

**RESOLUTION NO. \_\_\_\_\_, SERIES 2022**

**A RESOLUTION DETERMINING CERTAIN PROPERTY AT 3025 WEST MADISON STREET, 3033 VERMONT AVENUE, 3048 WEST MUHAMMAD ALI BOULEVARD AND WEST MUHAMMAD ALI BOULEVARD (PARCEL ID NO. 007601050000) AS SURPLUS AND NOT NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.**

**SPONSORED BY: COUNCIL MEMBERS PURVIS AND ARTHUR**

**WHEREAS**, according to KRS Chapter 67C.101, the Louisville/Jefferson County Metro Government (“Metro Government”) may sell any real property belonging to Metro Government; and

**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 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; and

**WHEREAS**, Metro Government owns property located at 3025 West Madison Street, 3033 Vermont Avenue, 3048 Muhammad Ali Boulevard and Parcel ID. No. 007601050000 as more particularly described in Exhibit A (the “Property”) that was acquired from the Landbank Authority in 2019 to stimulate a possible disposition to an interested third party; and

**WHEREAS**, Metro Government is an incubating partner for Russell: A Place of Promise (“RPOP”), a justice-based initiative focused on the people and places that make the Russell neighborhood special, and RPOP, since its launch in August, 2018, developed a model of wealth building and investment without displacement of residents that starts with relationship building, leadership development and shared decision-making

with residents and has led to investments in homeownership development and homeowner stabilization, a small business accelerator focused on business creation, strengthening and growth, workforce development partnerships and significant predevelopment activity focused on the Property (the “Project”); and

**WHEREAS**, RPOP will incorporate as a nonprofit organization in 2023, and at that time will be capable of owning and managing the Property, but prior to that time will benefit from the passage of this Resolution, which will allow RPOP to demonstrate to funders and potential tenants of the Property that RPOP has the necessary approvals to move forward with the Project once it incorporates, and this certainty will benefit RPOP’s efforts to continue to plan the Project; and

**WHEREAS**, RPOP has spent nearly three years planning for the development of the Property by hosting numerous community conversations, a public design session, organizational and business pitch sessions, a nine-month Russell resident coalition, a six-month Russell resident workgroup, and several community polls to understand Russell residents’ vision and goals for the Property; and

**WHEREAS**, RPOP has attracted significant pro bono and philanthropic support for the development of the Property including engineering and baseline documentation support from Arcadis through its Pro Bono Program, environmental testing and assessment through Louisville Metro Government’s US Environmental Protection Agency-funded brownfields assessment program, and architectural and design support from architects Perkins + Will, and these activities have helped capture Russell residents’ preferences and prepare RPOP to develop the Property; and

**WHEREAS**, RPOP plans to develop the Property for a mixed commercial space

including but not limited to retail businesses, restaurants, office, community organizations, education, recreational uses and open space, and plans to meet a set of development-focused milestones listed in Exhibit B (the “Milestones”) by or before the second quarter of 2024; and

**WHEREAS**, the Milestones will be captured in a development agreement to be executed by RPOP after its incorporation and Metro Government, said development agreement being attached to a memorandum of agreement executed by RPOP’s fiscal sponsor, the Community Foundation of Louisville, Metro Government and other incubating parties, and RPOP will appear at least twice annually before the Council’s Labor and Economic Development Committee to provide updates on its progress in meeting the Milestones; and

**WHEREAS**, RPOP will take on at least a portion of site maintenance activities including installing a more permanent fence and a sign announcing the Project between the passage of this Resolution and the transfer of the Property to RPOP; and

**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 C; 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, 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-172-22 Surplus Resolution for Ma3025 W. Madison St, 3033 Vermont Ave, 3048 W. Muhammad Ali Blvd and Parcel ID No. 007601050000 (lf)

## EXHIBIT A

### 3025 West Madison Street (PVA Tax Parcel No. 01-007G-0031-0000)

Beginning at an x-cut at the intersection of the westerly right-of-way line of 30<sup>th</sup> Street with the northerly right-of-way line of West Madison Street; thence with said northerly right-of-way West Madison Street North 86 deg. 23 min. 59 sec. West 440.75 feet to an x-cut set at the southeast corner of tract conveyed to 3B Barrel & Drums Inc. by deed recorded in Deed Book 6610, Page 401 in the office of the Clerk of Jefferson County, Kentucky; thence with the east line of 3B Barrel & Drums Inc. North 03 deg. 34 min. 50 sec. East, 171.59 feet to a point; thence with another line of 3B Barrel & Drums Inc. North 83 deg. 23 min. 59 sec. West 14.30 feet to a point; thence with another line of said 3B Barrel & Drums Inc. North 06 deg. 25 min. 08 sec. East, 171 feet to a point in the southerly right-of-way line of West Muhammad Ali Boulevard; thence with the south right-of-way line of West Muhammad Ali Boulevard South 83 deg. 23 min. 59 sec. East, 464.00 feet to an iron pin set at the intersection of the westerly right-of-way line of 30<sup>th</sup> Street with the southerly right-of-way line of West Muhammad Ali Boulevard; thence with the westerly right-of-way line of said 30<sup>th</sup> Street South 06 deg. 25 min. 08 sec. West, 342.33 feet to the point of beginning; and containing 155,545.47 square feet, or 3.571 Acres more or less.

### 3048 West Muhammad Ali Boulevard (PVA Tax Parcel No. 01-007G-0032-0000)

Beginning on the South side of Michigan Drive (formerly Walnut Street) 464 feet west of Thirtieth Street; thence south and parallel with Thirtieth Street 161 feet to the north line of an alley' thence west with the north line of said alley 66 feet 2-1/2 inches to the southwest corner of a tract of land conveyed to the Kentucky Culvert Manufacturing Company by deed dated February 3, 1926, and in record of Deed Book 1194, Page 335, in the Office of the Clerk of the County Court of Jefferson County, Kentucky; thence northwest with the southwest line of said lot 25 feet, 5-1/2 inches to a corner of the tract of land conveyed to the Kentucky and Indiana Terminal Railroad Company to the Kentucky Culvert Manufacturing Company, by deed of record in Deed book 1679, Page 161, in the Office of the Clerk aforesaid; thence northwest with the southwest line of the last mentioned tract 172.79 feet to the south line of Michigan Drive; east 181.40 feet to the beginning, together with so much of the alley in the rear of the above described property as was closed in action 231,736, Jefferson Circuit Court.

### West Muhammad Ali Boulevard (PVA Tax Parcel No. 01-007G-0105-0000)

Beginning at a point on the south side of Michigan Drive (formerly Walnut Street), said point being 645.4 feet west of the west line of Thirtieth Street; thence west with the said south line of Michigan Drive, 14 feet; thence bearing 114 degrees, 16 minutes to the left or south, 95 feet; thence on a curve to the left having a radius of 250 feet, 91 feet more or less to what would be the north line of a 20 ft. alley that is 161 feet south of Michigan Drive if said alley were extended; thence east with said extended north line of alley 39.22 feet to the east property line of the Railroad Company; thence northwestwardly with said

east property line 198.26 feet more or less to the point of beginning and containing 0.13 acres more or less.

3033 Vermont Avenue (PVA Tax Parcel No. 01-007G-0080-0000)

Beginning at a point in the north line of Vermont Avenue, said point begin 256 feet east of the west line of the old Hughes or Rose Cottage tract, also 440.75 feet west of Thirtieth Street; thence northwardly with the east property line of the Railroad Company 161 feet more or less to the south line of the first alley north of Vermont Avenue; thence westwardly with said alley line and 161 feet north of and parallel to Vermont Avenue, 210 feet; thence southwardly in a straight line, 162 feet more or less to the north line of Vermont Avenue; thence eastwardly with said line 192 feet to the point of beginning. There is retained from the foregoing-described plat a right of way 25 feet in width, being 12-1/2 feet from each side of the center line of the track that serves the property to the east of the tract being conveyed, crossing the north line of the tract at a point about 102 feet west of the northeast corner and the east line of about 43 feet south of said corner.

Being the same property conveyed to Louisville/Jefferson County Metro Government pursuant to Deed of Record in Deed Book 11357, Page 607 in the aforesaid office.

## **EXHIBIT B**

### **MILESTONES**

The following milestones will be built into the development agreement to be executed by RPOP following its incorporation. RPOP will work to complete these steps by or before the end of the second quarter of 2024.

- Maintain monthly resident engagement in development process
- Execute development agreement
- Complete title and survey work
- Select core tenants/partners for Phase I
- Complete Phase I budget
- Establish capital fundraising committee and campaign
- Commission market study and economic impact analysis
- Complete development plan and renderings
- Complete development review process (likely a plan review before committee of Planning Commission with potential for variances from Board of Zoning Adjustment)
- Move to construction plan drawings for Phase I
- Incorporate RPOP as a nonprofit
- Establish and incorporate community ownership model
- Establish operating reserve to manage property between transfer and grand opening
- Acquire railroad parcel to complete site, consolidate properties
- Complete additional environmental work on railroad parcel
- Apply to receive environmental indemnity from the Commonwealth of Kentucky
- Receive construction plan approval on Phase I

**EXHIBIT C**

**CERTIFICATION OF SURPLUS PROPERTY**

The Chief of Louisville Forward has carefully reviewed Louisville Metro's need for the Property in the administration of Louisville Metro, and has determined that the Property is not needed or suitable for any specific municipal use:

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Jeff O'Brien  
Chief of Louisville Forward