

ORDINANCE NO. **BG2024 - 16**

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 3.041 ACRES OF PROPERTY LOCATED AT 750 LOVERS LANE PRESENTLY OWNED BY KEVIN AND LYNN KIRBY WITH SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS AND FURTHER APPROVING AN ASSOCIATED ECONOMIC DEVELOPMENT ANNEXATION INCENTIVE AGREEMENT

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 Kevin and Lynn Kirby has requested and consented in writing to the annexation of 3.041 acres of property located at 750 Lovers Lane; and,

WHEREAS, the City of Bowling Green hereby declares it desirable to annex the 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; and,

WHEREAS, in Municipal Order No. 2012-183, the Board of Commissioners approved the City of Bowling Green Economic Development Annexation Incentive Policy in order to encourage voluntary annexation of vacant or partially development property adjacent to the City limits, particularly in areas likely to result in job creation; and,

WHEREAS, the policy was amended in Municipal Order No. 2014-95 to allow for additional time in which to begin the refund policy among the other amendments; and,

WHEREAS, the Annexation Incentive Policy targeted five (5) specific areas adjacent to the current City limits; and,

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WHEREAS, the property being proposed for annexation in this Ordinance is included in the original annexation target areas; and,

WHEREAS, pursuant to the Annexation Incentive Policy, the property owner consenting to annexation may receive a rebate of City property taxes paid on the annexed property for a period not to exceed five (5) years to aid in covering development costs with the rebate period to begin no later than ten (10) years from the date of the annexation; and,

WHEREAS, Kevin and Lynn Kirby have requested the rebate of the City property taxes which requires the execution of an agreement between the property owner and the City; and,

WHEREAS, it is in the best interest of the City to approve this consensual annexation of property located at 750 Lovers Lane pursuant to the Annexation Incentive Policy and the agreement setting out the annexation incentives.

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 Kevin and Lynn Kirby located at 750 Lovers Lane containing 3.041 acres, which property is identified on the attached map and further described in the attachments to this Ordinance, 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 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 Board of Commissioners, pursuant to the Annexation Incentive Policy, hereby approves

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the addition of this property as an annexation target area.

4. The Annexation Incentive Agreement between Kevin and Lynn Kirby and the City for the total acreage of 3.041, a copy of which is attached to and made a part of this Ordinance, is hereby approved.

5. The Mayor and all other appropriate City officers and officials are authorized and directed to execute this Agreement and any and all other documents necessary to carry out this transaction and to complete this annexation, and the City Manager is to act for and in the name of the City throughout the administration and performance thereof.

6. 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.

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

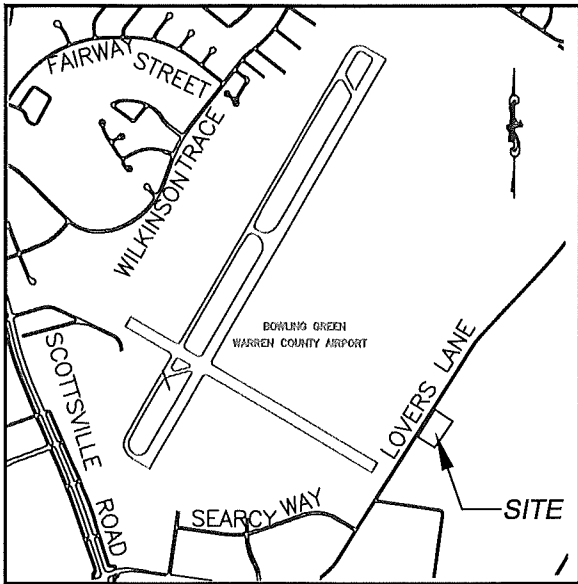
8. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on August 6, 2024, and given final reading on August 20, 2024, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: August 20, 2024

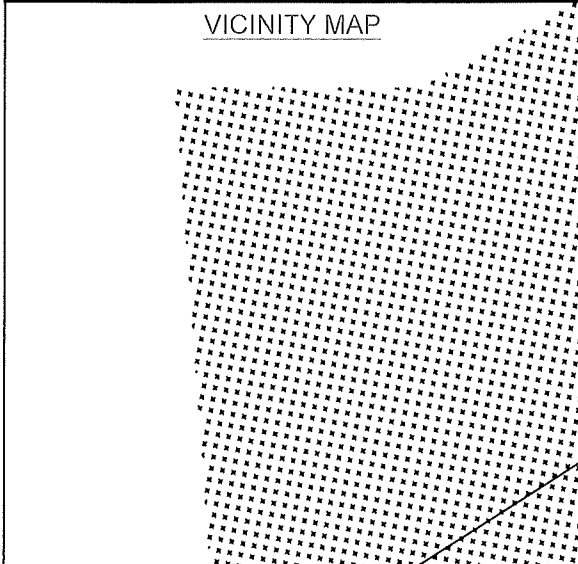
APPROVED:   
Mayor, Chairman of Board of Commissioners

ATTEST:   
City Clerk

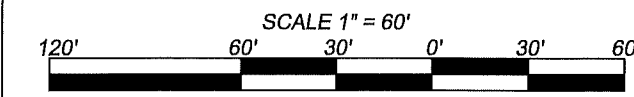
SPONSORED BY: Jeffery B. Meisel, City Manager



VICINITY MAP



- NOTES**
- 1) SOURCE OF TITLE : DEED BOOK 934 PAGE 30 & MINOR PLAT BOOK 18 PAGE 185 AS RECORDED IN THE WARREN COUNTY COURT CLERK'S OFFICE.
  - 2) THIS DRAWING PREPARED BY ROBERT S. EVANS PLS#3320 CITY SURVEYOR BOWLING GREEN PUBLIC WORKS, USING A SURVEY BY LANDMARK ENGINEERING INC. DATED 6/10/2024 AND PREVIOUS ANNEXATIONS BG 2005-18 AND BG 96-35 AS RECORDED IN THE BOWLING GREEN CITY CLERK'S OFFICE. THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. DRAWING IS IN STATE PLANE KY SOUTH 1602.
  - 3) TOTAL ANNEXED AREA = 3.041 ACRES
  - 4) PREVIOUS ANNEXED AREA =



WARREN COUNTY

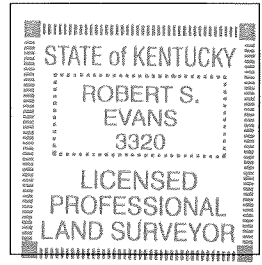
BOWLING GREEN GARDENS, INC  
770 LOVERS LANE  
DEED BOOK 856 PAGE 627

S 35°33'45" W 430.66'

PREVIOUS ANNEX  
BG 2005-18

A HIMALAYA KY2 PROPERTIES, LLC  
722 LOVERS LANE  
DEED BOOK 1244 PAGE 680

THIS DRAWING WAS PREPARED USING DEEDS AND PLATS OF RECORD IN THE WARREN COUNTY COURT CLERKS OFFICE AND FROM TAX MAPS AND RECORDS IN THE WARREN COUNTY PROPERTY VALUATION ADMINISTRATORS OFFICE. THIS IS NOT OR INTENDED TO BE A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH. THIS DRAWING IS FOR ANNEXATION PURPOSES ONLY.



*Robert S. Evans* 7/18/24  
ROBERT S. EVANS PLS# 3320 DATE

EXISTING CITY LIMITS

KENTUCKY SOUTH 1602

BOWLING GREEN GARDENS, INC  
820 LOVERS LANE  
DEED BOOK 734 PAGE 261

PREVIOUS ANNEX  
BG 96-35

EXISTING CITY LIMITS

LINDA HUNT WILLIS  
722 LOVERS LANE  
DEED BOOK 434 PAGE 189

**PROPOSED ANNEXATION**

KEVIN & CLYNN KIRBY  
750 LOVERS LANE  
DEED BOOK 934 PAGE 30  
132470 Sq. Feet  
3.0411 Acres

313.53'  
S 55°38'06" E

N 57°50'55" W 294.07'

P.O.B

442.05'  
N 32°58'49" E

458'± TO C/L  
TRADITIONS BLVD

EXISTING CITY LIMITS

LOVERS LANE (KY-880)  
R/W VARIES ~ 55' PVMT

R/W IS INSIDE THE CITY LIMITS

**SURVEYOR**

ROBERT S. EVANS PLS # 3320  
1011 COLLEGE STREET  
BOWLING GREEN, KENTUCKY  
42101  
PHONE # (270) 393-3221  
e-mail - rob.evans@bgky.org

**CLIENT**

CITY OF BOWLING GREEN  
1001 COLLEGE STREET  
BOWLING GREEN, KENTUCKY  
42101  
PHONE # (270) 393-3000



PUBLIC WORKS DEPARTMENT

PROPOSED ANNEXATION  
750 LOVERS LANE

**SHEET 1 OF 1**  
JOB NO. 24078 SCALE 1" = 60' DATE 7/18/2024