

ORDINANCE NO. BG2024 - 16

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 3.041 ACRES OF
PROPERTY LOCATED AT 750 LOVERS LANE
PRESENTLY OWNED BY KEVIN AND LYNN
KIRBY 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, the Kevin and Lynn Kirby has requested and consented in writing to the annexation of 3.041 acres of property located at 750 Lovers Lane; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex the 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 development 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 the other amendments; and,

WHEREAS, the Annexation Incentive Policy targeted five (5) specific areas adjacent to the current City limits; and,

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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, Kevin and Lynn Kirby have requested the rebate of the City property taxes which requires the execution of an agreement between the property owner and the City; and,

WHEREAS, it is in the best interest of the City to approve this consensual annexation of property located at 750 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 presently owned by Kevin and Lynn Kirby located at 750 Lovers Lane containing 3.041 acres, which property 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 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

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the addition of this property as an annexation target area.

4. The Annexation Incentive Agreement between Kevin and Lynn Kirby and the City for the total acreage of 3.041, 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 August 6, 2024, and given final reading on August 20, 2024, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: August 20, 2024

APPROVED: [Signature]
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager

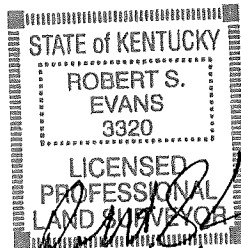
CERTIFIED TRUE COPY
ATTEST Ashley Jackson
CITY CLERK, BOWLING GREEN, KY

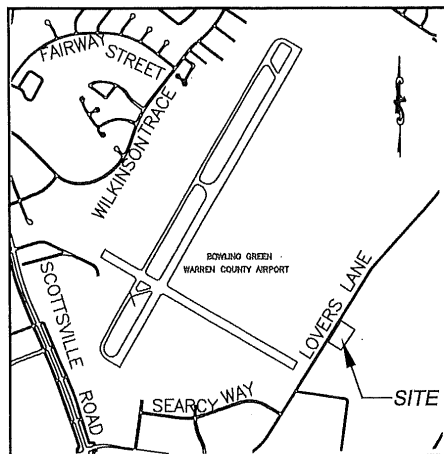
Legal Description Proposed Annexation
750 Lovers Lane

Being a 3.041 acre tract at 750 Lovers Lane and adjacent to the corporate limits of Bowling Green, Kentucky and more particularly described as follows:

This description was prepared by Robert S Evans PLS#3320, City Surveyor, Bowling Green Public Works using a survey by Landmark Engineering Inc. dated 6/10/2024 and previous annexations BG 2005-18 and BG 96-35 as recorded in the Bowling Green City Clerk's Office, Source of Title Deed Book 934 Page 30 and Minor Plat Book 18 Page 185 as recorded in the Warren County Court Clerk's Office. This is not a boundary survey and is for annexation purposes only. This description is based on State Plane Coordinates Kentucky South 1602.

Beginning at a point in the east right-of-way of Lovers Lane (KY-880) said point being a corner to Linda Willis Deed Book 434 Page 189; thence leaving said right-of-way with Willis and then A Himalaya KY2 Properties LLC deed Book 1244 Page 680 South 55 degrees 38 minutes 06 seconds East a distance of 313.53 feet to a point in the line of Bowling Green Gardens Deed Book 856 Page 627 and in the existing city limits; thence with Bowling Green Gardens for to calls South 35 degrees 33 minutes 45 seconds West a distance of 430.66 feet to a point ; thence North 57 degrees 50 minutes 55 seconds West a distance of 294.07 feet to a point in the east right-of-way of Lovers Lane (KY-880) ; thence with said right-of-way North 32 degrees 58 minutes 49 seconds East a distance of 442.05 feet to the point of beginning, containing 3.041 acres.





VICINITY MAP

PREVIOUS ANNEX
BG 2005-18

A HIMALAYA KY2 PROPERTIES, LLC
722 LOVERS LANE
DEED BOOK 1244 PAGE 680

LINDA HUNT WILLIS
722 LOVERS LANE
DEED BOOK 434 PAGE 189

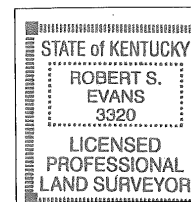
WARREN COUNTY

BOWLING GREEN GARDENS, INC
770 LOVERS LANE
DEED BOOK 856 PAGE 627

S 35°33'45" W 430.66'

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. THIS DRAWING IS FOR
ANNEXATION PURPOSES ONLY.

Robert S. Evans 7/18/24
ROBERT S. EVANS PLS# 3320 DATE



N 57°50'55" W 294.07'

PROPOSED ANNEXATION

KEVIN & CLYNN KIRBY
750 LOVERS LANE
DEED BOOK 934 PAGE 30
132470 Sq. Feet
3.0411 Acres

P.O.B

442.05'
N 32°58'49" E

EXISTING CITY LIMITS

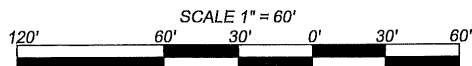
458'± TO C/L
TRADITIONS BLVD

LOVERS LANE (KY-880)
R/W VARIES ~ 55' PVMT

R/W IS INSIDE THE CITY LIMITS

NOTES

- 1) SOURCE OF TITLE : DEED BOOK 934 PAGE 30 & MINOR PLAT BOOK 18 PAGE 185 AS RECORDED IN THE WARREN COUNTY COURT CLERK'S OFFICE.
- 2) THIS DRAWING PREPARED BY ROBERT S. EVANS PLS#3320 CITY SURVEYOR BOWLING GREEN PUBLIC WORKS, USING A SURVEY BY LANDMARK ENGINEERING INC. DATED 6/10/2024 AND PREVIOUS ANNEXATIONS BG 2005-18 AND BG 98-35 AS RECORDED IN THE BOWLING GREEN CITY CLERK'S OFFICE. THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. DRAWING IS IN STATE PLANE KY SOUTH 1602.
- 3) TOTAL ANNEXED AREA = 3.041 ACRES
- 4) PREVIOUS ANNEXED AREA =



CITY OF BOWLING GREEN

PUBLIC WORKS DEPARTMENT

PROPOSED ANNEXATION
750 LOVERS LANE

SURVEYOR

ROBERT S. EVANS PLS #
1011 COLLEGE STREET
BOWLING GREEN, KENTU
42101
PHONE # (270) 393-3221
e-mail - rob.evans@bgky.

SHEET

JOB NO.
24078