

ORDINANCE NO. **BG2018 – 20**

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 85.32 ACRES OF PROPERTY LOCATED ON MIZPAH ROAD PRESENTLY OWNED BY THE INTER-MODAL TRANSPORTATION AUTHORITY, INC., AND 24.03 ACRES OF RIGHT-OF-WAY FOR A TOTAL OF 109.35 ACRES 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 Inter-Modal Transportation Authority, Inc. has requested and consented in writing to the annexation of 85.32 acres of property located on Mizpah Road, southeast from the intersection of U.S. 31-W; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex the property and 24.03 acres of right-of-way 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 presently owned by the Inter-Modal Transportation Authority, Inc. located on Mizpah Road containing a total of 85.32 acres and approximately 24.03 acres of right-of-way, which property is identified on the attached map and further described in the attachments to this Ordinance, for a total of 109.35 acres, 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

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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, 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 March 28, 2018, and given final reading on April 17, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: April 17, 2018

APPROVED: Bruce Wilkins
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
Acting City Clerk

SPONSORED BY: Katie Schaller-Ward, Interim City Manager, 03/27/2018, 12:30 p.m.