



Louisville Metro Government

Legislation Text

File #: R-026-22, Version: 1

RESOLUTION NO. _____, SERIES 2022

A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY ATTORNEY TO BRING A CONDEMNATION ACTION AGAINST THE OWNERS OF CERTAIN PROPERTY, PARCEL NO. THIRTY-NINE (39), IN JEFFERSON COUNTY IN CONNECTION WITH THE COOPER CHAPEL ROAD EXTENSION PROJECT.

SPONSORED BY: COUNCIL MEMBER ROBIN ENGEL

WHEREAS, the Louisville/Jefferson County Metro Government (“Metro”), pursuant to KRS 67C.101(3)(f) may acquire real property for public uses through the exercise of the power of eminent domain; and

WHEREAS, KRS 416.560(1) requires the legislative council of Metro (“Council”) to approve the exercise of the power of eminent domain prior to Metro’s instituting such proceedings; and

WHEREAS, Metro (as a successor to Jefferson County and the City of Louisville) has planned and designed the Cooper Chapel Road Extension Project (the “Project”) in conjunction with the Louisville/Jefferson County Metro Government Department of Public Works; and

WHEREAS, as a part of the Project, it is necessary to acquire a temporary easement as more accurately described by Exhibit A (the “Condemned Property”) for the use and benefit of citizens of Metro; and

WHEREAS, Metro has not been able to acquire the Condemned Property for the Project from the owners of the Condemned Property through good faith negotiations; and

WHEREAS, KRS 416.550 authorized Metro to exercise its right of eminent domain against a property when it cannot acquire the property by agreement with the owner thereof.

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

SECTION I: That in order to complete the project, Metro needs to acquire the Condemned

Property, as is more accurately described on attached Exhibit A and platted as on the plat map attached hereto as Exhibit B. Those with a potential interest in the Condemned Property who will be called upon in a condemnation action are attached as Exhibit C.

Since Metro cannot, by agreement of the owner of the Condemned Property, acquire the Condemned Property, then the office of the Jefferson County Attorney is authorized to institute condemnation proceedings pursuant to KRS 416.560, *et seq.* against the owner of the Condemned Property.

SECTION II: That the Council finds that the Condemned Property needs to be acquired for the public use of Metro.

SECTION III: That this Resolution shall become effective upon its passage and approval or otherwise becoming law.

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-026-22 Parcel No. 39 (Glasscock, Kevin & Kristina., et al) Condemnation.docx (APS)

EXHIBIT A-CONDEMNED PROPERTY

**Parcel No. 39
Tract A**

Being a tract of land in Jefferson County, Kentucky south of proposed Cooper Chapel Road, located approximately 694 feet west from the intersection of Meghan Lane and Cooper Chapel

Road., and more particularly described as follows:

Beginning at a point 83.96 feet right of proposed Cooper Chapel Road at Station 573+43.22; thence South 85°45'15" East a distance of 173.84 feet to a point 55.56 feet right of proposed Cooper Chapel Road at Station 575+14.72; thence South 1°23'04" East a distance of 22.19 feet to a point 77.00 feet right of proposed Cooper Chapel Road at Station 575+20.47; thence North 76°21'08" West a distance of 70.47 feet to a point 77.00 feet right of proposed Cooper Chapel Road at Station 574+50.00; thence North 86°33'22" West a distance of 50.80 feet to a point 86.00 feet right of proposed Cooper Chapel Road at Station 574+00.00; thence North 74°17'50" West a distance of 56.82 feet to a point 83.96 feet right of proposed Cooper Chapel Road at Station 573+43.22 and the POINT OF BEGINNING.

The above described parcel contains 0.045 acres (1,981 sq. ft.).

A temporary easement in and to the property described above and designated as Parcel No. 39 Tract A is required for the purposes of constructing roadway slopes.

EXHIBIT B-PLAT MAP

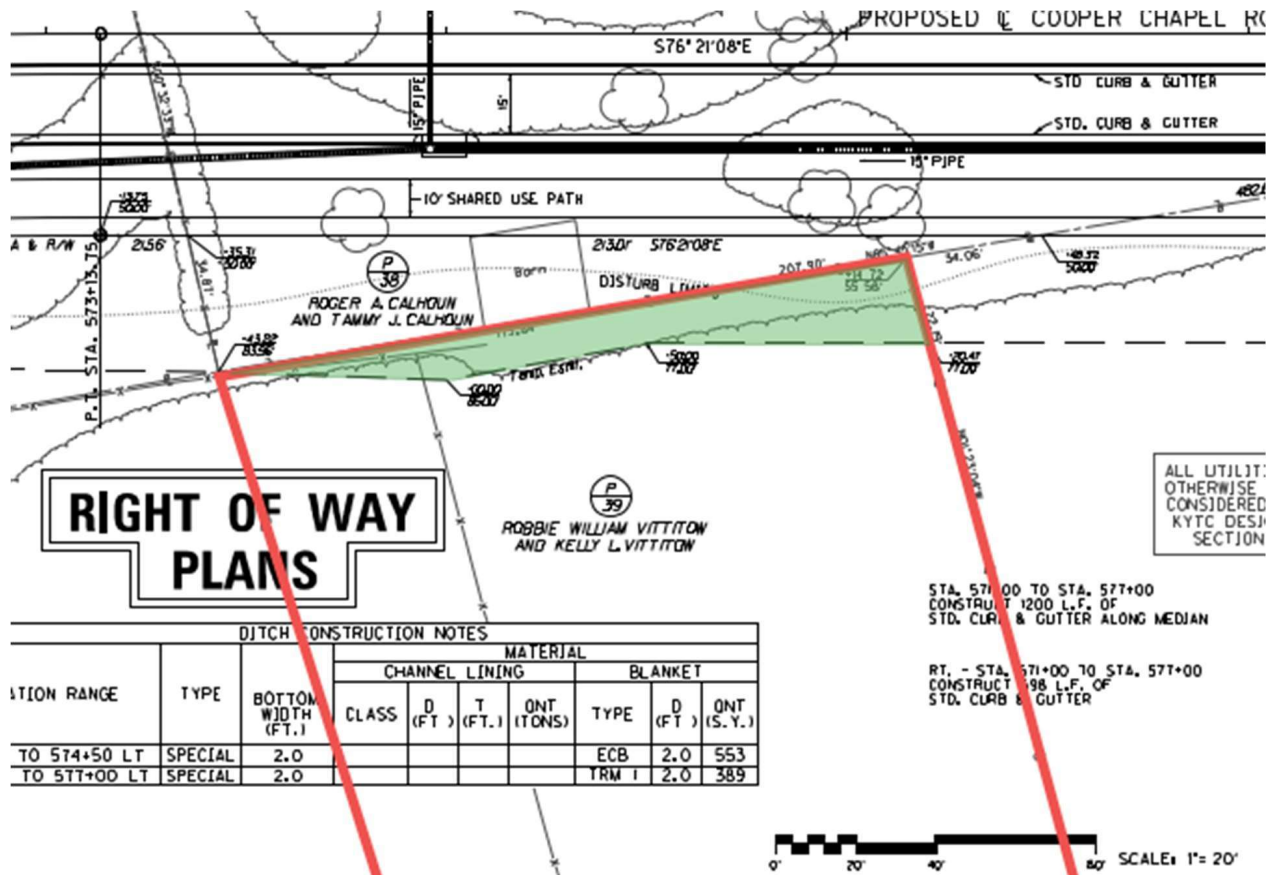


EXHIBIT C-INTERESTED PARTIES

1. Kevin Michael Glasscock and Kristina Louise Glasscock, husband and wife
2. Mortgage Electronic Registration Systems, Inc.