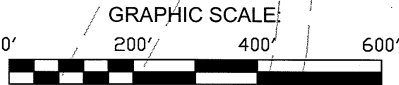
Thence, leaving the line of the Deer Meadow Subdivision and with the line of the corporate limits of the City of Bowling Green and bisecting Lots 5 and 7 of the Cherry Farms Subdivision, N 77°50'55" W a distance of 278.36' to a point.

Thence, N 12°04'58" E a distance of 1154.32' to the point of **Beginning**, containing 306,208 square feet (7.03 acres) as surveyed by Arnold Consulting Engineering Services, Inc., Jeff Arnold PLS 2934 on April 15, 2009.



**PROPERTY OWNERS TABLE**

4	CHANDRA GLENN DEED BOOK 861 PAGE 226 MPB 8 PAGE 166
5	PHILLIP AND BRENDA GUEST DEED BOOK 784 PAGE 2 PLAT BOOK 25 PAGE 155
6	TODD AND SANUS WILKEN DEED BOOK 742 PAGE 229 PLAT BOOK 25 PAGE 155
7	ROBERT AND LYNN AUSTIN DEED BOOK 785 PAGE 147 PLAT BOOK 28 PAGE 50
8	JEFFERY AND TAMARA AUSTIN DEED BOOK 859 PAGE 938 PLAT BOOK 28 PAGE 50
9	JOHN AND SUE ELLEN CARBIN DEED BOOK 782 PAGE 638 PLAT BOOK 25 PAGE 155
10	JERRY AND JANNIE GILES DEED BOOK 939 PAGE 885 PLAT BOOK 25 PAGE 155
11	LOUIS AND BONNIE BERMAN DEED BOOK 743 PAGE 31 PLAT BOOK 25 PAGE 155
12	RAMESH AND SAMTA TALREJA DEED BOOK 728 PAGE 517 PLAT BOOK 25 PAGE 155
13	SCOTT AND LINDA CASEBEER DEED BOOK 973 PAGE 296 PLAT BOOK 27 PAGE 19
14	RONALD AND RITA MANFREDONIA DEED BOOK 917 PAGE 74 PLAT BOOK 27 PAGE 19
16	CHERRY PARK, LLC DEED BOOK 857 PAGE 142 PLAT BOOK 37 PAGE 61
17	RODNEY AND TRACY WILLIAMS DEED BOOK 805 PAGE 144 PLAT BOOK 25 PAGE 155
18	REGINALD AND TONYA MCGEE DEED BOOK 851 PAGE 483 PLAT BOOK 25 PAGE 155



**LEGEND**

- IRON PIN FOUND
- IRON PIN SET

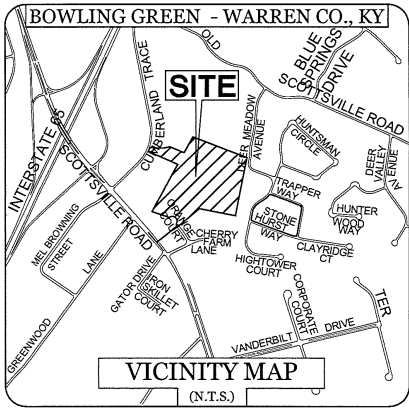
- PROPERTY LINE
- + + + + + EXISTING CORPORATE LIMITS
- /// PROPOSED CORPORATE LIMITS

**AREA TO BE ANNEXED**  
PORTIONS OF LOTS 5 & 7  
306,208 SQ. FT.  
7.03 ACRES



**SURVEYOR'S NOTE**  
THIS EXHIBIT IS BASED UPON A PUBLIC RECORDS RECORDED IN THE OFFICE OF THE WARREN COUNTY COURT CLERK, WARREN COUNTY PVA OFFICE AND PUBLIC WORKS DEPARTMENT MAPPING. IT IS INTENDED FOR INFORMATIVE PURPOSES ONLY AND IS NOT INTENDED FOR USE AS A BOUNDARY SURVEY OR FOR THE TRANSFER OF TITLE.

JEFF ARNOLD PLS # 2934  
DATE 8/27/09



PROJECT/CLIENT: **RE-ZONING EXHIBIT OF LOTS 4, 5, & 7 OF THE CHERRY FARMS SUBDIVISION**

**CHERRY PARK, LLC**  
111 AUGUSTA AVENUE  
BOWLING GREEN, KY 42103



**ARNOLD CONSULTING ENGINEERING SERVICES, INC.**  
P.O. BOX 1338 BOWLING GREEN, KY 42101  
PHONE (270) 780-9445

DRAWN BY: A. LEFTWICH	DATE: 4-30-09
CHECKED BY: J. ARNOLD	SCALE: 1" = 200'
PROJECT NUMBER: 1457	