

ORDINANCE NO. BG2009 - 23

ORDINANCE ANNEXING PROPERTY BY CONSENT

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.

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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.

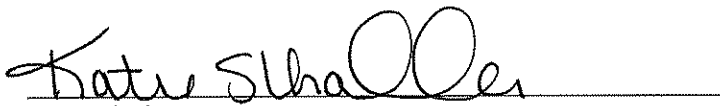
3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

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.