

ORDINANCE NO. **BG2019 - 24**

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 5.58 ACRES FROM AG (AGRICULTURE) AND HB (HIGHWAY BUSINESS) TO HB (HIGHWAY BUSINESS) LOCATED AT 0 ORANGE COURT, PRESENTLY OWNED BY DKB INVESTMENTS, INC. C/O BEN SPICKARD, WITH BRONSON SPEARS AS CONTRACT VENDEE

WHEREAS, after proper notice and pursuant to applicable state statutes, the City-County Planning Commission of Warren County, Kentucky held a public hearing in City Hall on April 18, 2019 regarding the proposed rezoning of a tract of land containing 5.58 acres located at 0 Orange Court, from AG (Agriculture) and HB (Highway Business) to HB (Highway Business); and,

WHEREAS, said Planning Commission found the proposed zone change to be in agreement with the adopted Comprehensive Plan; and,

WHEREAS, said Planning Commission, thereafter and during the regular meeting, at said time and place with eleven (11) members of the Board present, by unanimous vote approved a recommendation to rezone a tract of land containing 5.58 acres located at 0 Orange Court, from AG (Agriculture) and HB (Highway Business) to HB (Highway Business), with development plan conditions.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. The tract of real estate presently owned by DKB Investments, Inc. c/o Ben Spickard, with Bronson Spears as contract vendee, containing 5.58 acres located at 0 Orange Court, which the tract of real estate is more particularly described on the attached maps and incorporated herein as if copied in full, is hereby rezoned from AG (Agriculture) and HB (Highway Business) to HB (Highway Business), with development plan conditions.
2. The provisions of this Ordinance are hereby declared to be severable, and if any section,

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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.

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All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict therewith are hereby repealed.

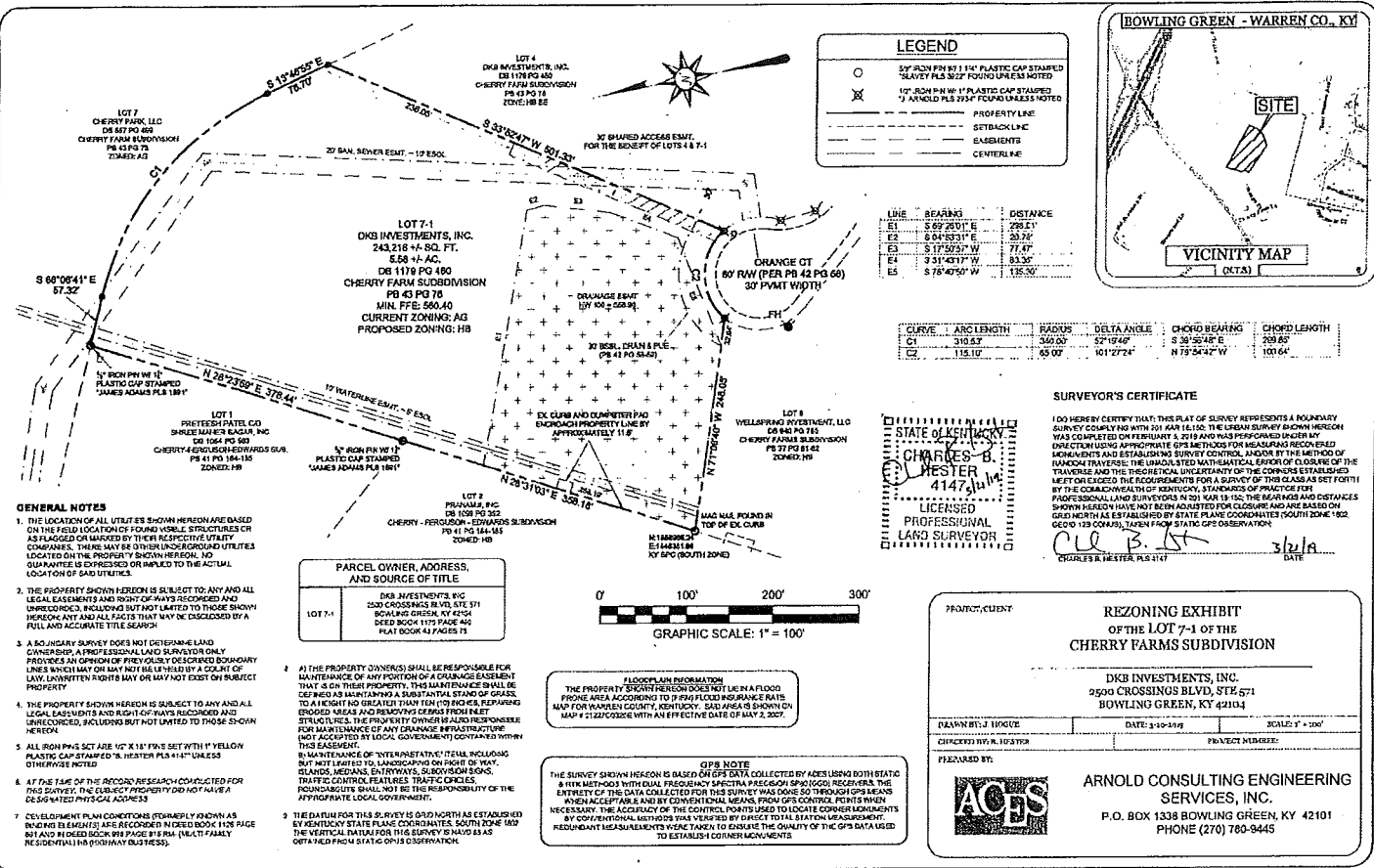
4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on June 4, 2019, and given final reading on June 18, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: June 18, 2019

APPROVED: Brian Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 05/17/2019, 9:30 a.m.

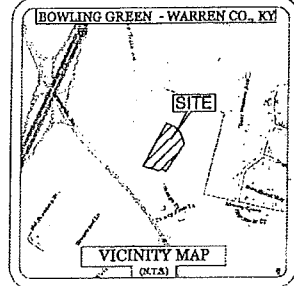


LEGEND

- 5/8" IRON PIN W/ 1/4" PLASTIC CAP STAMPED SLAVEY PLS 2227 FOUND UNLESS NOTED
- ⊗ 1/2" IRON PIN W/ 1/4" PLASTIC CAP STAMPED 3" ANGLE PLS 2257 FOUND UNLESS NOTED
- PROPERTY LINE
- - - SETBACK LINE
- - - EASEMENTS
- CENTERLINE

LINE	BEARING	DISTANCE
E1	S 69°20'11" E	295.21'
E2	S 04°53'31" E	20.72'
E3	S 17°30'37" W	77.47'
E4	S 31°40'11" W	83.30'
E5	S 75°47'50" W	135.50'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	310.87'	300.00'	57°10'40"	S 20°52'48" E	208.85'
C2	135.10'	85.00'	161°27'24"	N 75°54'32" W	103.64'



- GENERAL NOTES**
1. THE LOCATION OF ALL UTILITIES SHOWN HEREON ARE BASED ON THE FIELD LOCATION OF FOUNDABLE STRUCTURES OR AS PLACED CALIBRATED BY THEIR RESPECTIVE UTILITY COMPANIES. THERE MAY BE OTHER UNRECORDED UTILITIES LOCATED ON THE PROPERTY SHOWN HEREON. NO GUARANTEE IS EXPRESSED OR IMPLIED TO THE ACTUAL LOCATION OF SAID UTILITIES.
 2. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON AND ALL EASEMENTS THAT MAY BE DISCOVERED BY A FULL AND ACCURATE TITLE SEARCH.
 3. A BOUNDARY SURVEY DOES NOT DETERMINE LAND OWNERSHIP. A PROFESSIONAL LAND SURVEYOR ONLY PROVIDES AN OPINION OF PREVIOUSLY DESCRIBED BOUNDARY LINES WHICH MAY OR MAY NOT BE HELD BY A COURT OF LAW. LAWFUL RIGHTS MAY OR MAY NOT EXIST ON SUBJECT PROPERTY.
 4. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON.
 5. ALL IRON PINS SET ARE 1/2" X 1 1/2" PINS SET WITH 1/4" YELLOW PLASTIC CAP STAMPED "A. HESTER PLS 4147" UNLESS OTHERWISE NOTED.
 6. AT THE TIME OF THE RECORD RESEARCH CONDUCTED FOR THIS SURVEY, THE SUBJECT PROPERTY DID NOT HAVE A DESIGNATED PHYSICAL ADDRESS.
 7. DEVELOPMENT PLAN CONDITIONS (STAMPED) KNOWN AS BEARING EASEMENTS ARE RECORDED IN DEED BOOK 1165 PAGE 81 AND IN DEED BOOK 819 PAGE 815 PMA (PLAT) FAMILY RE-IDENTIFIED (R) HIGHWAY BUSINESS.

PARCEL OWNER, ADDRESS, AND SOURCE OF TITLE

LOT 7-1
DKB INVESTMENTS, INC.
5200 CROSSINGS BLVD, STE 311
BOWLING GREEN, KY 42104
DEED BOOK 1177 PAGE 440
PLAT BOOK 41 PAGES 73

FLOODPLAIN INFORMATION

THE PROPERTY SHOWN HEREON DOES NOT LIE IN A FLOOD PRONE AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR WARREN COUNTY, KENTUCKY. SAID AREA IS SHOWN ON MAP # 21222022E WITH AN EFFECTIVE DATE OF MAY 2, 2021.

GPS NOTE

THE SURVEY SHOWN HEREON IS BASED ON GPS DATA COLLECTED BY AGENS USING BOTH STATIC & REAL TIME METHODS WITH DUAL FREQUENCY SPECTRA PRECISION SPO/DOPO RECEIVERS. THE ENTIRETY OF THIS DATA COLLECTED FOR THIS SURVEY WAS DONE SO THROUGH SPREADSHEETS WHEN ACCEPTABLE AND BY CONVENTIONAL MEANS FROM GPS CONTROL POINTS WHEN NECESSARY. THE ACCURACY OF THE CONTROL POINTS USED TO LOCATE CORNER MARKERS BY CONVENTIONAL METHODS WAS VERIFIED BY DIRECT TOTAL STATION MEASUREMENT. REDUNDANT MEASUREMENTS WERE TAKEN TO ENSURE THE QUALITY OF THE GPS DATA USED TO ESTABLISH CORNER MARKERS.

SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY COMPLYING WITH KRS 14A.1-150. THE SURVEY SHOWN HEREON WAS COMPLETED ON FEBRUARY 5, 2019 AND WAS PERFORMED UNDER MY DIRECTION USING APPROPRIATE GPS METHODS FOR MEASURING RECORDED MONUMENTS AND ESTABLISHING SURVEY CONTROL AND/OR BY THE METHOD OF RANDOM TRAVERSE; THE USUAL MATHematicAL ERROR OF CLOSURE OF THE TRAVERSE AND THE THEORETICAL UNCERTAINTY OF THE CORNERS ESTABLISHED WERE CALCULATED AND FOUND TO BE WITHIN THE TOLERANCES ESTABLISHED BY THE COMMONWEALTH OF KENTUCKY. STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS IN 2018, KRS 14A.1-152. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE AND ARE BASED ON OLD NORTH AS ESTABLISHED BY STATE PLANE COORDINATES (SOUTH ZONE 1622) GEOID 12B CORNERS TAKEN FROM STATE GPS OBSERVATION.

CHARLES B. HESTER
4147
LICENSED PROFESSIONAL LAND SURVEYOR

3/2/19
DATE

PROJECT/CLIENT

REZONING EXHIBIT OF THE LOT 7-1 OF THE CHERRY FARMS SUBDIVISION

DKB INVESTMENTS, INC.
2500 CROSSINGS BLVD, STE 311
BOWLING GREEN, KY 42104

DRAWN BY: J. HOGUE **DATE: 3-10-19** **SCALE: 1" = 100'**

CHECKED BY: R. HESTER **PROJECT NUMBER:**

PREPARED BY:

ARNOLD CONSULTING ENGINEERING SERVICES, INC.
P.O. BOX 1338 BOWLING GREEN, KY 42101
PHONE (270) 760-9445