

Louisville Metro Government

Legislation Text

File #: R-1	135-15, Versi	on: 1							
RESOLU	J TION NO.		,	SERIES 2	015				
\mathbf{A}	RESOLU '	TION DET	ERMININ	G THAT	CERTA	IN PAR	CELS OF	REAL 1	PROPERTY
O	WNED BY	LOUISVI	LLE MET	RO ARE	SURPL	US AND	NO LONG	GER NEI	EDED FOR
\mathbf{A}	GOVERN	MENTAL	PURPOS	E AND	AUTHO	RIZING	THEIR (CONVEY	ANCE TO
K	INDRED	HEALTH	CARE C	PERATI	NG, IN	IC. IN	EXCHA	NGE F	OR THE
C	ONVEYAN	CE BY K	INDRED	HEALTH	ICARE (OPERAT	ING, INC.	TO LO	DUISVILLE
M	ETRO OI	F CERTAI	N PARCI	ELS OF	REAL	PROPER	TYOWN	ED BY	KINDRED
Н	EALTHCA	RE OPER	ATING, I	NC. PUF	RSUANT	TO TH	E TERMS	OF A	CERTAIN
		TE EXCHA							
SPONSO	RED BY:	Council Me	mber Tand	y, Preside	<u>nt</u>				

WHEREAS, Executive Order No. 3, Series 2007, as reenacted by Executive Order No 2, Series 2011, provides that a fee interest in real property may be purchased or sold with the approval of the Metro Council; and

WHEREAS, KINDRED HEALTHCARE OPERATING, INC. ("Kindred") is constructing, adjacent to its current headquarters building located at 680 South Fourth Street, a new building to house an expansion of its workforce in Louisville ("Expansion Project"); and

WHEREAS, Louisville Metro owns property near the location of the Expansion Project, upon which is located a public plaza known as Theatre Square and an unnamed alley); and

WHEREAS, in order to construct the Expansion Project, Kindred needs to acquire portions of the Louisville Metro Properties as illustrated on Exhibit A, attached hereto ("Surplus Properties"); and

WHEREAS, in consideration for the conveyance of the Surplus Properties, Kindred shall convey to Louisville Metro certain properties owned by it, as illustrated on Exhibit A ("Kindred Properties"), and at its sole expense, construct a new alley, as illustrated on Exhibit A and construct a new public plaza substantially as shown on Exhibit B, attached hereto; and

WHEREAS, Louisville Metro and Kindred have entered into a certain Real Estate Exchange Agreement dated May 18, 2015, as attached hereto as Exhibit C ("Agreement"), setting out the duties and obligations of the parties concerning the construction of the Expansion Project, the new alley and the new plaza and the conveyance of the Surplus Properties and the Kindred Properties; and

WHEREAS, the various transactions authorized by the Agreement are in furtherance of the public purposes of Louisville Metro in that they will enable Kindred to construct the Expansion Project which will create new jobs, increase the tax base of Louisville and further the growth and development of the Central Business District.

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

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SECTION 1 . That the Council determine carry out the governmental functions of Lou		are surplus and no longer needed to
SECTION 2. That the Mayor or other appropriate convey the Surplus Properties to Kindred Kindred to the Kindred Properties in accordance.	by deed of special warranty a	and to acquire fee simple title from
SECTION 3 . That the Mayor and other directed to execute and deliver all deeds, af all necessary or convenient acts to undertake the Agreement.	fidavits, certificates or other ap	ppropriate documents and to perform
SECTION 4 . That this Resolution shall tak	te effect upon its passage and ap	oproval.
H. Stephen Ott Metro Council Clerk	David W. Tandy President of the Counc	
Greg Fischer Mayor	Approved Date	
APPROVED AS TO FORM AND LEGA	LITY:	
Michael J. O'Connell Jefferson County Attorney		
By:		
680 So. Fourth St. Kindred Theatre Square Surplus R-###-15 Wiln	mes ROC bkn 072015 Draft 1	072015
	CERTIFICATION	
I, the undersigned, do hereby co Louisville/Jefferson County Metro Council foregoing is a true, correct and complete cop	(the "Metro Council"), and as	

IN WITNESS WHEREOF, I have hereunto set my hand as Metro Council Clerk of the

reading at a duly convened meeting held on ________, 2015, signed by the Mayor, approved by me as Clerk and in full force and effect as therein stated, all as shown by the official records of the Metro Council in

my possession and under my control.

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Louisville/Jefferson, 2015.	County	Metro	Government	and t	he seal	of the	Metro	Government	this _	day of
			H. St	ephen	Ott, Me	tro Cou	ncil Cle	erk		