

ORDINANCE NO. **BG2018 – 18**

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE RESCINDING ORDINANCE NO. BG2018-12 AND ANNEXING 143.80 ACRES OF PROPERTY LOCATED AT 113 AND 435 BROOKWOOD DRIVE, 4701 AND 4801 MORGANTOWN ROAD AND 453 RIGELWOOD LANE, WITH PROPERTY OWNED BY JERRY E. BAKER BY AND THROUGH THE ESTATE OF JERRY E BAKER, THE JERRY E. BAKER FOUNDATION, INC., TEXAS GAS TRANSMISSION, LLC AND THE CITY OF BOWLING GREEN, AND 3.58 ACRES OF RIGHT-OF-WAY FOR A TOTAL OF 147.38 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 City of Bowling Green approved this annexation at its February 20, 2018 Board of Commissioners meeting by Ordinance No. BG2018-12 and subsequent to the approval it was determined there were description errors, which requires the ordinance to be rescinded and a new ordinance approved; and,

WHEREAS, Jerry E. Baker owner of 4701 Morgantown Road by and through the co-executors of the Estate of Jerry E. Baker, The Jerry E. Baker Foundation, Inc. owner of 4801 Morgantown Road and 453 Ringlewood Lane by and through its President and Secretary, Texas Gas Transmission, LLC owner of 113 Brookwood Drive by and through its Vice President of Operations, and the City of Bowling Green owner of 435 Brookwood Drive have requested and consented to the annexation of approximately 143.80 acres of property; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex these properties and approximately 3.58 acres of right-of-way as described in the attachments to this Ordinance; and,

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WHEREAS, the proposed properties to be annexed are adjacent or contiguous to the City limits, and the properties are urban in character and suitable for development for urban purposes without unreasonable delay; and,

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky pursuant to KRS 81A.412 as follows:

1. The City of Bowling Green hereby rescinds Ordinance No. BG2018-12 which included errors in the description and results in the need for a new ordinance.

2. The properties with owners of Jerry E. Baker by and through the Estate of Jerry E. Baker, The Jerry E. Baker Foundation, Inc., Texas Gas Transmission, LLC and the City of Bowling Green located at 113 and 435 Brookwood Drive, 4701 and 4801 Morgantown Road and 453 Rigelwood Lane and right-of-way, which are identified on the attached map and further described in the attachments to this Ordinance containing a total of 147.38 acres, all of which are contiguous to existing city limits, shall be and are 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.

3. 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.

4. 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.

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

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6. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on March 20, 2018, and given final reading on March 28, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: March 28, 2018

APPROVED: Bruce Wilkinson  
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson  
Acting City Clerk

SPONSORED BY: Sue Parrigin, Commissioner, 03/14/2018, 2:00 p.m.