

MUNICIPAL ORDER 12-2021

**A MUNICIPAL ORDER AUTHORIZING AND DIRECTING
THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE
AGREEMENT FOR THE ACQUISITION OF PROPERTY
LOCATED AT 118 EAST VETERANS BOULEVARD.**

WHEREAS, Audubon Properties II, LLC, owns certain real property located at 118 East Veterans Boulevard in Owensboro, Daviess County, Kentucky; and

WHEREAS, the City of Owensboro has leased the property for several years; and

WHEREAS, the property owner now desires to sell the real property located at 118 East Veterans Boulevard in Owensboro, Daviess County, Kentucky; and

WHEREAS, the City of Owensboro seeks to acquire said property to continue revitalization in the downtown 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 execute a real estate purchase agreement which sets forth the terms and conditions for the City's acquisition of the property located at 118 East Veterans Boulevard. Said property is more particularly described in Exhibit "A" herein.

Section 2. That the City of Owensboro, Kentucky, by and through its Board of Commissioners, hereby approves the purchase of 118 East Veterans Boulevard, in accordance with the terms of the proposed real estate purchase agreement mentioned

above in Section 1, as such conveyance is for the purpose of furthering its revitalization of the downtown 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 20th day of April, 2021.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk

EXHIBIT "A"

property located at 118 East Veterans Boulevard, in Owensboro, Daviess County, Kentucky, and being more particularly described as follows:

BEGINNING at a stake in the south margin of First Street ninety two (92) feet from the northwest corner of the intersection of First Street and Daviess Street, thence westwardly with the south margin of First Street forty four (44) feet to a stake, thence southwardly and parallel with the west margin of Daviess Street one hundred sixty (160) feet to a stake, thence eastwardly and parallel with the south margin of First Street forty four (44) feet to a stake, thence northwardly and parallel with the west margin of Daviess Street one hundred sixty (160) feet to the beginning and being the same property which was conveyed to Mrs. Margaret G. Steitler, wife of George Steitler, by deed dated July 2, 1923, by Cicero Cummings and wife, which deed is recorded in Deed Book 110, page 429, in the Clerk's Office of the Daviess County Court, and in which deed the property is described as follows: Situated in Owensboro, Kentucky, on First Street between Allen and Daviess Streets and bounded as follows: Having a frontage on the south side of First Street of forty-four feet more or less and bounded on the west by a lot owned by Gary Haynes (now by Mrs. Albert Phillips) and on the east by the lot of Mrs. Sam James and extends back the same width south of the middle of the square and the house on said lot is known as No. 118 East First Street.

The parties of the first part hereby convey to the party of the second part all of the right, title and interest, without warranty, which they may have in and to the alley, right of way or easement, which lies immediately south of the above described lot and extends to Daviess Street.

THERE IS EXCEPTED FROM THE ABOVE DESCRIBED PROPERTY AND NOT CONVEYED HEREBY all of that portion of 118 East First Street which was conveyed to the Commonwealth of Kentucky by and through Garland W. Howard, Circuit Commissioner of Daviess Circuit Court by deed dated January 27, 1994, of record in Deed Book 632, at page 587, Daviess County Court Clerk's Office, together with the permanent fire separation easement described in said deed to which reference is hereby made for a more particular description of the portion of the hereinabove described property which was conveyed in fee simple to the Commonwealth of Kentucky and that portion covered by the permanent fire separation easement.

The properly remaining after the above described exception and easement is more particularly described as 118 East First Street in that certain plat approved by the Owensboro Metropolitan Planning Commission on September 27, 1996, and recorded in Plat Book 25, at page 87, Daviess County Court Clerk's Office.

AND BEING a part of the same property in which Louise Ralph DOUGLASSs, Charles Mason Ralph, Eleanor Bridges Griffin, and Albert Sidney Griffin, II, each acquired an undivided one-fourth (1/4) interest, as tenants in common, from Branch Banking & Trust Company, Trustee under the Will of Louise Mitchell Griffin, by deed dated May 1, 2006, of record in Deed Book 816, at page 201, in the Office of the Daviess County Court Clerk. See also the Will of Louise Mitchell Griffin, also known as Louise M. Griffin, deceased, which Will is of record in Will Book R, at page 126, aforesaid Clerk's Office; and the Affidavit of Identity recorded in Deed Book 816, at page 199, aforesaid Clerk's Office.

And being the same property in which **LOUISE RALPH DOUGLASS** acquired an undivided one-fourth (1/4) interest from the ESTATE of CHARLES MASON RALPH, deceased, Deed dated MAY 13, 2011, of record in Deed Book 893 at Page 947, in the Office of the Daviess County Court Clerk.

And being the same property in which **LOUISE RALPH DOUGLASS** acquired an undivided one-half (1/2) interest from **ELEANOR BRIDGES GRIFFIN**, single, and **ALBERT SIDNEY GRIFFIN, II, and RHIANNON OWEN**, his wife, by Deed dated June 16, 2015, of record in Deed Book 950 at Page 410, Daviess County Court Clerks Office.

And being the same property conveyed to AUDUBON PROPERTIES, II, LLC, from LOUISE RALPH DOUGLASS, and PRENTISS P. DOUGLASS, III, her husband, by deed dated July 15, 2016, of record in Deed Book 967, at page 44, Daviess County Court Clerks Office.