

RESOLUTION NO. 034, SERIES 2020

**A RESOLUTION DETERMINING TWO PARCELS OF REAL PROPERTY LOCATED AT 7709 PRESTON HIGHWAY, LOUISVILLE, KENTUCKY, AND DESCRIBED IN EXHIBIT A ATTACHED HERETO ("PREMISES"), AND THAT ARE OWNED BY JEFFERSON COUNTY, KENTUCKY, CAPITAL PROJECTS CORPORATION, AN ENTITY WHOLLY OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT"), AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.**

**SPONSORED BY: COUNCIL MEMBER FLOOD**

**WHEREAS**, the Premises are owned by Jefferson County, Kentucky Capital Projects Corporation ("Owner");

**WHEREAS**, the Owner is wholly owned by Metro Government;

**WHEREAS**, since the Owner is wholly owned by Metro Government it was decided that the Premises should be declared surplus and the agreement for its sale to The Nance Realty Company, a Kentucky corporation, should be approved by the Louisville/Jefferson County Metro Council ("Metro Council");

**WHEREAS**, the Premises are the former location of the Okolona Library which has been moved to a different location;

**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 Metro Government may sell and convey surplus real estate upon declaration by Metro Council that such property is no longer needed for the governmental purposes of Metro Government;

**WHEREAS**, Metro Government recognizes that these Premises have value in that they are located along the Preston Highway commercial corridor and could be restored to a use that would generate tax revenue for the community;

**WHEREAS**, The Nance Realty Company wishes to purchase the Premises to develop it as an overall retail shopping center; and

**WHEREAS**, the Director of Economic Development has declared and certified to the Metro Council that the Premises are surplus to the needs of Metro Government.

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

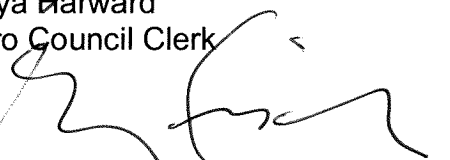
**SECTION I:** The Metro Council hereby declares the Premises described in Exhibit A attached hereto as "SURPLUS" and determines that it is not needed to carry out the governmental functions of Metro Government.

**SECTION II:** The Mayor as the President and Executive Officer of the Owner is hereby authorized to transfer the Premises in the manner provided according to Section 2 of Executive Order No. 3, Series 2007, without further action by the Council.

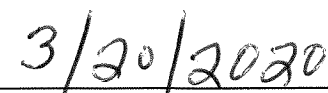
**SECTION III:** The sale of the Premises to The Nance Realty Company for \$647,500.00 is hereby approved.

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

  
\_\_\_\_\_  
Sonya Harward  
Metro Council Clerk

  
\_\_\_\_\_  
Greg Fischer  
Mayor

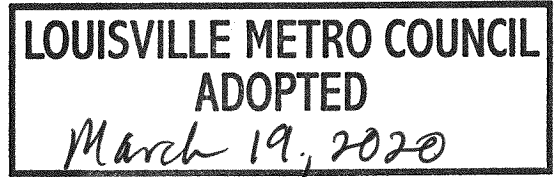
  
\_\_\_\_\_  
David James  
President of the Council

  
\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: John A. Wilmes



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## CERTIFICATION OF SURPLUS PROPERTY

The Director of Economic Development has carefully reviewed the Louisville/Jefferson County Metro Government's needs for land used in the administration of Metro programs and to conduct municipal business. This office has determined that the parcels of land listed on Exhibit A hereto, and which are scheduled for action by the Legislative Council of the Louisville/Jefferson County Metro Government are not needed or suitable for any specific municipal use.

Rebecca Fleischaker, Director of Economic Development

Rebecca Fleischaker  
(Print Name)

## EXHIBIT A

### TRACT 1:

BEGINNING in the Northerly line of a private avenue as established in the plat of H.D. Robb's Subdivision, of record in Plat and Subdivision Book 3, Page 8, in the Office of the Clerk of the County Court of Jefferson County, Kentucky, at an iron bar at the Southwestwardly corner of Lot 24, as shown on the aforementioned plat; thence Eastwardly with the Northerly line of said Avenue 113 feet 3 inches to an iron bar; thence Northwardly at right angles to said avenue 176 feet 6 inches to an iron bar in the Southerly line of a private alley as shown on the aforesaid plat; thence Westwardly with the Southerly line of said alley 199 feet 5 inches to an iron bar in the Northeastwardly line of another alley as shown on said plat; thence Southeastwardly with the Northeastwardly line of said last mentioned alley 196 feet 5 inches to the beginning.

BEING the same property conveyed to Grantor as Tract #32 in a Deed dated September 22, 1988 and of record in Deed Book 5806, Page 612 in the Office of the Clerk of Jefferson County, Kentucky.

District 27 Block 0788 Lot 0057 Sublot 0000

### TRACT 2:

BEGINNING at a stone, the Northeast corner of the Louisville Railway Company right-of-way, now abandoned, and an avenue as shown on plan of H.D. Robb's Subdivision at Okolona, said stone being the Southwest corner of Lot 25, as shown on said plan of said subdivision; thence North with the East line of said right-of-way 125 feet to a stake and extending back East, between parallel lines, at right angles to said right-of-way, 209 feet 2 inches to an alley; the South line being coincident with the South line of said Lot 25 above referred to, and also being coincident with the North line of an avenue as shown on said plan of H.D. Robb's Subdivision at Okolona, and being South 125 feet in width of Lot 25 of said H.D. Robb's Subdivision, recorded in Plat and Subdivision Book 3 Page 8, in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

Excepting therefrom so much as was conveyed to The Commonwealth of Kentucky of Record in Deed Book 4860, Page 889, in the Office of the Clerk of the County Court of Jefferson County, Kentucky.

BEING the same property conveyed to Grantor as Tract #33 in a Deed dated September 22, 1988 and of record in Deed Book 5806, Page 612 in the Office of the Clerk of Jefferson County, Kentucky

District 23 Block 0788 Lot 0057 Sublot 0000