

ORDINANCE NO. **BG2019 – 2**

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 39.71 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL), RM-4 (MULTI-FAMILY RESIDENTIAL), GB (GENERAL BUSINESS) AND HB (HIGHWAY BUSINESS) TO HB (HIGHWAY BUSINESS) LOCATED AT 0 CAMPBELL LANE, PRESENTLY OWNED BY BALE OF KENTUCKY FAMILY LIMITED PARTNERSHIP WITH MENARDS, INC. 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 January 3, 2019 regarding the proposed rezoning of tracts of land containing 39.71 acres located at 0 Campbell Lane, from RS-1A (Single Family Residential), RM-4 (Multi-Family Residential), GB (General Business) 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 tracts of land containing 39.71 acres located at 0 Campbell Lane, from RS-1A (Single Family Residential), RM-4 (Multi-Family Residential), GB (General Business) 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 tracts of real estate presently owned by Bale of Kentucky Family Limited Partnership with Menards, Inc. as contract vendee, containing 39.71 acres located at 0 Campbell Lane, which tracts of real estate are more particularly described on the attached maps and incorporated herein as if copied in full, are hereby rezoned from RS-1A (Single Family Residential), RM-4 (Multi-Family Residential),

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GB (General Business) 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, 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All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict therewith are hereby repealed.

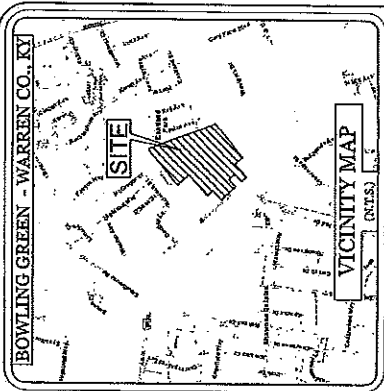
4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on February 5, 2019, and given final reading on February 19, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: February 19, 2019

APPROVED: Bruce Wilkinson
Mayor; Chairman of Board of Commissioners

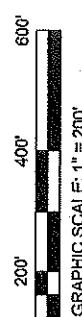
ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 01/18/2019, 10:30 a.m.



GENERAL NOTES

1. THE LOCATION OF ALL UTILITIES SHOWN HEREON ARE BASED ON THE FIELD LOCATION OF CONDUITS, VISIBLE STRUCTURES OR AS FLAGGED OR MARKED BY THEIR RESPECTIVE UTILITY COMPANIES. THERE MAY BE OTHER UNDERGROUND 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 RIGHTS-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON ANY AND ALL RECORDS THAT MAY BE DISCLOSED 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 UPHOLD BY A COURT OF LAW. UNWRITTEN RIGHTS MAY OR MAY NOT EXIST ON SUBJECT PROPERTY.
4. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL LEGAL EASEMENTS AND RIGHTS-OF-WAYS RECORDED AND UNRECORDED, INCLUDING BUT NOT LIMITED TO THOSE SHOWN HEREON.
5. ALL IRON PINS SET ARE 1/2" X 16 PINS SET WITH 1" YELLOW PLASTIC CAP STAMPED "A. HESTER PLS 4147 UNLESS OTHERWISE NOTED.
6. THE DATUM FOR THIS SURVEY IS GRID NORTH AS ESTABLISHED BY KENTUCKY STATE PLANE COORDINATES, SOUTH ZONE 16S2. THE VERTICAL DATUM FOR THIS SURVEY IS NAVD 88 AS OBTAINED FROM STATIC GPS OBSERVATION.
7. NO ADDRESS FOR THE PROPERTY HAD BEEN ASSIGNED AT THE TIME OF THE SURVEY.



PROPERTY/CLIENT:
REZONING EXHIBIT
OF THE BALE OF KENTUCKY FAMILY
LIMITED PARTNERSHIP PROPERTY
 BOWLING GREEN, KY

MENARD'S
 5101 MENARD DRIVE
 EAU CLAIRE, WI 54703

DRAWN BY: J. HOOPER
CHECKED BY: B. HESTER
DATE: 12-6-2018
SCALE: 1" = 200'
PROJECT NUMBER: 18-0481-1

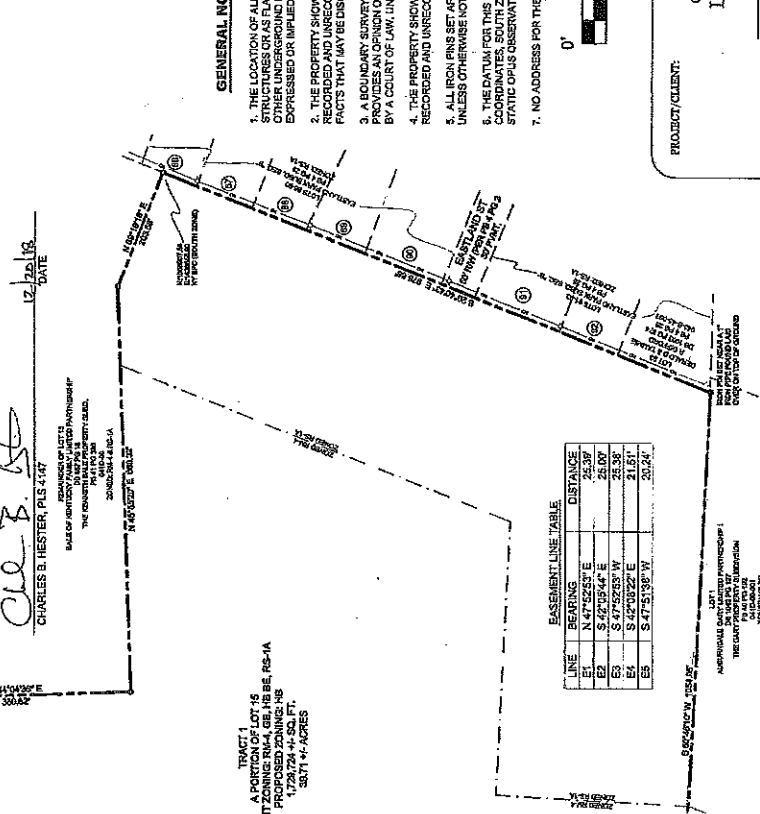
PREPARED BY:
ARNOLD CONSULTING ENGINEERING SERVICES, INC.
 P.O. BOX 1338 BOWLING GREEN, KY 42101
 PHONE (270) 780-9445



SURVEYOR'S CERTIFICATE

I DO HEREBY CERTIFY THAT THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY COMPLYING WITH KRS 18-150; THE SURVEY SHOWN HEREON WAS COMPLETED ON NOVEMBER 19, 2018 AND WAS PERFORMED UNDER MY DIRECTION USING APPROPRIATE GPS METHODS FOR MEASURING RECOVERED MONUMENTS AND ESTABLISHING SURVEY CONTROL AND/OR BY THE METHOD OF RANDOM TRAVERSE; THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE OF THE TRAVERSE AND THE THEORETICAL UNCERTAINTY OF THE CORNERS ESTABLISHED MEET OR EXCEED THE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS SET FORTH IN THE RELEVANT DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE AND ARE BASED ON GRID NORTH AS ESTABLISHED BY STATE PLANE COORDINATES (SOUTH ZONE 16S2, GRID 128 CONUS), TAKEN FROM STATIC GPS OBSERVATION;

Charles B. Hester
 CHARLES B. HESTER, PLS 4147
 DATE: 12-20-18



LEGEND

- IRON PIN SET
- FENCE POST
- R/W MONUMENT
- 1/2" IRON PIN WITH PLASTIC CAP FOUND UNLESS NOTED
- PROPERTY LINE
- SETBACK LINE
- EASEMENTS
- CENTERLINE
- INTERIOR LOT LINE

BLOODPLAIN INFORMATION

THE PROPERTY SHOWN HEREON DOES NOT LIE IN A BLOOD PRONE AREA ACCORDING TO FIRM FLOOD INSURANCE RATE MAPS FOR WARREN COUNTY, KENTUCKY. SAID AREA IS SHOWN ON MAP PARCEL NO. 2122703038 AS DATED MAY 2, 2007.

PARCEL OWNER, ADDRESS, AND SOURCE OF TITLE

BALE OF KENTUCKY FAMILY LIMITED PARTNERSHIP
 HORSE CAVEL, KY 42749
 DEED BOOK 827 PAGE 18
 PLAT BOOK 41 PAGE 888-387

GPS NOTE

THE SURVEY SHOWN HEREON IS BASED ON GPS DATA COLLECTED BY ACES USING BOTH STATIC & RTK METHODS WITH DUAL FREQUENCY SPECTRA PRECISION (SP9) (GG9) RECEIVERS. THE ENTIRETY OF THE DATA COLLECTED FOR THIS SURVEY WAS COLLECTED WITH THE ACES SURVEYING SYSTEMS WHICH ARE THE MOST ACCURATE GPS SYSTEMS AVAILABLE. CONVENTIONAL METHODS WERE VERIFIED BY DIRECT TOTAL STATION MEASUREMENT. REDUNDANT MEASUREMENTS WERE TAKEN TO ENSURE THE QUALITY OF THE GPS DATA USED TO ESTABLISH CORNER MONUMENTS.

LOT #	ADJACENT PROPERTY OWNERS
22	LAWRENCE E. & MAREN H. BURNHAM DB 627 PG 058 PG 4 PG 28
21	JERRY B. JR. & REBECCA J. BRIDGEMAN DB 625 PG 050 PG 4 PG 28
20	JAMES A. & MARY E. BENNETT DB 586 PG 106 PG 4 PG 28
19	ARTHUR, LAURENCE & MARGARET BUSH DB 433 PG 221 PG 4 PG 28
18	ALEX & AMANDA STRODE DB 1502 PG 801 PG 4 PG 28
17	ELIZABETH WILLIAMS DB 556 PG 230 PG 4 PG 28
16	WINFORD GLENN & MARY DB 721 PG 381 PG 4 PG 28

STATE OF KENTUCKY
CHARLES B. HESTER
4147
LICENSED PROFESSIONAL LAND SURVEYOR

18 HENRY 231 (CAMBERLAND) TRACT 14
 A PORTION OF LOT 14
 CURRENT ZONING: R1A, GB, JB, BE, RS-A
 1,729,724 +/- SQ. FT.
 39.11 +/- ACRES