

## **MUNICIPAL ORDER 4 - 2019**

### **A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO NEGOTIATE AND EXECUTE A REAL ESTATE PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 603 W. FOURTH STREET, FORMERLY KNOWN AS THE LOCATION OF ROBERTS BROTHERS AUTO MART.**

**WHEREAS**, the City of Owensboro has engaged upon a total revitalization of the Downtown Developmental Area; and

**WHEREAS**, Roberts Brothers Realty, a partnership, owns certain real property formerly known as the location of Roberts Brothers Auto Mart located at 603 W. Fourth Street in Owensboro, Daviess County, Kentucky and have agreed to sell such property to the City of Owensboro; and

**WHEREAS**, the City of Owensboro seeks to acquire said property to perform additional improvements in the Downtown Developmental Area.

**NOW, THEREFORE, BE IT ORDERED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:**

**Section 1.** The Board of Commissioners hereby authorizes and directs the Mayor and other appropriate City Officials to negotiate and execute a real estate purchase and sale agreement which sets forth the terms and conditions for the City's acquisition of the property located at 603 W. Fourth Street, formerly known as the location of Roberts Brothers Auto Mart. Said property is more particularly described in Attachment "A" herein.

**Section 2.** That the City of Owensboro, Kentucky, by and through its Board of Commissioners, hereby approves the purchase of 603 W. Fourth Street provided such

conveyance is for the purpose of furthering its revitalization of the Downtown Developmental Area.

**Section 3** That the Mayor, City Manager and appropriate staff members are hereby authorized to sign any and all deeds or other documents deemed necessary to the furtherance of the authority outlined herein.

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING**, this the 19th day of February, 2019.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Cecil, City Clerk

## EXHIBIT "A"

Legal description of 603 W. 4<sup>th</sup> Street, Owensboro, Daviess County, Kentucky, is as follows:

Beginning at an iron pin (found) in the west right of way line of Cedar Street, being the southeast corner to Ohio Valley Properties and being the northeast corner to the existing lot of Roberts Brothers Realty; thence with the lines of the existing lot of Roberts Brothers Realty with the following courses: S87°38'17"W, 86.50 feet to an iron pin (found); thence N02°14'43"W, 46.00 feet to an iron pin (found) in the south line of Shirley P. Ray; thence with the south line of Ray 87°37'17"E, 195.0 feet to an iron pin (set), the southeast corner to Ray and a corner to the remaining lot of Ohio Valley Properties; thence with the lines of the remaining lot of Ohio Valley Properties with the following courses: N87°38'17"E, 4.70 feet to a point at the face of the west wall of the concrete building situated at 600 West Third Street; thence with the face of the west wall of said building S02°07'37"E, 42.28 feet to an iron pin (set), 1.00 feet off the face of the south wall of the building situated at 600 West Third Street; thence N87°56'20"E, being 1.00 feet from and parallel with the south wall of the building 62.39 feet to an iron pin (set) in the west right of way line of Cedar Street; thence with the west right of way line of Cedar Street, being 33.00 feet from and parallel with the center of said street, S02°13'38"E, 3.39 feet to the beginning containing 0.031 acre, more or less and being subject to all legal and existing easements and rights of way. See approved plat of record in Plat Book 25, page 15.

AND BEING the same property conveyed to Roberts Brothers Realty, a partnership, from Lester R. Hammer, d/b/a Ohio Valley Properties, and Betty Jane Hammer, his wife, by Deed recorded January 29, 1996, and of record in Deed Book 657, Page 709, Daviess County Court Clerk's Office.