



# Louisville Metro Government

## Legislation Text

File #: R-090-14, Version: 1

### RESOLUTION NO. , SERIES 2014

**A RESOLUTION DETERMINING ALL BUT 2.996 ACRES OF OTTER CREEK PARK LOCATED IN MEADE COUNTY, KENTUCKY, SHOWN ON EXHIBIT A ATTACHED HERETO, OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") THE GOVERNMENTAL SUCCESSOR TO THE CITY OF LOUISVILLE AS NO LONGER NEEDED AND NO LONGER PRACTICAL FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS CONVEYANCE TO THE COMMONWEALTH OF KENTUCKY, FOR THE USE AND BENEFIT OF THE KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES FOR \$65,000.00 AND THE CONTINUED AVAILABILITY OF THE PARK FOR PUBLIC RECREATION.**

**Sponsored by: Councilwoman Marianne Butler**

**WHEREAS**, according to KRS 67C 101 (3)(e), Metro Government may sell real property owned by Metro Government; and

**WHEREAS**, Section 2 (C) of Executive Order No. 3, Series 2007, of the Mayor, provides that Metro Government may sell and convey surplus real estate upon a determination by Legislative Council of Metro Government ("the Council") that such property is no longer needed for governmental purposes of Metro Government; and

**WHEREAS**, the Meade County, Kentucky Property Valuation Administration records attribute ownership of Otter Creek Park which is the subject of this resolution to Louisville/Jefferson County, Kentucky; and

**WHEREAS**, the Lessor owns, through various acquisitions and donations, approximately 2155+- acres of property in Meade County, Kentucky, known as Otter Creek Park; and

**WHEREAS**, since acquiring Otter Creek Park, Metro Government has maintained and operated multiple facilities at Otter Creek Park including but not limited to a full service campground,

cabins, a conference facility, over 20 miles of trails for non-motorized use, and other recreation related facilities; and

**WHEREAS**, Otter Creek Park is located 26 miles from Jefferson County; and

**WHEREAS**, due to unprecedented financial issues, Metro Government closed Otter Creek Park in January 2009; and

**WHEREAS**, in order to continue the public recreation mission of Otter Creek Park, Metro Government approached the Commonwealth of Kentucky to take over maintenance of Otter Creek Park by it; and

**WHEREAS**, in order to take over the maintenance of Otter Creek Park the Commonwealth of Kentucky, for the use and benefit of the Department of Fish and Wildlife ("Fish and Wildlife") requires that it own Otter Creek Park; and

**WHEREAS**, Metro Government is unable to sustain the financial costs of operating Otter Creek Park; and

**WHEREAS**, the purchase price of \$65,000.00 represents a reimbursement of the cost to Metro Government of the portion of Otter Creek Park purchased by Metro Government.

**NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:**

**Section 1:** That Metro Council determines that the real property shown on Exhibit A, attached hereto, is no longer needed to carry out the governmental functions of Louisville Metro.

**Section 2:** That the Mayor is hereby authorized to transfer the property named herein, to Fish and Wildlife, according to Section 2 of Executive Order No. 3, Series 2007, of the Mayor, without

further action by the Metro Council.

**Section 3:** Metro Government is hereby authorized to accept \$65,000.00 for the abovementioned conveyance.

**Section 4:** This Resolution shall become effective upon passage and approval.

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H. Stephen Ott  
Metro Council Clerk

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Jim King  
President of the Council

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Greg Fischer  
Mayor

Approval Date: \_\_\_\_\_

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_  
John A. Wilmes  
Assistant Jefferson County Attorney