

September 17, 2019

VIA HAND DELIVERY AND E-MAIL

Chris Hartman, Chairman
Louisville Metro Landmark and Preservation Districts Commission
444 South Fifth Street, Suite 300
Louisville, KY 40202

RE: Supplement to Economic Hardship Exemption to 19DESIGNATION1000
Catholic Charities Headquarters Building
Holy Name Property – 2911 South 4th Street

Dear Chairman Hartman:

On behalf of Catholic Charities, Inc. ("Catholic Charities") and the Roman Catholic Bishop of Louisville (the "Church"), please accept this supplemental filing of information in further support of Catholic Charities' and the Church's request for an Economic Hardship Exemption in Case No. 19DESIGNATION1000 pending before the Louisville Metro Historic Landmark & Preservation District Commission (the "Commission"). At the conclusion of the initial public hearing conducted on August 29, 2019, the Commission elected to continue the matter to provide time for its Commissioners to visit the Holy Name Property¹ and inspect the condition of the buildings that are the subject of the petition. The Commission left the administrative record open during the continuance so that additional evidence and testimony may be added. During the Commission's deliberations, and prior to any motion being adopted, Commissioner Omidy, in referencing the application for an Economic Hardship Exemption, stated that it would be helpful if additional information related to the subject structures, as set forth on pages two and three of the Commission's Design Guidelines, Economic Hardship ("Hardship Guidelines"), could be provided. In response to Commissioner Omidy's request, Catholic Charities and the Church respectfully submit this letter and its attachments ("Supplement").

¹ 2911 South 4th Street, Louisville, KY 40208

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The Church's request for an economic hardship exemption, pursuant to Louisville Metro Code of Ordinances (LMCO) §§ 32.257(L) and 32.260.O.(f), involves its need to remove two non-income producing structures on the Holy Name Property to create sufficient room to locate another non-income producing structure – an office headquarters building for Catholic Charities – as well as necessary space on site to accommodate required parking and vehicular use areas to serve the Holy Name Property in its entirety. These two non-income producing structures are the former Holy Name School (2917 South 4th Street) and the former Holy Name Convent (2911 South 4th Street).² The former School and Convent buildings are entirely inadequate to serve the needs of Catholic Charities and, as you heard from Mark Trier, an architect with JRA, during the August 29th public hearing, it is not feasible for the Church to repurpose either building to suit Catholic Charities' programmatic needs, nor for any other beneficial use of the Church on the Property.

Moreover, the Church's continued maintenance of said structures, both physically and financially, is a drain on its resources and prevents the Church from carrying out its religious and charitable purposes on the Property. The Church maintains its position, as it argued at the public hearing, that significant integrity³ issues for both structures should disqualify them from being designated as local landmarks. Should the Commission disagree and be inclined to designate either or both structures as local landmarks, it should nevertheless grant an economic hardship exemption because: the Church is attempting to exercise its religious liberties on the Holy Name Property and cannot do so given the current condition of the subject structures on the Property; the subject structures cannot be put to any beneficial use; and it is not economically feasible for the Church to rehabilitate and repurpose the structures. Indeed, this is a unique case where the subject *religious* structures have long outlived their original purposes on the Holy Name Property and the Church's financial inability to repurpose said structures, or merely maintain their existing conditions, is severely interfering with the Church's current and future religious purposes for the Holy Name Property. Here, the Church is not pursuing the highest bidder for the Property's most lucrative land use. Rather, the Church is simply pursuing its most beneficial religious use for the Holy Name Property.

According to the Commission's Hardship Guidelines, an economic hardship exemption pertaining to non-income producing structures is available to applicants/property owners when it can be demonstrated through a preponderance of

² The other building not at issue is the former Holy Name gymnasium.

³ As the term "Integrity" is defined LMCO § 32.251.

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the evidence that the property or subject structure(s) cannot be put to any reasonable beneficial use without approval of the request for demolition (or for new construction). To demonstrate that beneficial use of the non-income producing structure cannot be obtained on the property, the Hardship Guidelines further state the applicant must show: (1) the structure cannot now be put to any beneficial use; (2) *bona fide* efforts to sell or lease the structure have been fruitless; and (3) it is not economically feasible to rehabilitate the structure.

It is the Church's position that enumerated standard number two above is inapplicable to the Church's economic hardship exemption. In this case, the non-income producing structures are located on the campus of an active parish, as part of one piece of property owned by the Church. The non-income producing structures share a parking lot with the church and rectory buildings that remain in use by the parish community, rendering any subdivision infeasible and potentially problematic under the Church's canon law obligations, as explained in the testimony of Dr. Brian Reynolds. (See Aff. of Brian Reynolds, Ed.D., Aug. 23, 2019 ("Reynolds Aff.") ¶¶ 28-29, attached as Tab 1 to Catholic Charities' and the Church's initial Request for Economic Hardship Exemption, dated August 23, 2019).

The Church intends to maintain, and hopes to grow, the Holy Name parish community to provide the sacraments and the Gospel to its surrounding community. Sale or lease of the non-income producing structures on the property is not conducive to that religious purpose: in order for the parish to expand its ministry, and to properly serve disabled persons and children among its community, it needs to share access to the building that will replace the non-income producing structures. Concomitant with the religious use of the parish itself is the Church's need to house the headquarters of Catholic Charities, an equally fundamental religious use. The Church has determined that continuing the presence of the Catholic Charities headquarters at the Holy Name property is ideal for several important reasons – namely, the proximity to an active parish in need of revitalization, the centrality and accessibility of the site to the Archdiocese as a whole, and the property's location in the heart of a once-vibrant, traditionally Catholic neighborhood that today desperately needs the visible sign of the Church's commitment.

Thus, based on its religious beliefs regarding worship, ministry, charity, education, association, and the Church's need to increase accessibility to its religious services for the handicapped, elderly and other parishioners, and to use its property as an expression of religious belief, the Church cannot divest itself of the Holy Name Property or partition it and convey it to a party outside of the Church. Accordingly, information assuming the

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sale of the Holy Name Property, including portions thereof, and related to the economic hardship of preserving a structure (the former School and Convent buildings in this case), as set forth on pages two and three of the Hardship Guidelines, do not apply to the Church's request for economic hardship exemption.

According to the Hardship Guidelines, an applicant seeking an economic hardship exemption should provide: A. Financial Information; and B. Information regarding Reasonable Return/Feasibility of Beneficial Uses. The following list includes information that the applicant has already provided to the Commission:

B. Determination of Reasonable Return/Feasibility of Beneficial Uses

B.1. Report from licensed architect or engineer regarding condition of structure

→ *JRA Architects Evaluation Report (AER), dated August 23, 2019, drafted by Mark Trier, AIA, LEED AP, Registered Architect in the State of Kentucky (#3661) and Past President of JRA, attached as Tab 2 to Catholic Charities' and the Church's initial Request for Economic Hardship Exemption, dated August 23, 2019*

→ *Structural Review Reports for both the former School and Convent buildings, dated July 31, 2019, compiled by Icon Engineering & Inspection Services (Icon), by Michael S. Childers, Licensed Professional Engineer in the State of Kentucky and President of Icon, attached as Tab 2 to Catholic Charities' and the Church's initial Request for Economic Hardship Exemption, dated August 23, 2019*

B.2. Identification of alternative uses

→ *Religious Use, Offices: structures, however, found infeasible to repurpose as such*

→ *Affordable Multi-family residential use for seniors and/or housing: structures, however, found infeasible to repurpose as such*

B.3. Cost estimates associated with rehabilitation for reasonable uses, including the scope of work upon which the cost estimate is based

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→ AED, Mark Trier, JRA Architects

→ Testimony of Mark Trier, JRA Architects, at August 29, 2019 public hearing for Case No. 19DESIGNATION1000

B.4. Pro forma of projected revenue and expenses for use or reuse of existing improvements, including the use of any tax credits, if applicable

→ Email Correspondence from Bill Weyland to Jon Baker and attached pro forma analysis for repurposing the former School building to multi-family residential use, attached as Tab 4 to Catholic Charities' and the Church's initial Request for Economic Hardship Exemption, dated August 23, 2019

→ Testimony of Bill Weyland at August 29, 2019 public hearing for Case No. 19DESIGNATION1000

The following list includes information that the applicant is providing with this Supplement:

A. Financial Information

A.2. Copy of current Deed

→ Deed Book 372, pages 589–90; attached hereto as **Tab 1**⁴

A.3. Current assessed value of land and improvements

→ \$46,220.00, Jefferson County PVA Report and Logic Parcel Report, attached hereto as **Tab 2**

A.5. Operating and Maintenance Expenses

→ Holy Name Parish Income and Expenses for years 2015-16, 2016-17, 2017-18, and 2018-19, provided by Bruce Hines, Archdiocese of Louisville's Business Manager, attached hereto as **Tab 3**

⁴ Deed is difficult to read, given its age, handwriting, and the fact it was pulled from microfiche film of the Jefferson County Clerk's Office.

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→ *Testimony of Bruce Hines at August 29, 2019 public hearing for Case No. 19DESIGNATION1000*

→ *Email from Lisa DeJaco Crutcher, Chief Executive Officer of Catholic Charities of Louisville, to Jon Baker, detailing Catholic Charities' Maintenance and Repair Expenses for former Convent building during fiscal years 2015–19, attached hereto as **Tab 4***

→ *Testimony of Lisa DeJaco Crutcher at August 29, 2019 public hearing for Case No. 19DESIGNATION1000*

A.9. Any and all Appraisals

→ *April 16, 1970 Appraisal Report of Holy Name Sisters' Home (former Convent building assessed at 33rd year of 50-year building life), by Appraiser William G. Haysley, estimating land value at \$14,820.00 and improvements value at \$46,650.82, attached hereto as **Tab 5***

A.11. Prices asked and offers received, including broker's testimony

→ *Khalid Awad Offer, dated February 16, 2016, offering to purchase the gym building and former School building for \$285,000.00, attached hereto as **Tab 6**. Within the offer, Mr. Awad states he could not secure bank financing due to condition of the buildings. (Tab 6, ¶ 4). See also the correspondence at Tab 6, dated August 26, 2016 in which Mr. Bill Zoeller, Archdiocesan Director of Facilities, declined the Awad Offer on the grounds that the Church was unwilling to sell a portion of the property in light of its own internal plans and needs.*

The remaining "A. Financial Information" of the Hardship Guidelines is addressed as follows:

The Holy Name Property does not yield an annual gross income and is exempt from real estate taxes. (A.4.; A.6.) As a result, annual cash flow is zero and there are no tax returns relating to the Holy Name Property. (A.7.; A.12.) Also, the Church has made no efforts to list the Property for sale or rent in the past two years (A.10), since, as stated, the Church maintains an active parish on this site and has determined it is religiously obligated to continue its use of the entire parcel of property—both in regards to the

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needs of Holy Name parish and the needs of Catholic Charities for a functional and efficient headquarters. (See Reynolds Aff. ¶¶ 28-29).

The Commission should grant an economic hardship exemption to the Church because the *only* expert evidence of record demonstrates that the Church cannot put the former School and Convent buildings on the Holy Name Property to any reasonable beneficial use. As illustrated by Mark Trier's AER and supporting testimony, it is not economically feasible for the Church to rehabilitate the subject structures. This is especially true when considered along with the Church's religious obligation to responsibly appropriate Church funds to ensure that Church resources and properties are used prudently to most effectively serve the needs of the faithful. (*Id.* ¶ 29). Without the removal of the subject structures from the Holy Name Property, the maintenance and growth of the parish community will be constrained and the Church will be forced to find a new location for Catholic Charities – impeding the exercise of one of its three fundamental aspects – the work of charity. The Church has concluded that for a host of reasons both theological and practical, the Holy Name Property is the ideal location at which to centralize the work of Catholic Charities for the Archdiocese of Louisville. Moreover, the construction of a new building will allow for a more efficient and effective use of the Holy Name Property in the exercise of the Archdiocesan apostolate of charity, by and through Catholic Charities. (*Id.* ¶¶ 28-29).


In light of the exorbitant costs associated with potential preservation, if the Commission denies the Church's and Catholic Charities' application for an economic hardship exemption, the Commission will ensure that Catholic Charities departs from the Holy Name Property – a result directly at odds with the analysis of the strengths on the Fourth Street corridor. Even more unfortunately, with no prospect of the Church's charitable headquarters locating on the Holy Name Property, there is a very real prospect of the closing of the Holy Name Parish. Holy Name is at a crossroads, and its chances for success are significantly improved by the on-grounds presence of a vibrant partner, with interwoven mission and activities and the opportunity for shared space. The closing of Holy Name Parish would be a mortal blow to the surrounding neighborhood and its potential to recover from its current vulnerable condition. Accordingly, the Church and Catholic Charities respectfully request and appreciate the Commission's consideration of this Supplement in further support of the application for an economic hardship exemption in Case No. 19DESIGNATION1000. As the record on a whole clearly reflects, and in accordance with the Commission's Hardship Guidelines, the Church's and Catholic Charities' request for an economic hardship exemption is warranted.

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Thank you for your consideration of this important matter.

Best regards,

WYATT, TARRANT & COMBS, LLP


Jon Baker

Enclosures

cc: Jay Stottman, Commissioner
Amin Omidy, Commissioner
Tamika Jackson, Commissioner
Robert Kirchdorfer, Commissioner
Emily Liu, Commissioner
Christopher Fuller, Commissioner
Stefanie Buzan, Commissioner
Carrye Jones, Commissioner
Milton Haskins, Jr., Commissioner
Joanne Weeter, Commissioner
Savannah Darr, Planning & Design Coordinator
Cynthia Johnson, Metro Historic Preservation Officer
Dave Marchal, Deputy Director, Louisville Forward
Councilman Kevin Triplett, Louisville Metro Council District 15

Tab 1

by along said Third and Fourth avenues four hundred and twenty (420 ft.) feet, and Eastwardly and Westwardly along said Second Street four hundred (400 ft.) feet, including an alley of twenty (20 ft.) feet, the said land being the same lot or parcels of land conveyed to said L. D. Deppens, the party of the first part, by respectively, William L. Mould, by deed dated Feb. 10th 1891, and recorded on the 11th day of Feb. in the Clerk's office of the County Court of Jefferson County in Book 361, Page 116; by L. W. B. Holl and wife, by deed dated Feb. 7th 1891, and recorded the same day in the 11th day of Feb. 1891, in Book 361, Page 112; by H. G. G. H. Strickland and wife, by deed dated Feb. 11th 1891, and recorded in said office on the 11th day of Feb. 1891 in Book 361 Page 114; by J. H. Brown and wife, by deed dated Feb. 6th 1891, and recorded in said office on the 15th day of Feb. 1891 in Book 361 Page 110; and by J. H. Brown and wife, by deed dated Feb. 1st 1891, and recorded in said County Court Clerk's office on the 7th day of February 1891, in Book 361 Page 111. I have and do hold the same together with all the appurtenances therein to be belonging unto the party of the second part, his successors and assigns forever, with a warrant of general Warranty; and in testimony whereof, the party of the first part has hereunto set his name, the day and year foregoing.

Louis J. Deppens

I, J. H. Webb, Clerk of the County Court of Jefferson County, in the State of Kentucky, do hereby certify that on this day the foregoing deed was produced to me in my official capacity and believed by Louis J. Deppens, party thereto to be his act and deed, Witness my hand, this 3rd day of July 1891.

J. H. Webb, Clerk
By J. H. Webb, Clerk

I, J. H. Webb, Clerk of the County Court, of Jefferson County, in the State of Kentucky, do hereby certify that on this day at 10th & 2nd Books I have the foregoing deed was produced to me in my official capacity and that I have recorded it, this and the foregoing certificate in my said office. Witness my hand, this 3rd day of July 1891.

Tab 2

JEFFERSON COUNTY PVA

2911 S 4TH ST

Mailing Address PO BOX 1073, LOUISVILLE,
KY 40201-1073

Owner ROMAN CATHOLIC BISHOP
OF LOUISVILLE

Parcel ID 050J01660000

Land Value \$0

Improvements Value \$46,220

Assessed Value \$46,220

Approximate Acreage 2.1948

Property Class 606 EXEMPT RELIGIOUS

District Number 100023

Old District 11


Fire District City of Louisville

School District Jefferson County

Neighborhood 14 / COM CHURCHILL/KY
FAIRGROUNDS

Satellite City **Urban Service District**

Sheriff's Tax Info **View Tax Information**

County Clerk **Delinquent Taxes** 

**Details & Photos****Property Details****Use Description**

Year Built	1900
Basement Area	0 sq. ft.
Basement Finished?	No
Construction Frame	
Stories	0.00
Above Grade Sq Ft.	0 sq. ft.

Photos

Assessment History

Record Year	Land	Improvements	Total	Reason
1981	\$0	\$46,220	\$46,220	R - Reassessment

Legal Lines

LN	Legal Description
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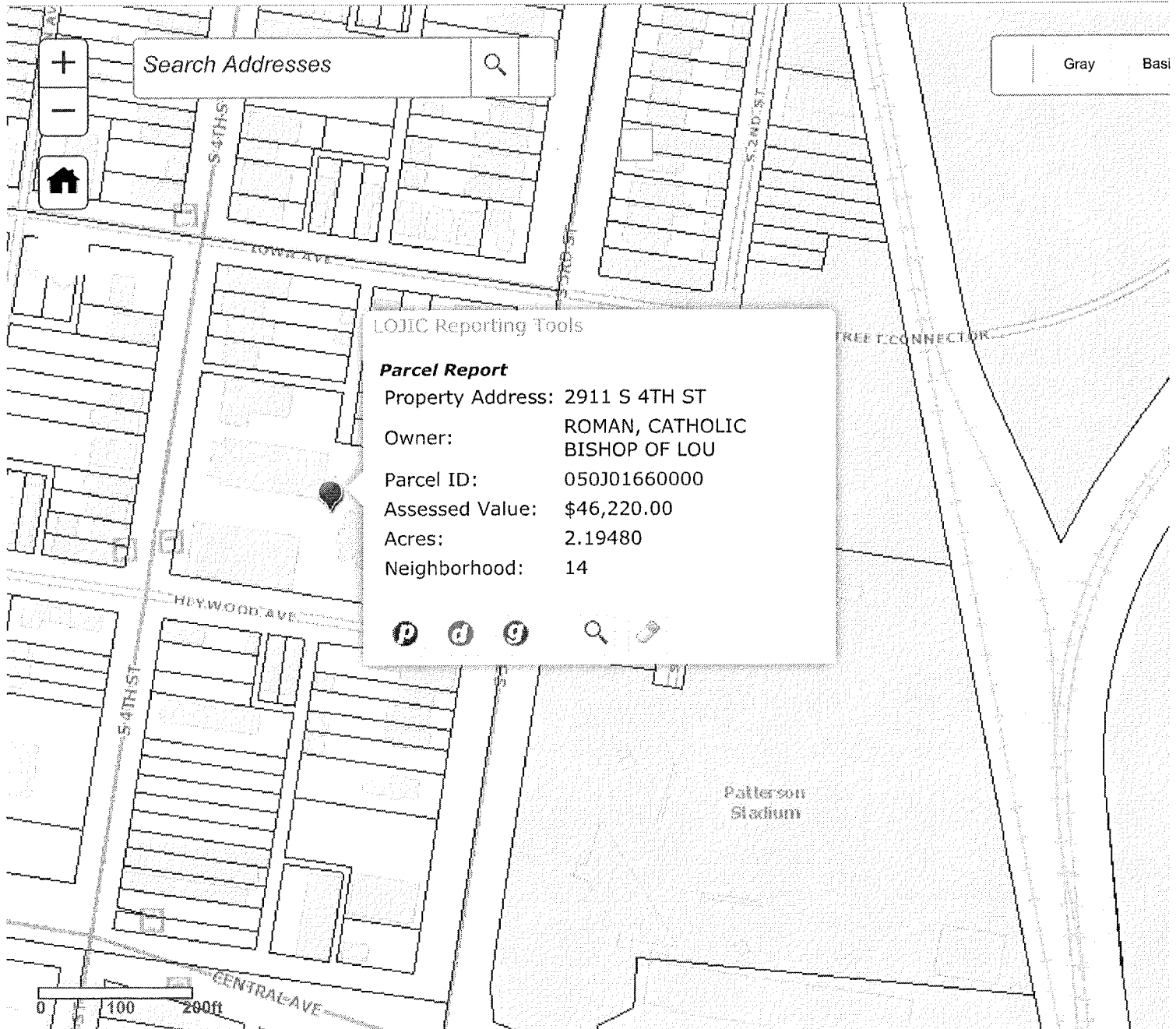
Property is assessed per KRS 132.20 on January 1st of each year. The current year assessments are updated and posted on the website in mid April. Information deemed reliable but not guaranteed. Data last updated: 09/11/2019.

Built by VIA Studio

The LOJIC Interactive Maps and LOJIC Citrix network will not be available on Sunday, September 15, 2019 from 1:00 am to 10:00 am for network upgrades. Thank you for your patience.



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MSD Building 700 West Liberty Street Louisville, KY 40203 38.2533 N, -85.7628 W



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Site by Net Tango



Land Development Report

September 11, 2019 3:33 PM

About LDC

Location

Parcel ID: 050J01660000
Parcel LRSN: 134886
Address: MULTIPLE ADDRESSES

Zoning

Zoning: R7, C2
Form District: TRADITIONAL NEIGHBORHOOD
Plan Certain #: NONE
Proposed Subdivision Name: NONE
Proposed Subdivision Docket #: NONE
Current Subdivision Name: NONE
Plat Book - Page: NONE
Related Cases: NONE

Special Review Districts

Overlay District: NO
Historic Preservation District: NONE
National Register District: NONE
Urban Renewal: NO
Enterprise Zone: YES
System Development District: NO
Historic Site: YES

Environmental Constraints

Flood Prone Area

FEMA Floodplain Review Zone: NO
FEMA Floodway Review Zone: NO
Local Regulatory Floodplain Zone or
Combined Sewer Floodprone Area: NO
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0057E

Protected Waterways

Potential Wetland (Hydric Soil): NO
Streams (Approximate): NO
Surface Water (Approximate): NO

Slopes & Soils

Potential Steep Slope: NO
Unstable Soil: NO

Geology

Karst Terrain: NO

Sewer & Drainage

MSD Property Service Connection: YES
Sewer Recapture Fee Area: NO

Services

Municipality: LOUISVILLE
Council District: 15
Fire Protection District: LOUISVILLE #3
Urban Service District: YES



General Information Report

September 11, 2019 3:33 PM

General Geographic Information

City: LOUISVILLE
Zip Code: 40208
Parcel ID: 050J01660000
2000 Census Tract: 003700
2000 Census Block: 1014
2010 Census Tract: 003700
2010 Census Block: 1018
Neighborhood: SOUTH LOUISVILLE
Neighborhood Place: **BRIDGES OF HOPE**
Metro Park: Not Applicable
LOJIC Street Atlas: MAM18-B

Sanitation Services

Garbage Collection: WEDNESDAY
Recycling/Yard Waste: TUESDAY
Large Item Set-Out Period:
11/15/19 - 11/17/19
3/20/20 - 3/22/20

Special Districts

Enterprise Zone: YES
Overlay District: Not Applicable
Historical District: Not Applicable
Preservation District: Not Applicable
Urban Renewal District: Not Applicable
CPW Maintenance District: WEST
Zoning - Form District: C2 - TN

Emergency Services

Fire: **Louisville Fire District 3**
Police: **Louisville Metro Police Department, Fourth Division**

Political Areas

Council Member District: **15 - KEVIN TRIPLETT**
US Congressional District: **3 - JOHN YARMUTH**
KY Senatorial District: **35 - DENISE HARPER ANGEL**
KY Legislative District: **40 - NIMA KULKARNI**
School Board District: **5 - Linda D. Duncan**
Voting Precinct: K140 **Where do I vote?**

Tab 3

	15/16	16/17	17/18	18/19	notes
Collections & Donations	72,495.00	69,025.00	71,601.00	82,633.00	
Fund Raising	14,262.00	15,570.00	12,438.00	15,901.00	
Rental Income	6,445.00	0.00	0.00	315.00	
Grants	10,000.00	12,619.00	217,195.00	10,595.00	
Program Fees	4,260.00	2,921.00	4,368.00	6,850.00	
Insurance Recovery	113,110.00	5,829.00	6,705.00	3,159.00	15/16 insurance recovery of #112K+ of funds embezzelled over prior 3-4 years
Gain on sale			385,000.00		17/18 \$385K-purchase of two buildings by Archdiocese
total Income	220,572.00	105,964.00	697,307.00	119,453.00	
Payroll & Related Exp	33,989.00	70,881.00	57,836.00	30,390.00	
Rectory & Worship supplies	6,762.00	13,569.00	9,952.00	19,003.00	
Depreciation	411.00	1,919.00	5,577.00	7,805.00	
Plant and Grounds	63,800.00	95,697.00	72,292.00	61,364.00	
Assessments	8,503.00	6,853.00	5,847.00	5,618.00	
Program Expense	1,284.00	2,869.00	3,395.00	3,717.00	
Extraordinary repairs	1,960.00	0.00			
Total Expenses	116,709.00	191,788.00	154,899.00	127,897.00	
Net	\$103,863.00	-\$85,824.00	\$542,408.00	-\$8,444.00	
Cash in Checking year end	\$118,231.00	\$31,292.00	\$259,856.00	\$118,325.00	

Tab 4

Baker, Jon

From: Lisa DeJaco Crutcher <lcrutcher@archlou.org>
Sent: Monday, September 16, 2019 1:30 PM
To: Baker, Jon
Subject: Expenses 2015-2019

CAUTION: This email originated from outside of the Firm. Do not click links or open attachments unless you know the sender and were expecting this message.

Catholic Charities Maintenance and Repair Expenses for 2911 S. Fourth Street (old convent)

	FYE 6.30.19	FYE 6.30.18	FYE 6.30.17	FYE 6.30.16	FYE 6.30.15	Total
Out of pocket expenses only	20,600	28,011	19,739	69,672	42,036	\$ 180,058
With pro rata share of maintenance staff	51,664	62,299	50,892	121,725	90,519	\$ 377,099

Lisa DeJaco Crutcher

Chief Executive Officer

Catholic Charities of Louisville

2911 S. 4th Street - Louisville, KY 40208

www.cclou.org – lcrutcher@archlou.org

502.637.9786 ext. 150



Welcome
Empower
Strengthen

Tab 5

WILLIAM G. HAYSLEY

APPRAISAL REPORT

Name HOLY NAME SISTERS' HOME
 Address 2911 South 4th Street
 Location _____
 Occupant Same

Land Size 78 x 190 Site Data _____ Survey Recommended Yes
 Street Asphalt Side walk Concrete Walks Concrete
 Alley Yes Drive way Asphalt Water _____ City _____
 Electricity City Gas City Sewer City
 Surrounding Property Residential and Commercial



Improvements: Main Building and Additions
 Size 11,291 square feet 1-2-3 Floors Basement 3819 square feet
 Construction Solid Brick Type 3 1/2 story
 Age: Actual 33 yrs. Foundation Concrete
 Effective 33 yrs. Roof Tile
 Porch Front and Rear Utility Room - Basement
 Heating Gas Fired Boiler Air-cond No
 Water heater Gas Auto Paint Fair
 Garage 2 car Equipment _____
 _____ Basement Full
 Use: Residential Units 1
 Other _____

No. rooms	Units	L. R.	D. R.	Kit.	B. R.	Family	Clos.	Other	Baths	Walls	Floors	Rentals
Basement		Laundry room -			Boiler Room				1 toil			Storage
1st Floor		1	1	1		Chapel			1 toil	Terrazzo		2 Conference
2nd Floor					9	Sewing Room			3 toil	Plas.		Community
3rd Floor					13				3 lav.	2 tubs	Terr.	room
									3 toil	Plas.		
									3 lav.	2 tubs	Terrazzo	
Total												

REMARKS Building needs exterior repair and paint - Interior needs modernizing and decorating.

ESTIMATED VALUE

Land \$ 14,820.00
 Improvements \$ 46,650.82
 TOTAL 61,470.82

Say \$ 61,500.00

I certify that to the best of my knowledge and belief, the facts and data used herein are true and correct, and that I personally inspected the property. I have no interest, present or prospective, therein.

Date April 16, 1970

Appraiser William G. Haysley

H O L Y - N A M E - S I S T E R S - H O M E

2911 South Fourth Street

3 Floors	11,291 square feet @ \$ 21.39	=	\$241,514.00
Basement	3,819 " " @ \$ 16.55	=	\$ 63,204.45
Rear Porch	216 " " @ \$ 8.00	=	\$ 1,728.00
Front Porch	122 " " @ \$ 6.00	=	\$ 732.00
Attic Storage	1,827 " " @ \$ 1.00	=	\$ 1,827.00
Garage - Estimated			\$ 1,000.00
Walks - Stoops - Miscellaneous			\$ 1,000.00
	Total		\$311,005.45

50 yr. Life

33 yrs. Depreciation @ 2% = 66%

Economic and Functional Obsolescences	<u>19%</u>	
	85%	\$264,354.63

\$ 46,650.82

Land	78' x 190' =	
	14,820 square feet @ \$1.00	\$ 14,820.00

\$ 61,470.82

Tab 6

2750 S 7TH ST RD INC
2750 S 7TH ST RD
LOUISVILLE KY 40215
TEL: 502 299 3407
FAX: 502 637 5678
SMALLSMILES2008@GMAIL.COM

February 16, 2016

Dear sir/madam:

I am writing this proposal to offer to buy your property located at 2917 S. 4th St and 2933 S. 4th ST. My offer price for both building is \$285,000.00.

As of 2933, I am planning to renovate it and make a restaurant there for lease. It is zoned C2 which allows such use. We just need to do some major renovation there.

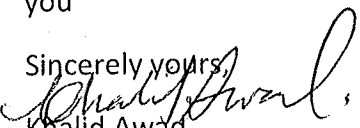
I have very basic plan with 2917 s 4th St. which will be renovated to be an apartment building. Unfortunately, it is zoned C2 which does not allow apartments. I checked with the codes and regulations, and they informed me that I need a zoning change to R 7, which will cost about 40,000 and one year of waiting time to process the zoning change application. In addition to \$300,000 to \$500,000 of renovation costs. Proof of fund is available upon acceptance of our offer.

After multiple visits to my bank, the bank refused to give a loan on the buildings because of the shape they are in and because they are vacant. They consider them high risk. Mr. Gus Goldsmith is going to help me and my partner to purchase the two buildings and to renovate them. Proof of fund is available upon acceptance of our offer.

Just to give you a short back ground about me. I have been in business in the area since 2003 but I started focusing on real estate properties which are run down in 2008. I buy them, renovate them and rent them out. I have a total of 45 rental properties right now.

Personally, I think there is a demand on apartments in this area. The houses in the area are very cheap and the people around are very discouraging for investment unfortunately. But I am hoping that things will change if I and others keep faith in the area. I know that the right kind of business in the area will help me and everybody around.

Thank you for the opportunity and I am looking forward to hearing from you and working with you

Sincerely yours,

Khalid Awad

502 299 3407

SALES AND PURCHASING CONTRACT

DATE: _____

1. OFFER: The Seller agrees to sell and the Buyer agrees to buy real property located at **2917 S. 4th Street & 2933 S. 4th Street, Louisville, Kentucky 40208** together with all improvements and fixtures, including all attached lighting fixtures, ceiling fans, drapery/curtain rods, blinds, mail boxes, all bathroom mirrors, wall-to-wall carpeting, all plantings, storage shed, all remote control devices, all appliances, lawn care equipment, trash and recycling bins.

2. PRICE AND TERMS: The purchase price shall be the sum of \$285,000.00. Buyer to provide a good faith deposit to Seller's in the amount of \$1,000.00 and shall be brought to the closing to be credited to the Buyer's upon closing OR taken out of the Seller's proceeds at closing.

3. PAYMENT OF PURCHASE PRICE: The purchase price shall be paid all cash at the closing. Funds to be brought from Buyer in the form of a certified check made payable to Borders & Borders, PLC.

Buyer shall pay all Buyer side closing costs and Seller shall pay all Seller side closing costs, consistent with common Kentucky practice.

4. PRORATIONS: All taxes, dues and assessments due and payable in year of closing which will be prorated between Buyer and Seller on the applicable calendar/fiscal year basis to date of deed, unless otherwise agreed upon.

5. CLOSING DATE: Closing of this transaction shall occur on or before **90 days** after the acceptance of this contract.

6. POSSESSION OF PROPERTY:

A. DATE OF POSSESSION: Possession of the property shall be given by Seller to Buyer simultaneously with closing.

B. CONDITION AT POSSESSION: Until possession is delivered, Seller shall maintain the property, exterior and interior, in the same or better condition as of the date of acceptance of this contract, normal wear and tear excepted. Seller shall leave the property free of trash, debris, and personal property not listed in Paragraph 1 above, and shall leave the premises "broom clean". Buyer shall have the right to perform a "walk-through" inspection prior to closing and again prior to delivery of possession to verify condition. This paragraph shall survive the closing.

7. TITLE TO BE CONVEYED: An unencumbered, marketable title to the real property described herein shall be conveyed by deed of GENERAL WARRANTY, with the usual covenants such as any title company will insure, except easements of record, restrictive covenants of record as to use and improvement of the property, and except applicable regulations imposed by the Planning Commission. Should title prove defective and such defect cannot be remedied before closing date, Seller shall

pay all title examination costs.

8. Property is sold "as is, where is", with the exception of the terms listed in Paragraph 9. Buyer agrees to hold the Seller harmless for any issues that may arise relating to the property.

9. ADDITIONAL PROVISIONS: Seller agrees to obtain a survey and get a minor plat approved to parcel out the property that is currently taxed as 1 parcel. Should Seller be unable to obtain a survey or minor plat to separate the properties then the contract shall be considered void and the good faith deposit shall be returned to the Buyer. If Seller is able to obtain the survey and minor plat then Buyer agrees to pay to have the water bills separated for the properties they are purchasing under this contract.

UNLESS ACCEPTED BY ____ M, EASTERN TIME, ON THE ____ DAY OF _____, 20__, THIS OFFER SHALL BECOME NULL AND VOID. (I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS OFFER.)

Printed Name of Seller Signature of Seller SS# _____

Printed Name of Seller Signature of Seller SS# _____

RESPONSE: ACCEPTANCE

The above offer is accepted at ____ M, Eastern Time, on the ____ day of _____, 20__.

(I/We acknowledge receipt of a copy of this contract.)

Printed Name of Buyer Signature of Buyer SS# _____

Printed Name of Buyer Signature of Buyer SS# _____

BUYER'S PHONE NUMBER: _____

SELLER'S PHONE NUMBER: _____

From: Bill Zoeller
Sent: Friday, August 26, 2016 5:11 PM
To: Khalid Awad <smallsmiles2008@gmail.com>
Cc: 'Fr. David Sanchez' <dsanchez@sjosephcatholic.org>
Subject: RE: Contract for S. 4th St.

Mr. Awad,

I apologize for the delay getting back to you regarding your generous offer to purchase the two buildings on the Holy Name campus, namely the gymnasium and former school building. The Archdiocese has many layers of church management that must be worked through when making a decision of this magnitude. The Archdiocese of Louisville, after a long process of reviewing your offer and its own internal future plans, finds itself in a position that it does not wish to sell these properties at this time. There are some initiatives the Archdiocese wishes to undertake in this area of Louisville and these buildings may be a good home for those initiatives.

If you have any questions, please feel free to give me a return e-Mail at your convenience.

Thanks,
Bill Zoeller
Bill Zoeller
Archdiocese of Louisville
Director of Facilities
Maloney Center
1200 South Shelby Street
Louisville, Kentucky 40203
Phone: (502)636-0296 x1227
Fax: (502) 636-2379
e-Mail: BZoeller@ArchLou.org

Your Altitude is determined by your Attitude,
If you think you can or;
If you think you can't,
You are probably right, The choice is yours!
Support for the Office of Facilities Management is provided by the Archdiocese of Louisville's



From: Khalid Awad [<mailto:smallsmiles2008@gmail.com>]
Sent: Monday, August 22, 2016 9:18 AM

To: Bill Zoeller

Subject: Fwd: Contract for S. 4th St.

Sent from my iPhone

Begin forwarded message:

From: Khalid Awad <smallsmiles2008@gmail.com>

Date: August 22, 2016 at 6:56:03 PM EDT

To: Bill Zoeller <BZoeller@ArchLou.org>

Subject: Contract for S. 4th St.

Hello Bill,

Please see attached initial contract to be signed by both buyer and seller to enable us to start the sale procedure officially. Contract was prepared by Borders and borders and they will help us do the closing when we all are ready. Please let me know a good time for you to get together to sign this initial contract.

Thank you