RESOLUTION NO. _____, SERIES 2026

A RESOLUTION DETERMINING REAL PROPERTY LOCATED AT 207 NORTH ENGLISH STATION ROAD AS SURPLUS AND NOT NEEDED FOR THE GOVERNMENTAL PURPOSES OF METRO GOVERNMENT AND AUTHORIZING ITS TRANSFER.

SPONSORED BY: COUNCIL MEMBER ANTHONY PIAGENTINI

WHEREAS, pursuant to KRS § 67C.101, Louisville/Jefferson County Metro Government ("Metro Government") may sell or transfer 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 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;

WHEREAS, property at 207 North English Station Road, as more particularly described in Exhibit A to this Resolution (the "Property"), is titled in the name of both Metro Government and the Louisville Water Company;

WHEREAS, the dual titling of the Property was a historical practice occasionally used when acquiring property for the sole use and benefit of the Louisville Water Company, without intent that Metro Government retain equitable ownership;

WHEREAS, Metro Government did not execute the deed by which title was acquired, and the Property has at all times been exclusively used by the Louisville Water Company;

WHEREAS, to eliminate any ambiguity in title, Metro Government's record interest in the Property should be declared surplus to its needs and formally released;

WHEREAS, Metro Government has never dedicated by virtue of use, deed, ordinance or any other manner the Property to a public or governmental purpose; and

WHEREAS, the Executive Director of the Cabinet of Economic Development has declared and certified to the Council that the Property is surplus to the needs of Metro Government, a copy of which certification is attached as Exhibit B to this Resolution.

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

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

SECTION II: The Mayor is hereby authorized to take all necessary actions 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	Brent Ackerson President of the Council
_____	_____
Craig Greenberg Mayor	Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By_____

R-090-026 Resolution Determining Real Property at 207 N. English Station Road Surplus 2026 (aps)

EXHIBIT A

207 North English Station Road Tax ID No. 0023-0378-0000

BEGINNING in the Northeast right of way line of English Station Road, at its intersection with the Northwesterly line of the tract secondly described in deed to Morse English, et al., dated May 12, 1906, of record in Deed Book 642, Page 393 in the office of the Clerk of the County Court of Jefferson County, Kentucky; thence with the Northwesterly line of same, North 77 degrees East 408.5 feet; thence South 14 degrees 27 minutes East 277.3 feet; thence 77 degrees West 402.3 feet to the Northeast right of way line of English Station Road; thence with said line of English Station Road, North 15 degrees West 278 feet.