

ORDINANCE NO. BG2019 - 39

ORDINANCE ANNEXING RIGHT-OF-WAY BY CONSENT

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.

(Ordinance No. BG2019 - 39)

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 All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.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

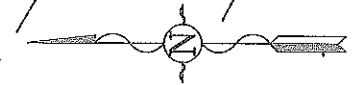
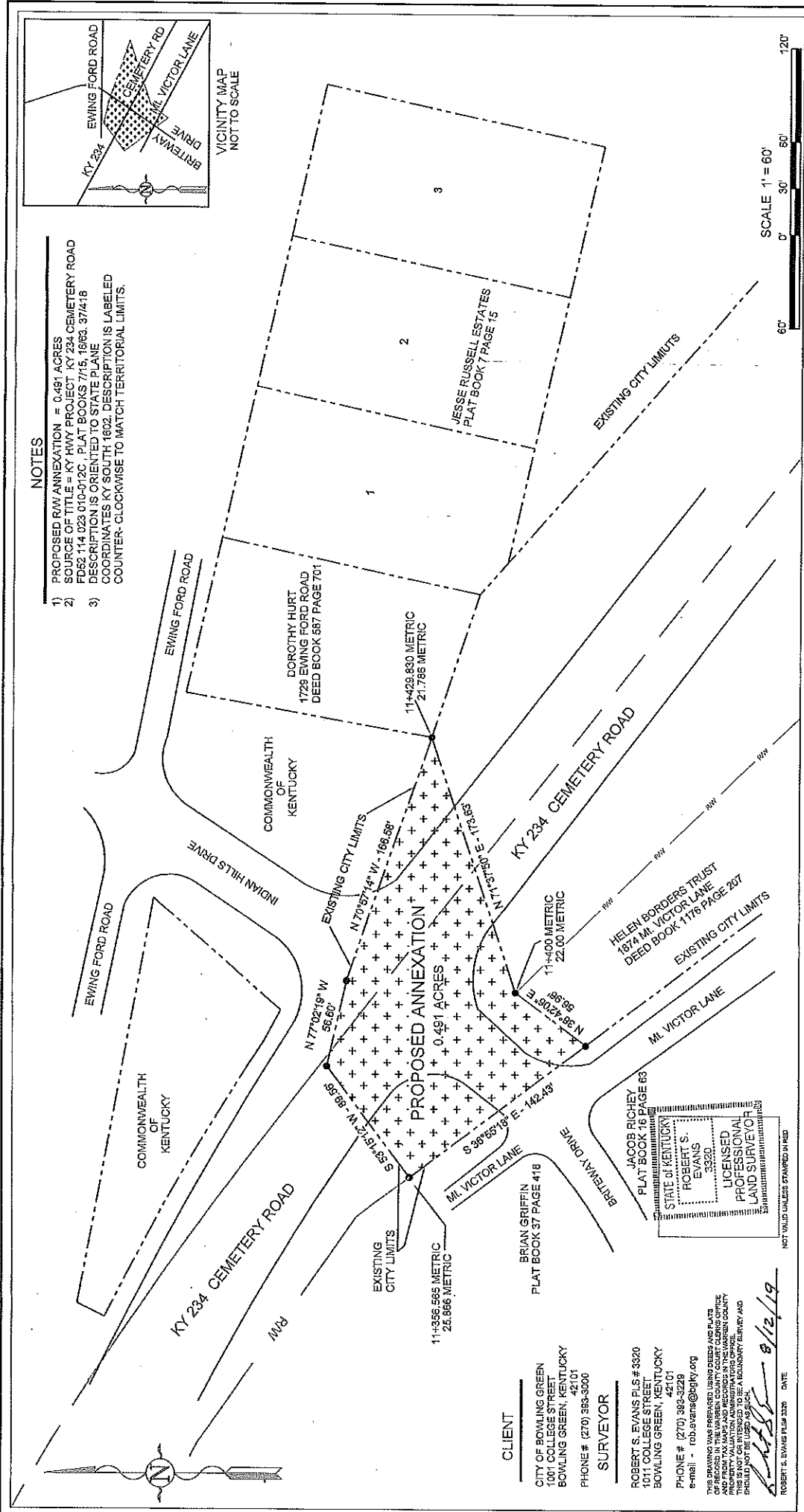
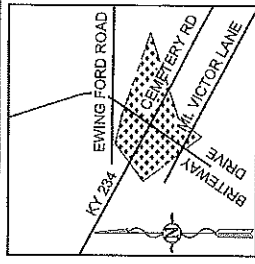
APPROVED: Steve Panger
Mayor Pro Tem, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

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

NOTES

- 1) PROPOSED RAW 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 DESCRIPTION IS ORIENTED TO STATE PLANE COORDINATES, KY SOUTH 1802. DESCRIPTION IS LABELED COUNTER-CLOCKWISE TO MATCH TERRITORIAL LIMITS.
- 3)



CLIENT
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SURVEYOR
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THIS DRAWING WAS PREPARED USING DEEDS AND PLATS AND FROM TAX MAPS AND RECORDS IN THE WARREN COUNTY PUBLIC WORKS DEPARTMENT OFFICE. THIS IS A PRELIMINARY DRAWING AND SHOULD NOT BE USED AS SUCH.

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



NOT VALID UNLESS STAMPED IN RED

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