

RESOLUTION NO. _____, SERIES 2021

A RESOLUTION AUTHORIZING EMINENT DOMAIN PROCEEDINGS PURSUANT TO KRS CHAPTER 99.715 AND KRS CHAPTER 416 AGAINST REAL PROPERTY LOCATED AT 2700-2706 WEST CHESTNUT STREET AND 2708 WEST CHESTNUT STREET WHICH HAVE BEEN CERTIFIED AS BLIGHTED AND DETERIORATED.

SPONSORED BY: COUNCIL MEMBER DONNA PURVIS

WHEREAS, KRS 99.715 authorizes a local government to acquire, by eminent domain pursuant to KRS Chapter 416, any property determined to be blighted or deteriorated pursuant to KRS 99.700 to 99.730; and

WHEREAS, KRS 99.710 authorizes local governments to designate an alternative government entity to certify properties within its jurisdiction as blighted and deteriorated to the legislative body; and

WHEREAS, LMCO Section 32.775 designates the Louisville and Jefferson County Landbank Authority, Inc. (the "Authority") with the powers granted in KRS Chapter 99 to address and eradicate blighted and deteriorated property in Louisville Metro; and

WHEREAS, by Resolution No. 7, Series 2019, the Authority determined that the Property located at 2700-2706 West Chestnut Street and 2708 West Chestnut Street (the "Property") is blighted and deteriorated (see Exhibit A attached hereto and made a part hereof); and

WHEREAS, by Resolution No. 47, Series 2019, the Authority certified the Property as blighted and deteriorated and recommended that Metro Council institute eminent domain proceedings against the Property (see Exhibit B attached hereto and made a part hereof); and

WHEREAS, LMCO Section 32.778(A) authorizes Metro Government to institute eminent domain proceedings pursuant to KRS Chapter 416 against any property meeting the required conditions that has been certified as blighted and deteriorated by the Authority.

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

SECTION I: That the Property located at 2700-2706 West Chestnut Street and 2708 West Chestnut Street (the “Property”) has been certified by the Authority as blighted and deteriorated.

SECTION II. Metro Council finds:

- (1) That the Property has deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety, and welfare;
- (2) That the Property is likely to continue to deteriorate unless corrected;
- (3) That the continued deterioration of the Property may contribute to the blighting or deterioration of the area immediately surrounding the Property; and
- (4) That the owner of the Property has failed to correct the deterioration of the Property.

SECTION III. Metro Council authorizes eminent domain proceedings against the Property pursuant to KRS Chapter 416.

SECTION IV: This Resolution shall take effect upon its passage and approval.

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-052-21 West Chestnut Spot Blight Condemnation (TF)