

MUNICIPAL ORDER 36-2019

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE REAL ESTATE PURCHASE AGREEMENTS FOR PROPERTIES LOCATED AT 1013 W. 8TH STREET, 1015 W. 8TH STREET AND 1017 W. 8TH STREET; AND FURTHER DECLARING THE PROPERTIES AS SURPLUS PROPERTIES; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE DEEDS TRANSFERRING THE PROPERTIES IN ACCORDANCE WITH KRS 82.083.

WHEREAS, property owners of 1013 W. 8th Street, 1015 W. 8th Street and 1017 W. 8th Street have agreed to convey said properties to the City; and

WHEREAS, the City seeks to acquire said properties for the purposes of housing development using HOME funds in compliance with National Housing and Urban Development objectives of removing blighted properties; and

WHEREAS, the City desires to declare these properties to be surplus property, so that they can be leased, transferred, or sold in accordance with KRS 82.083.

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 purchase agreements which set forth the terms and conditions for the City's acquisition of the properties located at 1013 W. 8th Street, 1015 W. 8th Street and 1017 W. 8th Street. Copies of the legal descriptions for these surplus real properties are attached hereto as Exhibits "A," "B," and "C" and incorporated herein by reference;

Section 2. In accordance with KRS 82.083(3), the Board of Commissioners makes the following determination:

(1) The surplus real properties owned by the City of Owensboro are located at:

(a) 1013 W. 8th Street, Owensboro, Kentucky.

(b) 1015 W. 8th Street, Owensboro, Kentucky; and

(c) 1017 W. 8th Street, Owensboro, Kentucky.

(2) The intended use for the properties listed above are for purposes of compliance with national Housing and Urban Development objectives of removing blighted properties, which includes, but is not limited to real property transfers for the elimination of blight.

(3) It is in the public interest to dispose of the properties listed above in order that interested parties can purchase and develop or utilize the properties in a positive manner for the benefit of the community.

(4) The properties listed in Sections 1(1) above shall be conveyed to Habitat for Humanity to develop new single family homes which will be sold to low-to-moderate income families.

Section 3. By and through the Board of Commissioners, all the properties listed in Section 1(1) above are hereby declared surplus property which may be transferred, sold, or otherwise conveyed for economic development purposes in accordance with the provisions of KRS 82.083(4)(b).

Section 4. By and through the Board of Commissioners, the Mayor is hereby authorized to execute Real Estate Purchase Agreements, whereby the properties will be acquired by the City, and further declared as Surplus Properties that may be conveyed, sold, transferred and/or deeded away.

Section 5. 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 leases, deeds, consolidation plats, agreements and all other documents which are deemed necessary to meet the requirements of this order including the payment of funds and other actions as required under the Agreements as approved herein.

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the 17th day of December, 2019.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk

EXHIBIT "A"

A certain house and lot on West Eighth Street in said City of Owensboro, Kentucky, house number being 1013 and the lot fronting 28-1/2 feet on the North side of said street and running back Northwardly the same width One Hundred Eighty (180) feet in parallel lines. Also all of the right, title and interest of the First Parties herein in and to a 15 foot alley located at the rear of said lot.

AND BEING the same property conveyed to Samuel and Rosie Tandy and Rosie Tandy, husband and wife, by a Deed from Robert W. Sawyer and Melody Sawyer, husband and wife, dated June 28, 1988, of record in Deed Book 572, Page 864, in the Office of the Daviess Clerk's Office.

EXHIBIT "B"

A certain lot of ground situated on the north side of West 8th Street in the City of Owensboro, Kentucky, house numbered 1015, said lot fronting 29 feet on the north side of said 8th Street, and running back northwardly on the west line of Lucy McClain et al property 180 feet to a 15 foot alley; thence northwardly about 18 feet to the Southwest corner of the Pearl Wilson lot; thence westwardly 16 feet; thence southwardly 198 feet to 8th Street, said First Party agrees to connect the 15 foot alley which is reserved in the rear of said lot with a 10 foot alley going northwardly to 7th Street. Which the said SECOND PARTY shall have the right to use for ingress and egress to the said property herein sold.

AND BEING the same property conveyed to Samuel Tandy, married, by a Deed from Marian Rentals, LLC, dated September 7, 2015, of record in Deed Book 954, Page 976, in the Office of the Daviess Clerk's Office.

EXHIBIT "C"

A certain lot of ground situated on the north side of West 8th Street in the City of Owensboro, Kentucky, house numbered 1017, said lot fronting 29 feet on the north side of said 8th Street, and running back northwardly on the west line of Lucy McClain et al property 180 feet to a 15 foot alley; thence northwardly about 18 feet to the Southwest corner of the Pearl Wilson lot; thence westwardly 16 feet; thence southwardly 198 feet to 8th Street, said First Party agrees to connect the 15 foot alley which is reserved in the rear of said lot with a 10 foot alley going northwardly to 7th Street. Which the said SECOND PARTY shall have the right to use for ingress and egress to the said property herein sold.

AND BEING the same property conveyed to Reginald O. Osborne, married, by a Deed from Marian Rentals, LLC, dated September 7, 2015, of record in Deed Book 954, Page 976, in the Office of the Daviess Clerk's Office.