

## **MUNICIPAL ORDER 49-2022**

**A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 500, 516 AND 524 WEST THIRD STREET, 501, 515, 517, 519 AND 521 WEST FOURTH STREET, 323 AND 325 CEDAR STREET AND 316 LOCUST STREET.**

**WHEREAS**, Gipe Enterprises, Inc. owns certain real property located at 500, 516 and 524 West Third Street, 501, 515, 517, 519 and 521 West Fourth Street, 323 and 325 Cedar Street and 316 Locust Street in Owensboro, Daviess County, Kentucky; and

**WHEREAS**, Gipe Enterprises, Inc. now desires to sell the real property located at 500, 516 and 524 West Third Street, 501, 515, 517, 519 and 521 West Fourth Street, 323 and 325 Cedar Street and 316 Locust Street in Owensboro, Daviess County, Kentucky; and

**WHEREAS**, the City of Owensboro seeks to acquire said property to locate an indoor sports complex and 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 500, 516 and 524 West Third Street, 501, 515, 517, 519 and 521 West Fourth Street, 323 and 325 Cedar Street and 316 Locust Street. 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 500, 516 and 524 West Third Street, 501, 515, 517, 519 and 521 West Fourth Street, 323 and 325 Cedar Street and 316 Locust Street, 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 locating an indoor sports complex and 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 6th day of December, 2022.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Davis, City Clerk

## **EXHIBIT A**

### **Tract 1 - 500 W. Third Street**

A certain lot of ground located at the southwest corner of the intersection of Locust Street with West 3<sup>rd</sup> Street in the City of Owensboro, Kentucky, fronting approximately 135 feet on West 3<sup>rd</sup> Street and running back between parallel lines approximately 169 feet, composed of the following three tracts of land:

**Parcel I:** The following described real estate on the south side of West 3<sup>rd</sup> Street between Locust and Cedar Streets in the City of Owensboro, Daviess County, Kentucky, bounded and described as follows: Beginning at an iron pipe in the south margin of West 3<sup>rd</sup> Street 74.90 feet west of the west margin of Locust Street, same being at the northwest corner of the lot now occupied by the Trafton Smith Pontiac Company; thence with the west line of said lot and parallel with Locust Street 116 feet to an iron pipe; thence westwardly parallel with 3<sup>rd</sup> Street 60.73 feet to an iron pipe; thence with the east line of a lot owned by Mrs. Zetta Huff and also parallel with Locust Street 116 feet to an iron pipe in the south margin of 3<sup>rd</sup> Street; thence with the same eastwardly 60.73 feet to the point of beginning, as per survey by V.R. Van Winkle, made on April 10, 1953.

**Parcel II:** Being a portion of Lot No. 58, erroneously called No. 59 in previous deeds, in the Town of Owensboro, Kentucky, situated on the southwest corner of 3<sup>rd</sup> Street and Locust Street in said City, and having a frontage of 74 feet, more or less, on 3<sup>rd</sup> Street and running back in parallel lines southwardly binding on Locust Street 119.2 feet, more or less.

**Parcel III:** Fronting 50 feet on Locust Street, running back westwardly by parallel lines with 3<sup>rd</sup> Street the same width 133-1/2 feet, more or less, to the lot of John Murphy and bounded on the south by the lots of James Murphy and V. Strehl, on the west by the lot of John Murphy, on the north by the remainder of the lot of which the above was a part, and on the east by Locust Street, being 50 feet on the south part of Lot No. 58.

### **Tract 2 – 501 W. Fourth Street, includes 316 Locust Street**

All of Lot #83 in the Town of Rossboro (now Owensboro), Kentucky, a plat of which is of record in the Daviess County Clerk's Office in Deed Book A, at page 63. Said lot being located at the northwest intersection of Fourth and Locust Streets and fronts 135 feet, more or less, on the north side of Fourth Street and extends back northwardly 165 feet.

### **Tract 3 – 516 W. Third Street**

A lot of ground on West Third Street in the City of Owensboro, Kentucky, between Cedar (formerly known as Mulberry) and Locust Streets, fronting 63 ½ feet, more or less, on the south side of Third Street and running back

south by parallel lines 165 feet, more or less, bounded on the east by what was known as the A.B. Pike property, and on the west by what was known as the Mrs. H.F. Lossie property.

#### **Tract 4 – 524 W. Third Street**

A certain lot of ground situated at the Southeast intersection of Third and Cedar Streets, in the City of Owensboro, Kentucky, said lot fronting 65 feet, more or less, on Third Street and running back southwardly between parallel lines along the east margin of Cedar Street a distance of 160 feet.

#### **Tract 5 - 325 Cedar Street and 323 Cedar Street**

##### **325 Cedar Street**

One parcel or lot of ground located in Owensboro, Daviess County, Kentucky, more particularly described as follows:

Beginning at Victor Strahl's (Groezinger having since purchased) corner to Mulberry Street, nee Cedar Street; thence running North with Mulberry Street, nee Cedar Street, 42 feet to Pegram's now J.H. Davis' southwest corner; thence running east with Pegram's line 135 feet to Victor Strahls, Jr., northwest corner; thence running with Victor Strahls, Jr., line 42 feet thence running westwardly with Dannacher's Henry Strahl's and Victor Strahl's Jr., (now Groezinger's lines) lines 135 feet to the point of beginning on Mulberry Street, nee Cedar Street.

##### **323 Cedar Street**

A certain lot of ground in the City of Owensboro, Daviess County, Kentucky, lying and being on the East side of Mulberry or Cedar Street, in said city between Third and Fourth Streets, and having a frontage of forty-one (41') feet, more or less, on the East side of said Mulberry or Cedar Street, and extending back Eastwardly the same width for a distance of One hundred thirty-five (135') feet, more or less, and in addition, a Five (5') foot strip off of the South end of the adjoining lot which faces North on Third Street and extending along a line parallel to Third Street from the West border of said adjoining lot on Cedar Street, Eastwardly Sixty-five (65') feet, more or less to the East border of said adjoining lot.

#### **Tract 6 – 521 W. Fourth Street**

Beginning at a stake in the northeast intersection of Fourth Street and Cedar Street; thence northwardly with the east line of Cedar Street 82 feet to a stake; thence eastwardly and parallel to the north margin of Fourth Street 31 feet, more or less, to a stake; thence southwardly and parallel with the east margin of Cedar Street 82 feet to a stake in the north margin of Fourth Street; thence westwardly with the north margin of Fourth Street 31 feet, more or less, to the beginning. This is Lot Number 1 in Groezinger Re-

survey Addition to the City of Owensboro, Kentucky plat of which Addition is of record in Deed Book 156, at page 133, in the Office of the Daviess County Court Clerk, and this property is subject to the passways, shown on said plat which are on the rear of this Lot, as well as Lots Numbers 2, 3, and 4 of said Addition, and which passways are for the use and benefit of the owners of Lots Numbers 1, 2, 3 and 4 in Groezinger Re-survey Addition. See Deed Book 156, pat page 145 (sic) 132.

#### **Tract 7 – 519 W. Fourth Street**

Beginning at a stake in the north margin of Fourth Street, 31 feet, more or less, from the northeast corner of the intersection of the north margin of Fourth Street and the east margin of Cedar Street and corner to Lot No. 1; thence northwardly with the east line of Lot No. 1 and parallel to the east line of Cedar Street 82 feet to a stake; thence eastwardly and parallel to the north margin of Fourth Street, 31 feet to a stake; thence southwardly and parallel with the east margin of Cedar Street 82 feet to stake in the north margin of Fourth Street 31 feet to the beginning, and being Lot No. 2 of the Groezinger Re-Survey Addition to the City of Owensboro, Kentucky, a plat of which is of record in Deed Book 156, page 133, in the Daviess County Court Clerk's Office, the above described property is subject to the passway shown on said plat.

#### **Tract 8 – 517 W. Fourth Street**

Beginning at a stake in the north margin of 4<sup>th</sup> Street, corner to Lot No. 2; thence northwardly with the east line of Lot No. 2 and parallel with the east margin of Cedar Street 82 feet to a stake; thence eastwardly and parallel to the north margin of 4<sup>th</sup> Street 31.3 feet to a stake; thence South and parallel with the East margin of Cedar Street 82 feet to a stake in the north margin of 4<sup>th</sup> Street; thence Westwardly with the North margin of 4<sup>th</sup> Street 31.3 feet to the beginning, and being Lot No. 3 in the Groezinger Resurvey Addition to the City of Owensboro, Kentucky, a plat of which is of record in Deed Book 156 page 133 in the clerk's office of the Daviess County Court.

The above described property is subject to the passways shown on said plat.

#### **Tract 9 – 515 W. Fourth Street**

Lot No. 4 in the Groezinger Resurvey Addition to the City of Owensboro, Kentucky, as shown on a plat of said Addition of record in Deed Book 156, page 133, Daviess County Court Clerk's Office. Said lot has a frontage of 30.7 feet on the north side of West 4<sup>th</sup> Street and runs back between parallel lines a distance of 82 feet, more or less, and is subject to a passway shown on said plat which is on the rear of this lot as well as Lots 3, 2 and 1 of said Addition, and which passway is for the use and benefit of the owners of said Lots 1, 2, 3 and 4 in the said Groezinger Resurvey Addition.

AND BEING a part of the same property conveyed to Gipe Enterprises, Inc., a Kentucky corporation, from Gipe Automotive, Inc., a Kentucky corporation, by deed dated June 23, 2014, of record in Deed Book 935, page 162, Daviess County Clerk's Office.