

RESOLUTION NO. _____, SERIES 2021

A RESOLUTION DETERMINING AN UNIMPROVED TRACT ON LOMBARD STREET IN LOUISVILLE, KENTUCKY SHOWN ON EXHIBIT "A" ATTACHED HERETO OWNED BY THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT"), AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENT PURPOSE AND AUTHORIZING THE UNIMPROVED TRACT, ALL IN METRO LOUISVILLE, KENTUCKY (THE "TRACT") , TO BE CONVEYED TO WATERFRONT DEVELOPMENT CORPORATION TO BE CONSOLIDATED INTO THE WATERFRONT BOTANICAL GARDENS.

SPONSORED BY: COUNCIL MEMBER BILL HOLLANDER

WHEREAS, according to KRS 67C.101, Metro Government, may enact resolutions for the municipal purpose of sale or conveyance of real property owned by Metro Government; and

WHEREAS, the real property which is the subject of this resolution was acquired by Metro as part of a Right-of-Way project for I-71, but was not needed for that purpose, and the 534 square foot tract is landlocked by I-71 and other real property owned by Waterfront Development Corporation; and,

WHEREAS, Metro desires to convey the subject property to Waterfront Development Corporation to be consolidated into the Waterfront Botanical Gardens, and;

WHEREAS, Section 1(A) of Executive Order No. 2, Series 2011, of the Metro 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 a determination by the Legislative Council of Metro Government ("the Council") that such property is no longer needed for the governmental purpose of Metro Government; and

WHEREAS, the Tract is surplus and no longer needed for a governmental purpose as certified by the Certification of Surplus Property attached hereto and made a part hereof and labeled Exhibit "A" for identification; and

WHEREAS, the Tract has no improvements located thereon and will be consolidated into the Waterfront Botanical Gardens and;

WHEREAS, the consideration for the Tract will be one dollar (\$1.00).

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

SECTION I: The Council determines that the real property described in Exhibit A hereto is no longer needed to carry out the governmental functions of Metro Government.

SECTION II: That the Metro Mayor or his qualified designee are hereby authorized to transfer the properties named herein, in the manner provided according to Section 2 of Executive Order No. 3 Series 2007 of the Metro Mayor to Waterfront Development Corporation for consideration of one dollar (\$1.00).

SECTION III: This Resolution shall become effective 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-042-21 Surplus Resolution Botanical Gardens NR 051421

EXHIBIT A

CERTIFICATION OF SURPLUS PROPERTY

The Director of Develop Louisville has reviewed the Louisville/Jefferson County Metro Government's needs for land or improvements used in the administration of Metro programs and to conduct municipal business. This office has determined that the tract of Metro-owned real property identified below, and which are being scheduled for action by the Louisville Metro Council, were originally acquired as part of a Right-of-Way project for I-71 but was not needed for that project. The Director has further determined that compliance with the terms of the grant and the conveyance to Waterfront Development Corporation is consistent with the Louisville/Jefferson County Metro Government's redevelopment objectives and programs. Furthermore, the Director has determined that except for the public purpose set out above, the subject property is surplus or otherwise no longer needed or suitable for any specific municipal use.

Property described below, a tract of land on Lombard Street (Parcel ID 04-020C-0037-0000):

A TRACT OF LAND LOCATED ON THE NORTH RIGHT-OF-WAY OF RAMP 1 OF INTERSTATE 71 AND APPROXIMATELY 343 FEET WEST OF FRANKFORT AVENUE, LOUISVILLE, JEFFERSON COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST RIGHT-OF-WAY CORNER OF FRANKFORT AVENUE (fka OHIO STREET) AND LOMBARD STREET; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LOMBARD STREET, SOUTH 67°35'27" WEST (THIS AND ALL SUBSEQUENT BEARINGS REFER TO GRID NORTH, KENTUCKY STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 1983), 169.11 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF RAMP 1 OF INTERSTATE 71; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF RAMP 1 OF INTERSTATE 71, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1322.42 FEET AND A CHORD THAT BEARS SOUTH 86°17'39" WEST, 173.55 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF RAMP 1 OF INTERSTATE 71, ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 1322.42 FEET AND A CHORD THAT BEARS NORTH 89°26'16" WEST, 23.35 FEET; THENCE ALONG THE BOUNDARY LINE OF A TRACT OF LAND CONVEYED TO THE CITY OF LOUISVILLE, OF RECORD IN DEED BOOK 3112, PAGE 269, IN THE OFFICE OF THE CLERK OF JEFFERSON COUNTY, KENTUCKY, THE FOLLOWING THREE CALLS:

NORTH 22°24'33" WEST, 20.23 FEET; THENCE
NORTH 67°35'27" EAST, 21.50 FEET; THENCE
SOUTH 22°24'33" EAST, 29.35 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 534 SQUARE FEET OR 0.012 ACRE AS SHOWN ON A SURVEY BY JOHN M. THOMAS, PLS NO. 3259 OF SABAK, WILSON AND LINGO, INC, DATED FEBRUARY 16, 2021, JOB NO. 2874-WP, ATTACHED HERETO AND MADE OF PART HEREOF.

BEING A PORTION OF THE TRACT OF LAND CONVEYED TO THE CITY OF LOUISVILLE, BY DEED DATED JANUARY 21, 1954, OF RECORD IN DEED BOOK 3112, PAGE 269, IN THE OFFICE OF THE CLERK OF JEFFERSON COUNTY, KENTUCKY; EXCEPTING THEREFROM A TRACT OF LAND CONVEYED TO THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF HIGHWAYS, BY DEED DATED AUGUST 7, 1964, OF RECORD IN DEED BOOK 3910, PAGE 567, IN SAID CLERK'S OFFICE.

Louisville/Jefferson County Metro Government
Acting by and through Develop Louisville,
Office of Housing

By: _____
Jeff O'Brien, Director