

RESOLUTION NO. _____, SERIES 2022

A RESOLUTION DETERMINING CERTAIN PROPERTY AT 664 SOUTH FIFTH STREET AS SURPLUS AND NOT NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

SPONSORED BY: COUNCIL MEMBER JECOREY ARTHUR

WHEREAS, according to KRS Chapter 67C 101, Metro Government may sell any real property belonging to Metro Government;

WHEREAS, Section 1(A) of Executive Order No. 2, Series 2011 of the Mayor, which adopts Section 2(C) of Executive Order No. 3, Series 2007, provides that the Louisville/Jefferson County Metro Government (“Metro Government”) may sell and convey surplus real estate upon declaration by the Legislative Council of Metro Government (“the Council”) that such property is no longer needed for the governmental purposes of Metro Government;

WHEREAS, the Council previously approved the issuance of the Industrial Revenue Bonds Series 2001 A (Gannett Kentucky Limited Partnership Project) (the “Bonds”), pursuant to Ordinance No. 10, Series 2001, which resulted in the transfer of 667 Armory Place (the “Armory Place Property”) to Metro Government during the term of the Bonds, with Armory Place Property to be conveyed back to Gannett Kentucky Limited Partnership (“GKLP”) once the Bonds were paid off;

WHEREAS, subsequent to the issuance of the Bonds and the conveyance of Armory Place Property to Metro Government, property located at 664 South Fifth Street, and more particularly described in Exhibit A to this Resolution (the “Property”), surrounded on three sides by the Armory Place Property, and bounded on the fourth side by South Fifth Street, was acquired by Gannett Satellite Information Network, Inc. (“GSIN”), which is a related entity to GKLP;

WHEREAS, the Property was then transferred by GKLP to Metro Government pursuant to a Deed of record in Deed Book 8032, Page 432, in the Office of the Clerk of Jefferson County, Kentucky (the “Property Deed”);

WHEREAS, the building utilized by GKLP and its successors as part of the project described in the Bond Ordinance was located on both the Armory Place Property and the Property;

WHEREAS, while the Property Deed did not expressly reference the Bonds, the Property has been utilized as part of the Project described in the Bonds during the term of the Bonds;

WHEREAS, the Bonds are being paid off, so Gannett Satellite Information Network, LLC, successor-by-conversion to GSIN, desires to have the Property transferred back to it, just as the Armory Place Property is being transferred back to GKLP pursuant to the Bond documents and Ordinance No. 10, Series 2001;

WHEREAS, the Chief of Louisville Forward has declared and certified to the Council that the Property is surplus to the needs of the Louisville Metro, a copy of which certification is attached as Exhibit B; and

WHEREAS, Metro Government has never dedicated by virtue of use, deed, ordinance or any other manner the Property to a public or governmental purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“COUNCIL”) AS FOLLOWS:

SECTION I: The Council hereby declares the real property described in Exhibit A hereto as “SURPLUS” and determines that it is not needed to carry out the governmental functions of Metro Government.

SECTION II: The Mayor is hereby authorized to transfer the Property in the manner provided according to Section 2 of Executive Order No. 3, Series 2007 to Gannett Satellite Information Network, Inc., successor-by-conversion to GSIN, without further action by the Council.

SECTION III: This Resolution shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:
Michael J. O'Connell
Jefferson County Attorney

BY: _____

R-087-22 Surplus Resolution for 664 South Fifth Street (If)

EXHIBIT A

LEGAL DESCRIPTION

Beginning in the Westwardly line of Fifth Street, 246 feet, 11 inches Northwardly from the original north line of Broadway; thence North 82 degrees 24 minutes 20 seconds West 20 feet; thence North 81 degrees 49 minutes 40 seconds West 20 feet; thence North 82 degrees 14 minutes 10 seconds West 34.15 feet to a point; thence North 7 degrees 51 minutes East 23.95 feet to a point; thence South 82 degrees 19 minutes East 74.15 feet to the West line of Fifth Street, thence 7 degrees 51 minutes West 24.14 feet to the point of beginning.