

MUNICIPAL ORDER 17-2021

A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO NEGOTIATE AND EXECUTE A REAL ESTATE SALE AGREEMENT FOR THE TRANSFER OF PROPERTY OWNED BY THE CITY OF OWENSBORO LOCATED AT 622 ELM STREET.

WHEREAS, the City of Owensboro ("City") participates in neighborhood redevelopment in HUD Qualified Census Tracts through homeownership, which provides an economic development benefit for the community; and

WHEREAS, the City owns certain real property located at 622 Elm Street, Owensboro, Daviess County, Kentucky (the "Property"), which is located in a Qualified Census Tract; and

WHEREAS, the City desires to transfer the Property to Habitat for Humanity of Owensboro-Daviess County, Inc. ("Habitat for Humanity"), for nominal consideration, pursuant to KRS 82.083, so that Habitat for Humanity can perform additional improvements on the Property which will ready it for homeownership.

**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 sale agreement which sets forth the terms and conditions for the City's sale of the Property to Habitat for Humanity.

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

- (1) The Property to be disposed of is located at 622 Elm Street, Owensboro, Daviess County, Kentucky 42301, and it is more particularly described in the attached Exhibit "A."
- (2) At the time of its acquisition, the Property was part of three tracts the City purchased from St. Paul African Methodist Episcopal Church of Owensboro, for the purpose of neighborhood redevelopment.
- (3) It is in the public interest to dispose of the Property so that Habitat for Humanity can make additional improvements to it in preparation for homeownership. As a part of the neighborhood redevelopment, this will provide an economic development benefit to the community.
- (4) The method of disposition to be used for the Property shall be KRS 82.083(4)(b), as it will be transferred, with nominal compensation, for economic development purposes.

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 effectuate the purposes of this Municipal Order.

INTRODUCED, PUBLICLY READ, AND FINALLY APPROVED ON ONE READING, this the 4th day of May, 2021.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk

EXHIBIT "A"

622 Elm Street: 0.184 Acre

A parcel of land known as 622 Elm Street, located approximately 551.0 feet south of the intersection of West 5th Street and Elm Street on the west side of Owensboro, Kentucky more particularly described as follows:

Unless stated otherwise, a monument referred to herein as an "Iron Pin Set" is a 5/8 inch rebar, 18 inches in length with an orange cap stamped "Kevin Simmons, PLS 3635".

Beginning at a 1/4" x 2" mag nail set with brass washer stamped PLS 3635 in the west right of way line of Elm Street, said point being 551.0 feet from the south right of way line of W. 5th Street; thence following the west right of way line of Elm Street running 27.5 feet from and parallel with the centerline of said road S 03°25'55" E, 60.00 feet to a 1/4" x 2" mag nail set with a brass washer stamped PLS 3635 in the west right of way line of Elm Street, said point also being in the north right of way line of a 10.0 foot wide alley; thence following the north right of way line of a 10.0 foot wide alley S 86°28'45" W, 133.31 feet to an "Iron Pin Set" in the east line of Keith Watkins (D.B. 990, Pg. 08); thence following the east line of Watkins and others N 03°18'46" W, 60.00 feet to an "Iron Pin Set" in the east line of Albert Mundy (D.B. 821, Pg. 69); N 86°28'44" E, 133.18 feet to the point of beginning containing 0.184 Acres as shown on a plat recorded in Plat Book 50, at Page 44 in the office of the Daviess County Clerk.

AND BEING a portion of the property conveyed to The City of Owensboro, Kentucky by a Deed from St. Paul African Methodist Episcopal Church of Owensboro, dated June 22, 2020, and of record in Deed Book 1030, page 384, in the Office of the Daviess County Clerk.