

## **MUNICIPAL ORDER 45-2021**

**A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 426 WALNUT STREET; DECLARING THE PROPERTY AS SURPLUS; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING THE PROPERTY IN ACCORDANCE WITH KRS 82.083 TO HABITAT FOR HUMANITY OF OWENSBORO-DAVIESS COUNTY, INC.**

**WHEREAS**, the City of Owensboro participates in neighborhood redevelopment in qualified census tracts through homeownership; and

**WHEREAS**, the property owner of 426 Walnut Street in Owensboro, Daviess County, Kentucky has agreed to sell such property to the City of Owensboro; and

**WHEREAS**, the City of Owensboro seeks to acquire said property to perform additional improvements in qualifying census tracts using HOME funds in compliance with National Housing and Urban Development objectives of removing blighted properties; and

**WHEREAS**, the City desires to declare the property as surplus property so that it can be transferred 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 execute a real estate purchase agreement which sets forth the terms and conditions for the City's acquisition of the property located at 426 Walnut Street, said property is more particularly described in Exhibit "A" 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 property owned by the City of Owensboro is located at 426 Walnut Street.
- (2) The intended use for the property listed above is 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 property listed above in order that interested parties can purchase and develop or utilize the property in a positive manner for the benefit of the community.
- (4) The property listed in Section 1 above shall be conveyed to Habitat for Humanity of Owensboro-Daviess County, Inc. to develop a new single family home which will be sold to a low-to-moderate income family.

**Section 3.** By and through the Board of Commissioners, the property listed in Section 1 is 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.** 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 Agreement as approved herein.

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE  
READING,** this the 14th day of December, 2021.

\_\_\_\_\_  
Thomas H. Watson, Mayor

ATTEST:

\_\_\_\_\_  
Beth Davis, City Clerk

## **EXHIBIT "A"**

Beginning at a stake eighty-four (84) feet north of the northwest corner of Fifth and Walnut Streets; thence northwardly along Walnut Street fifty (50) feet to a stake; thence westwardly one hundred twenty-nine (129) feet to a ten and one-half (10½) foot alley; thence southwardly along said alley fifty (50) feet to a stake; thence eastwardly one hundred twenty-nine (129) feet to the beginning.

AND BEING the same property conveyed to W.R. Bradley and Charlotte Jane Bradley from Birchie H. Nixon by deed dated October 1, 1978, of record in Deed Book 483, page 777, in the Office of the Daviess County Clerk. W.R. Bradley died testate on January 12, 2020, and by his Last Will and Testament of record in Will Book 86, page 508, Clerk's Office aforesaid, devised his interest in the above described property to Charlotte Jane Bradley.