

MUNICIPAL ORDER NO. 6, 2019

A MUNICIPAL ORDER DECLARING 1.454 ACRES LOCATED ON AMSTERDAM ROAD SURPLUS PROPERTY; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED TRANSFERRING THE PROPERTY IN ACCORDANCE WITH KRS § 82.083(4)(b).

WHEREAS, the City of Park Hills owns 1.454 acres located along Amsterdam Road, Park Hills, Kentucky (the “Surplus Real Property”);

WHEREAS, Condoview, LLC, will build a residential development on the vacant site of the former Gateway Community & Technical College campus (the “Development”);

WHEREAS, the Development will include up to 82 new homes;

WHEREAS, on or about February 12, 2019, the City of Park Hills entered into a Development Agreement with Condoview, LLC;

WHEREAS, under the Development Agreement with Condoview, LLC, Park Hills agreed to vacate to Condoview, LLC, an undefined area on northbound Amsterdam Road (*See* Development Agreement, Section 2.1(D)(1));

WHEREAS, the City of Park Hills has since described the previously-undefined area on northbound Amsterdam Road to be vacated to Condoview, LLC (*See Exhibit A*);

WHEREAS, the City of Park Hills now wishes to convey to Condoview, LLC, the Surplus Real Property, which is described in Exhibit A;

WHEREAS, the Surplus Real Property is no longer needed by the City of Park Hills and the City of Park Hills now desires to declare the Surplus Real Property to be surplus property, so that it can be transferred without compensation in accordance with KRS § 82.083(4)(b).

**NOW, THEREFORE, BE IT ORDERED BY THE CITY OF PARK HILLS,
KENTUCKY, AS FOLLOWS:**

Section 1. In accordance with KRS § 82.083(3), the City of Park Hills makes the following determinations:

1. The Surplus Real Property owned by the City of Park Hills is located on 1.454 acres along Amsterdam Road, Park Hills. A copy of the legal description for the Surplus Real Property is attached as Exhibit A, and incorporated herein by reference. The Quitclaim Deed conveying the Surplus Real Property is attached as **Exhibit B**, and also incorporated herein by reference.

2. The intended use for the Surplus Real Property at the time of its acquisition was for refurbishing and revitalizing the Surplus Real Property and the corresponding Amsterdam Road area.

3. It is in the public interest to dispose of the Surplus Real Property in order for Condoview, LLC to obtain the property and utilize it as part of the developer's commitment to reconfigure Amsterdam Road.

4. The 1.454 acres, described in Exhibit A, shall be transferred, without compensation, to Condoview, LLC, for economic development purposes pursuant to KRS § 82.083(4)(b), which include, but are not limited to, the reconfiguration of Amsterdam Road.

Section 2. The City Council of the City of Park Hills hereby declares the Surplus Real Property to be surplus property which may be transferred, sold, or otherwise conveyed in accordance with the provisions of KRS § 82.083(4).

Section 3. The City Council of the City of Park Hills hereby authorizes the Mayor to execute the Quitclaim Deed attached as Exhibit B hereto in order to deed away the Surplus Real Property to Condoview, LLC.

Section 4. The City Council of the City of Park Hills hereby authorizes the Mayor or her designee, and other appropriate City officials, to amend, modify, execute and/or deliver any and all documents which are deemed necessary and advisable in order to complete the transaction authorized by this order and other actions as required under the Development Agreement with Condoview, LLC.

Adopted this ____ day of August, 2019.

Kathy Zembrodt, Mayor

Attested by: _____
Julie Alig, City Clerk