

RESOLUTION NO. 051, SERIES 2021

A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY ATTORNEY TO BRING A CONDEMNATION ACTION AGAINST THE OWNERS OF CERTAIN PROPERTY, PARCEL NO. EIGHTEEN (18), IN JEFFERSON COUNTY IN CONNECTION WITH THE LA GRANGE ROAD BIKE/ PEDESTRIAN PROJECT (KY 907).

SPONSORED BY: COUNCIL MEMBER PAULA MCCRANEY

WHEREAS, the Louisville/Jefferson County Metro Government (“Metro”), pursuant to KRS 67C.101(3)(f) may acquire real property for public uses through the exercise of the power of eminent domain; and

WHEREAS, KRS 416.560(1) requires the legislative council of Metro (“Council”) to approve the exercise of the power of eminent domain prior to Metro’s instituting such proceedings; and

WHEREAS, Metro (as a successor to Jefferson County and the City of Louisville) has planned and designed the La Grange Road Bike/ Pedestrian Project (the “Project”) in conjunction with the Louisville/Jefferson County Metro Government Department of Public Works; and

WHEREAS, as a part of the Project, it is necessary to acquire property in fee simple as more accurately described by Exhibit A (the “Condemned Property”) for the use and benefit of citizens of Metro; and

WHEREAS, Metro has not been able to acquire the Condemned Property for the Project from the owners of the Condemned Property through good faith negotiations; and

WHEREAS, KRS 416.550 authorized Metro to exercise its right of eminent domain against a property when it cannot acquire the property by agreement with the owner thereof.

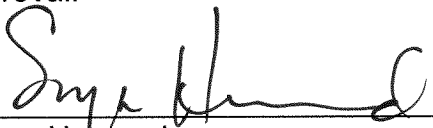
NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: That in order to complete the project, Metro needs to acquire the Condemned Property, as is more accurately described on attached Exhibit A and platted as on the plat map attached hereto as Exhibit B. Those with a potential interest in the Condemned Property who will be called upon in a condemnation action are attached as Exhibit C.

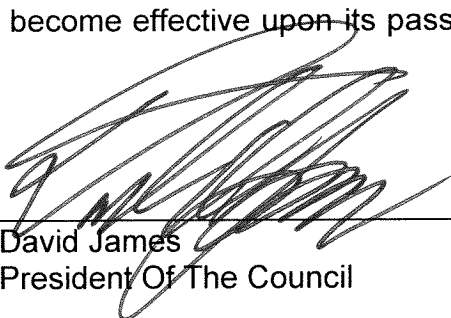
Since Metro cannot, by agreement of the owner of the Condemned Property, acquire the Condemned Property, then the office of the Jefferson County Attorney is authorized to institute condemnation proceedings pursuant to KRS 416.560, *et seq.* against the owner of the Condemned Property.

SECTION II: That the Council finds that the Condemned Property needs to be acquired for the public use of Metro.

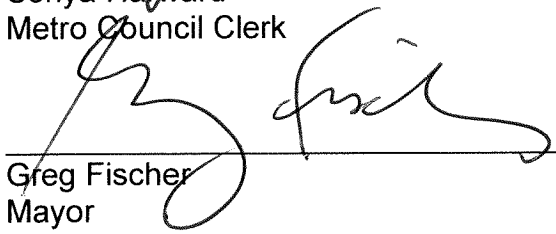
SECTION III: That this Resolution shall become effective upon its passage and approval.



Sonya Harward
Metro Council Clerk



David James
President Of The Council



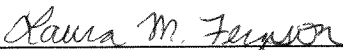
Greg Fischer
Mayor

7/8/2021

Approval Date

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

**LOUISVILLE METRO COUNCIL
ADOPTED
June 24, 2021**

By: 

R-056-21 Parcel No. 18 (Baker Heirs, et al) Condemnation.docx (TF)

EXHIBIT A—CONDEMNED PROPERTY

PARCEL NO. 18

Parcel Number 18
Tract A

Being a tract of land lying in Jefferson County along the north side of existing LaGrange Road situated approximately 6770 feet east of the intersection of LaGrange Road and Lyndon Lane and more particularly described as follows:

Beginning at a point in the existing north right of way line of LaGrange Road, 12.23 feet left of existing LaGrange Road centerline Station 166+91.76; thence with the west property line North 32 Degrees 12 Minutes 29 Seconds West, 8.49 feet to a point 20.50 feet left of existing LaGrange Road centerline Station 166+89.85; thence with the proposed easement line North 70 Degrees 49 Minutes 43 Seconds East, 49.60 feet to a point 20.50 feet left of existing LaGrange Road centerline Station 167+39.45; thence with the east property line South 32 Degrees 12 Minutes 29 Seconds East, 8.24 feet to a point 12.47 feet left of existing LaGrange Road centerline Station 167+41.31; thence with the existing right of way line South 70 Degrees 33 Minutes 01 Seconds West, 49.55 feet to the POINT OF BEGINNING.

The above described parcel contains 0.009 acres (404 sq. ft.).

It is the specific intention of the grantors herein to convey a permanent easement to the property described above for the purpose of constructing and perpetually maintaining utilities and sidewalk. Utilities allowed in this easement are water, sanitary sewer, electric, gas, telecommunication and data transfer.

Parcel Number 18
Tract B

Being a tract of land lying in Jefferson County along the north side of existing LaGrange Road situated approximately 6770 feet east of the intersection of LaGrange Road and Lyndon Lane and more particularly described as follows:

Beginning at a point in the proposed easement line 20.50 feet left of existing LaGrange Road centerline Station 166+89.85; thence with the west property line North 32 Degrees 12 Minutes 29 Seconds West, 20.02 feet to a point 40.00 feet left of existing LaGrange Road centerline Station 166+85.33; thence with the proposed easement line North 70 Degrees 49 Minutes 43 Seconds East, 14.67 feet to a point 40.00 feet left of existing LaGrange Road centerline Station 167+00.00; thence South 65 Degrees 57 Minutes 02 Seconds East, 14.60 feet to a point 30.00 feet left of existing LaGrange Road centerline Station 167+10.64; thence North 70 Degrees 49 Minutes 43 Seconds East, 26.61 feet to a point 30.00 feet left of existing LaGrange Road centerline Station 167+37.25; thence with the east property line South 32 Degrees 12 Minutes 29 Seconds East, 9.75 feet to a point 20.50 feet left of existing LaGrange Road centerline Station 167+39.45; thence with the proposed easement line South 70 Degrees 49 Minutes 43 Seconds West, 49.60 feet to the POINT OF BEGINNING.

The above described parcel contains 0.015 acres (660 sq. ft.).

It is the specific intention of the grantors herein to convey a temporary easement to the property described above for the purpose of sidewalk construction and said easement terminates and reverts upon completion of same.

EXHIBIT B—PLAT MAP

168+80.44 TO 169+49.75
169+59.29 TO 169+67.02
169+80.98 TO 170+37.87
170+58.88 TO 171+00.00

49.1 SQ YD
2.6 SQ YD
38.0 SQ YD
32.5 SQ YD

INDICATES DETECTABLE WARNINGS ON PLAN SHEETS



ANDREA R. LOVELESS
D.B. 10727 PG. 237



CHARLES BAKER
& DOROTHY L. BAKER
D.B. 3699 PG. 73



BRYAN J. ZEHNDER
& JESSICA E. ZEHNDER
D.B. 8039 PG. 758

TEMP. ESMT.
FOR CONSTRUCTION

+88.81
19.62

+39.45
20.50

+10.64
30.00

+00.00
40.00

+91.76
12.23

+37.25
30.00

+50.00
60.00

+85.33
40.00

+60.00
40.00

+25.00
35.00

+20.00
11.88

+14.5' (TYP.)

N70°49'43"E · 99.23'

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9.33'

47.85'

9.21'

8.85'

PRELIM

EXHIBIT C—INTERESTED PARTIES

1. Danny Baker and Barbara Baker, husband and wife
2. Dot Taulbee and Richard Taulbee, wife and husband
3. Monica Burkhart
4. Martina Scott and Richard Scott, wife and husband
5. Patricia Ann Baker and unknown spouse, if any
6. Charles Robert Baker Jr. and Jamie Baker, husband and wife
7. Richard Baker, Jr. and Janine Baker, husband and wife
8. Ruthann Joan Carter and Shannon Carter, husband and wife
9. Rebecca Baker Beard and unknown spouse, if any

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