

## **MUNICIPAL ORDER 8-2019**

**A MUNICIPAL ORDER AUTHORIZING THE SALE OF THE CITY OF OWENSBORO'S ONE-THIRD (1/3) PORTION OF PROPERTY CONTAINING 30.897 ACRES AND LOCATED AT 3300 CARTER ROAD; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING THE PROPERTY TO RIVERFRONT FORWARD, LLC IN ACCORDANCE WITH KRS 82.083(4).**

**WHEREAS**, the 30.897 acres at 3300 Carter Road, is zoned Commercial by the Owensboro Metropolitan Planning Commission, and has remained vacant; and

**WHEREAS**, the City of Owensboro owns a one-third (1/3) portion of 30.897 acres of real property located at Air Park, Owensboro, Kentucky, which is jointly owned by the Economic Development Properties, Inc. (EDP). EDP has already approved the sale of their interest in the property to Riverfront Forward, LLC; and

**WHEREAS**, Riverfront Forward, LLC wishes to purchase the City's interest and build on the property in furtherance of development of the City; and

**WHEREAS**, the conveyance of the 30.897 acres of property at 3300 Carter Road by the City will promote economic development within the City and should be sold or transferred in accordance with KRS 82.083(4).

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

**Section 1.** In accordance with KRS 82.083(3), the Board of Commissioners makes the following determination:

- (1) The real property owned in part by the City of Owensboro consists of a one-third (1/3) interest in 30.897 acres and is located 3300 Carter Road,

Owensboro, Kentucky. A copy of a plat for this real property is attached hereto as Exhibit "A," and incorporated herein by reference.

(2) The intended use for the property at the time of acquisition was to promote economic development by encouraging businesses to locate on said property.

(3) It is in the public interest to dispose of the property listed above so that an interested party can purchase and utilize the property for a business purpose and return the property to the tax rolls for the benefit of the City.

(4) The property listed in Section 1(1) above shall be transferred for economic development purposes in accordance with KRS 82.083(4)(b).

**Section 2.** By and through the Board of Commissioners, the property listed in Section 1(1) above may be transferred, sold, or otherwise conveyed in accordance with the provisions of KRS 82.083(4).

**Section 3.** By and through the Board of Commissioners, the Mayor is hereby authorized to negotiate and execute a real estate sale and purchase agreement or as otherwise memorialized, whereby the property may be conveyed, sold, transferred and/or deeded away to Riverfront Forward, LLC.

**Section 4.** The Board of Commissioners hereby authorizes the Mayor, City Manager, Assistant City Manager, City Attorney, City Engineer, and other appropriate City officials to execute the deed, survey, consolidation plat, agreements and all other documents which are deemed necessary to meet the requirements of this order and other actions as required under the Agreement as approved herein.

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING,** this the 24th day of April, 2019.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Cecil, City Clerk

Exhibit A

