

RESOLUTION NO. 22, SERIES 2021

A RESOLUTION APPROVING MODIFICATIONS TO THE REAL ESTATE DISPOSITION PROGRAMS OF THE LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. APPROVED ON SEPTEMBER 11, 2017 AND MODIFIED ON FEBRUARY 12, 2018 AND MARCH 9, 2020.

WHEREAS, according to KRS 65.370, the Louisville and Jefferson County Landbank Authority, Inc., (the “Authority”), may enact resolutions for the purpose of sale or conveyance of real property owned by the Authority; and

WHEREAS, according to KRS 65.370 (2)(d), the Authority shall have the power to manage, maintain, protect, rent, lease, repair, insure, alter, sale, trade, exchange or otherwise dispose of any property on terms and conditions as determined by KRS 65.350 to 65.375 and by the Authority; and

WHEREAS, the Board wishes to modify the Authority’s Policy for Real Estate Disposition Programs approved on September 11, 2017, and modified on February 12, 2018 and March 9, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD MEMBERS OF THE LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC.,

SECTION 1. That the Board Members, of the Louisville and Jefferson County Landbank Authority, Inc., hereby approve and authorize the modifications to the policy for the Real Estate Disposition Programs of the Louisville and Jefferson County Landbank Authority, Inc. as contained in Attachment A, attached and incorporated herein by reference, for the disposition of real property owned by the Authority:

SECTION 2. That this Resolution shall become effective upon its passage and approval.

APPROVED BY: _____ **DATE APPROVED:** _____

**William P. Schreck
Chairman and President
Louisville and Jefferson County
Landbank Authority, Inc.**

APPROVED AS TO FORM:

**Stephanie Malone
Counsel for Louisville and Jefferson County Landbank Authority, Inc.
First Trust Centre
200 South Fifth Street, Suite 300N
Louisville, KY 40202
(502) 574-3066**

ATTACHMENT A

REAL ESTATE DISPOSITION PROGRAMS OF THE LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. (the “AUTHORITY”)

Vacant Land

Adjacent Side Yards

Intended Audience: **Neighbor of vacant lot**

- Lot Size: **Up to 4,000 square feet**
- Minimum Asking Price: **\$1.00**
- Immediately adjoining property owner
- Deed will list specific restrictions as to the intended end-use as a side yard and property maintenance.
- Applicant’s current property may be consolidated with the adjacent lot to eliminate the two (2) tax bills, but not required.
- If Applicant later decides to build on the side yard, any necessary permits required by Louisville Metro Government must be obtained, and approval must be received from Board to release side yard restriction.

Budget Rate Policy for New Construction Projects

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Lot Size: **Up to 4,999 square feet**
- Minimum Asking Price: **\$500.00**
- Lot Size: **Over 5,000 square feet**
- Minimum Asking Price: **\$1,000.00**
- Applicant must provide:
 - a) Detailed plans for the intended end-use of the lot
 - b) An itemized budget for the intended project
 - c) A timeline as to completion of the project, and
 - d) Proof that Applicant has funds to complete project
- Deed will list specific restrictions relating to Applicant’s proposed intended end-use and construction timeline.
- If lot size is **over 10,000 square feet**, the minimum asking price will be its appraised value.

Cut It Keep It (CIKI)

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Lot Size: **Up to 7,000 square feet**
- Minimum Asking Price: **\$500.00**
- Applicant must own an **occupied property or vacant lot** on the same block as the Landbank’s vacant lot.
- **Vacant lots must be properly zoned for proposed use per Metro Government’s zoning ordinance.**
- Applicant must maintain lot and pay its assessed property taxes.
- Deed will restrict Applicant from selling for three (3) years and list specific restrictions as to property maintenance and payment of property taxes.
- Sale restriction will be released if Applicant builds on the lot within three (3) years of the deed’s recording date.
- **Applicants with documented family history or rental of the property may be eligible to acquire the Landbank lot through CIKI.**
 - Applicants must disclose plan and timeline for intended use of lot.
 - Minimum Asking Price: \$250.00. Lower offers will be considered by Landbank board and are not guaranteed.
 - Applicants may not include owner of property when property was foreclosed upon.

Flex Rate Policy for New Construction Projects

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Lot Size: **Up to 5,000 square feet**
- Minimum Asking Price: **\$0.80/square foot or assessed value of land according to the Jefferson County Property Valuation Administrator, whichever is greater**
- Lot Size: **Over 5,000 square feet**
- Minimum Asking Price: **Assessed value of land according to the Jefferson County Property Valuation Administrator or appraised value, whichever is greater**
- Applicant must provide:
 - a) Detailed plans for the intended end-use of the lot, and
 - b) An itemized budget for the intended project
- Deed will list specific restrictions relating to Buyer’s proposed intended end-use.

REAL ESTATE DISPOSITION PROGRAMS OF THE LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. (the “AUTHORITY”)

Vacant Land

Basic Policy for Agricultural Projects Involving Community or Market Gardens

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Lot Size: **Up to 7,000 square feet**
- Minimum License Fee: **\$1.00 per year**

Applicant must provide to the Office of Community Development:

- a) The Authority’s Application to Purchase or Lease Vacant Land.
- b) An itemized budget for the intended agricultural project that itemizes the costs for the following licensing requirements:
 - i. Operating costs covering the initial three (3) year term.
 - ii. A staked survey completed by a licensed surveyor as the garden’s boundaries must be marked with fencing or at least corner fencing.
 - iii. A Soil Test whose results are submitted to the Office of Community Development prior to the beginning of the license period.
 - iv. Water for purposes of maintaining the garden and for dust suppression shall be available on the site.
 - v. A \$1,000,000.00 general liability insurance policy that covers the three (3) year term and names the Louisville and Jefferson County Landbank Authority, Inc. as an additional insured party. A certificate of insurance must be submitted to the Office of Community Development prior to the beginning of the license period.
 - vi. A permanent sign, in compliance with the Land Development Code, to be installed on the site.
- The Application to Purchase or Lease Vacant Land must be approved by the Authority.
- Once approved, a three (3) year License Agreement will be executed listing specific restrictions relating to Applicant’s proposed intended end-use. If the Authority and the Licensee agree, the License Agreement can be renewed annually up to a maximum of three (3) years.

Prior to executing a License Agreement for a Community or Market Garden, Applicant must submit an Application for a Community/Market Garden to the Office of Planning and Design Services that conforms to Section 4.3.17 (**Community Garden**), or Section 4.3.18 (**Market Garden**) of Louisville Metro Government’s Land Development Code.

Note: A copy of the permit issued by the Office of Planning and Design Services for the Community or Market Garden must be provided to the Office of Community Development before the License Agreement will be executed.

**REAL ESTATE DISPOSITION PROGRAMS OF THE
LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. (the “AUTHORITY”)**

Residential and/or Commercial Structures

Request for Proposals (“RFPs”)

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Minimum Asking Price: **Value of the land as assessed by the Jefferson County Property Valuation Administration**
- Applicant will be able to enter the building prior to submitting proposal by attending scheduled open houses.
- Applicant must provide:
 - a) Proof that Buyer has funds to pay asking price and renovation costs relating to the interior and exterior of the structure and any landscaping;
 - b) An itemized budget of the renovation costs, and
 - c) A timeline as to completion of the intended renovation project
- Proposals will be entertained during limited timeframe.
- The selected proposal will go in front of Board for final approval.
- Deed will state specific restrictions relating to Buyer’s proposed intended end-use and twelve (12) month renovation deadline.

Last Look - Save The Structure

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Minimum Asking Price: **\$1.00**
- Applicant will not be able to enter the building prior to submitting offer.
- Applicant must provide:
 - a) Proof that Applicant has funds to pay renovation costs to complete exterior renovation, landscaping, and structural repairs as noted by building inspector.
 - b) An itemized budget of exterior renovation costs, landscaping, and structural repairs.
- Offers will be entertained in order of receipt.
- Deed will state specific restrictions relating to renovation deadlines of six (6) months for exterior and eighteen (18) months for interior.

Last Look - Demo For Deed

Intended Audience: **Individuals and For-Profit or Non-Profit Organizations**

- Minimum Asking Price: **\$1.00**
- Applicant will not be able to enter the building prior to submitting offer.
- Applicant must provide:
 - a) Cost estimate to demolish the structure from a license demolition contractor
 - b) Proof that Buyer has funds to pay demolition costs
- Offers will be entertained in order of receipt.
- Deed will state specific restrictions relating to forty-five (45) day demolition deadline and required property maintenance.

ATTACHMENT A

TERMS AND CONDITIONS OF THE REAL ESTATE DISPOSITION PROGRAMS OF THE LOUISVILLE AND JEFFERSON COUNTY LANDBANK AUTHORITY, INC. (THE "AUTHORITY")

"Agricultural Licensing" Program

1. No applications will be accepted if the garden is privately used by the Applicant.
2. No property maintenance code violations can exist on any Louisville/Jefferson County Metro Government ("Louisville Metro") property licensed by the Applicant.
3. The Louisville and Jefferson County Landbank Authority, Inc. ("Landbank Authority") may terminate the license agreement, at its discretion.
4. Any improvements to the property become the property of the Landbank Authority if they are not removed prior to the termination of the agreement.
5. At its discretion, the Landbank Authority can reserve the right to exclude any of their parcels from this outlined licensing program.

"All" Disposition Programs

1. "Occupied Property" and "Block" and "Documented Family History" are defined as follows:
 - a) **Occupied Property** means a property with a structure on which any person, including an owner, operator, or tenant, but not a trespasser, lives, sleeps, cooks, or in any way purposely uses and maintains for lawful business or personal uses.
 - b) **Block** means one or more lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers.
2. **Documented Family History** means the child, grandchild, or great-grandchild of the previous owner.
3. No property maintenance code violations, liens, or delinquent taxes can exist on any Louisville Metro property owned by Applicant.
4. Any parcel selected for a Louisville Metro-funded project may have a minimum asking price of a **\$1.00**.
5. All real estate dispositions must be approved by the Authority.
6. Applicant must pay the recording costs of the deed.
7. At their discretion, the Landbank Authority can reserve the right to exclude any of their parcels from the outlined disposition programs.