

MUNICIPAL ORDER 33-2021

A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 100 EAST VETERANS BOULEVARD.

WHEREAS, Thomas J. Meyer, John David Meyer, Douglas J. Meyer and Stephen T. Meyer own certain real property located at 100 East Veterans Boulevard in Owensboro, Daviess County, Kentucky; and

WHEREAS, the property owners now desire to sell the real property located at 100 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 100 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 100 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 10th day of August, 2021.

Thomas H. Watson, Mayor

ATTEST:

Kim Tignor, Acting City Clerk

EXHIBIT "A"

Legal Description: 100 East Veterans Boulevard

Parcel 1: A certain improved lot of ground in Owensboro, Daviess County, Kentucky known as 108 East First Street, and more particularly described as follows, to-wit:

Beginning at a stake in the south line of East First Street, which stake is 58 feet from the southeast intersection of Allen and First Streets, running thence E. along the south margin of First Street, a distance of 38 feet, more or less, to a stake, in the northwest corner of the property conveyed by Haynes to Mrs. Irene Phillips on May 3, 1937, by deed recorded in Deed Book 138, page 271, running thence S. along the line of Mrs. Irene Phillips a distance of 121.8 feet, more or less, to a stake, the southwest corner of the Phillips Lot, thence W. and on a line parallel with the first line a distance of 38 feet, more or less, to a stake, corner to the Haynes property; thence N. on a line parallel with the second line a distance of 121.8 feet, more or less, to the point of beginning.

Parcel 2: Beginning at the northwest corner of the lot of ground sold and conveyed to Mrs. Josephine Jeter; and running thence N. with Allen Street 117 feet more or less to what was known as First or Water Street; thence at right angles E. with a line of Water or First Street 133 feet more or less, to the ground now owned by Sam Jones; thence at right angle S 117 feet more or less to Mrs. Jeter's lot thence at right angles and parallel with Water Street and with the line of Mrs. Jeter's lot W. 133 feet more or less to the point of beginning.

There is excepted out of the above described property the two following described lots:

No. 1: That certain lot of ground conveyed by Gray Haynes, et al, to Mrs. Mary A. Ayers by deed dated July 27, 1943, and recorded in Deed Book 156, at page 74, in the Daviess County Court Clerk's Office, together with the rights and privileges granted in said deed, and the lot conveyed thereby is described as follows: A certain improved lot of ground located in Owensboro, Daviess County, Kentucky, known as 108 East First Street, and more particularly described as follows: Beginning at a stake in the south line of East First Street, which stake is 58 feet from the southeast intersection of Allen and First Streets, running thence E. along the south margin of First Street a distance of 38 feet, more or less, to a stake, the northwest corner of the property conveyed by the parties of the first part to Mrs. Irene Phillips on May 3, 1937, by deed recorded in Deed Book 138, page 271, thence running south along the line of Mrs. Irene Phillips a distance of 121.8 feet, more or less, to a stake, the southwest corner of the Phillip's Lot, thence west and on a

line parallel with the first line a distance of 38 feet, more or less, to a stake, corner to the remaining property of the parties of the first part; thence north on a line parallel with second line a distance of 121.8 feet, more or less, to the point of beginning.

No. 2: That certain lot of ground conveyed by Gray Haynes, et al, to Mrs. Irene Phillips, by deed dated May 3, 1937, which is of record in Deed Book 138, at page 271, in the Daviess County Court Clerk's Office, and the rights and privileges conveyed by said deed, and the lot conveyed thereby is described as follows: A certain improved lot of ground in Owensboro, Daviess County, Kentucky, known as 112 East First Street and more particularly described as follows, to-wit: Beginning at the northwest corner of the George Steitler's (C. Cummings) lot and in the south line of East First Street, thence west along the said line of East First Street west 38.3 feet, more or less, to a point in the south line of East First Street; thence from said point south at right angles with the line just mentioned 121.8 feet, more or less, to a point in the north line of a lot owned by Miss Loula Wadling, thence east at right angles with the line just mentioned and parallel with the line first mentioned above 38.3 feet, more or less, to a point in the west line of George Steitler's (C. Cummings) lot; thence north at right angles with the line just mentioned and parallel with the second line mentioned above 121.8 feet, more or less to the point of beginning.

Also the First Party's right, title and interest in the easements in favor of the above lots of ground set out in deed dated May 3, 1937, of record in Deed Book 138, page 271, Daviess County Court Clerk's Office and deed dated July 27, 1943, of record in Deed Book 156, page 74, office aforesaid.

There is further excepted and not conveyed herein a certain tract of real property conveyed to Commonwealth of Kentucky from Garland W. Howard, Circuit Commissioner of the Daviess Circuit Court, for and on behalf of Thomas J. Meyer, et al, by Commissioner's Deed dated January 27, 1994, and of record in Deed Book 632, at Page 591, in the Office of the Daviess County Court Clerk, and further described as follows:

Beginning at a point in the east right of way of Allen Street, said point being the northwest corner of a lot known as 115 Allen Street, thence with the east right-of-way of Allen Street north 4 degrees 11 minutes 10 seconds west 36.80 feet, more or less, to a point, said point being approximately 86.73 feet southward from the south right-of-way of East First Street; thence north 85 degrees 48 minutes 50 seconds east 96.08 feet, more or less, to a point in the west line of a lot known as 112 East First Street; thence with the west line of said lot south 4 degrees, 06 minutes 00 seconds east 36.86 feet, more or less, to a point at the southwest corner of 112 East First Street and being the north line of 115 Allen Street; thence with the north line of said lot south 85 degrees 51 minutes 10 seconds west 96.03 feet, more or less, to a point of beginning and containing 0.081 acres, more or less.

AND BEING all of the remaining part of the property conveyed to John D. Miller, Richard S. Taylor, Daniel M. Burlew, II and Thomas J. Meyer, as equal tenants in common, from Robert W. Richard and Virginia M. Richard, his wife, by deed dated November 2, 1982, of record in Deed Book 519, page 216, in the Office of the Daviess County Court Clerk.

By deed dated February 21, 1984, of record in Deed Book 532, page 88, Clerk's Office aforesaid, John D. Miller and Sheila A. Miller, his wife, conveyed their interest in the above described property to Mark R. Hutchinson.

By deed dated November 13, 1987, of record in Deed Book 567, page 35, Clerk's Office aforesaid, Daniel M. Burlew, II and Melissa M. Burlew, his wife, conveyed their interest in the above described property to Richard S. Taylor, Thomas J. Meyer and Mark R. Hutchinson.

By deed dated September 6, 1991, of record in Deed Book 604, page 727, Clerk's Office aforesaid, Richard S. Taylor and Brenda Taylor, his wife, conveyed their interest in the above described property to Brian L. Haynes and Ann B. Haynes, his wife, and the survivor of them.

By deed dated December 31, 1993, of record in Deed Book 631, at page 836, Clerk's Office, aforesaid Thomas J. Meyer and Ann M. Meyer, his wife, conveyed a one eighteenth (1/18th) interest in the above described property to each of John David Meyer, Douglas J. Meyer and Stephen T. Meyer.

By deed dated January 3, 1994, of record in Deed Book 631, at page 893, Clerk's Office, aforesaid Thomas J. Meyer and Ann M. Meyer, his wife, conveyed an additional one eighteenth (1/18th) interest in the above described property to each of John David Meyer, Douglas J. Meyer and Stephen T. Meyer.

By deed dated June 14, 1996, of record in Deed Book 662, page 549, Clerk's Office aforesaid, Jamie E. Hutchinson and Mark R. Hutchinson, her husband, conveyed their interest in the above described property to Charles L. Lamar.

By deed dated March 31, 2003, of record in Deed Book 764, page 812, Clerk's Office aforesaid, Charles L. Lamar and Mary Ellen Lamar, his wife, conveyed their interest in the above described property to John David Meyer.

By deed dated September 10, 2009, of record in Deed Book 865, page 957, Clerk's Office aforesaid, The Haynes Family Residential Property Trust, LLC, and Brian L. Haynes and Ann B. Haynes, his wife, conveyed their interest in the above described property to Thomas J. Meyer and John David Meyer.

See also deed from Shannon L. Meyer, single, to John David Meyer dated October 2, 2015, of record in Deed Book 954, page 771, Clerk's Office aforesaid.