

ORDINANCE NO. BG2013 - 1

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 8.31 ACRES OF PROPERTY LOCATED ON SMALLHOUSE ROAD NEAR THE INTERSECTION OF CAVE MILL ROAD, WITH PROPERTY PRESENTLY OWNED BY SMALLHOUSE ROAD PARTNERS, LLC, AND 1.56 ACRES OF RIGHT-OF-WAY, FOR A TOTAL OF 9.87 ACRES, 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, Smallhouse Road Partners, LLC, through its attorney, has requested and consented in writing to the annexation of 8.31 acres of private property located adjacent to the newly developed segment of Smallhouse Road near the intersection of Cave Mill Road; and

WHEREAS, an additional 1.56 acres of Warren County right-of-way to be surrounded by City limits is included in this annexation, for a total of 9.87 acres 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 on Smallhouse Road identified on the attached map and further

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described in the attachment to this Ordinance containing a total of 8.31 acres, presently owned by Smallhouse Road Partners, LLC, and 1.56 acres of Warren County right-of-way, for a total of 9.87 acres, all of which is contiguous to existing City limits and 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.

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 January 15, 2013, and given final reading on February 5, 2013, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: February 5, 2013

APPROVED: Bruce Wilkinson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Shallice
City Clerk

SPONSORED BY: Kevin D. DeFebbo, City Manager, 01/03/2013, 3:00 p.m.