

MUNICIPAL ORDER NO. 8, 2019

**A MUNICIPAL ORDER OF THE CITY OF PARK HILLS, KENTUCKY,
DECLARING REAL PROPERTY AS SURPLUS AND AUTHORIZING THE
TRANSFER OR OTHER DISPOSITION OF SUCH REAL PROPERTY.**

WHEREAS, as an abutting property owner, the City of Park Hills, Kentucky, owns a portion of the 1.1315 acres of New Amsterdam Road in the City of Covington, Kentucky, which the City of Covington closed under Commissioner's Ordinance 0-12-19, and which is more particularly described in the attached **Exhibit A** ("Property");

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, KRS §82.083(4)(b) authorizes a city to transfer, with or without compensation, its surplus real property for economic development purposes; and

WHEREAS, the City of Park Hills now wishes to convey to Condoview, LLC, the Property;

**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 City Council hereby declares the Property to be surplus real property of the City, and the City is hereby authorized to transfer or otherwise dispose of the Property for economic development purposes.
2. That this Municipal Order shall constitute the written determination of the City required by KRS §82.083(3).

3. That the City acquired the Property when it reverted to the City after the City of Covington, Kentucky, vacated New Amsterdam Road pursuant to Commissioner's Ordinance 0-12-19.

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

5. That the 1.1315 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.

6. The City Council of the City of Park Hills hereby authorizes the Mayor to execute a Quitclaim Deed in order to deed away the Property to Condoview, LLC.

7. The City Council of the City of Park Hills hereby further 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 December, 2019.

Kathy Zembrodt, Mayor

Attested by: _____
Julie Alig, City Clerk



DECEMBER 19, 2018
REVISED APRIL 4, 2019

**LEGAL DESCRIPTION
RIGHT OF WAY TO BE VACATED
1.1315 ACRES**

SITUATE IN THE CITY OF COVINGTON, KENTON COUNTY, KENTUCKY AND BEING PORTION OF THE RIGHT OF WAY OF NEW AMSTERDAM ROAD AS RECORDED IN DEED BOOK 438, PAGE 277 OF THE KENTON COUNTY, KENTUCKY RECORDS AT COVINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SET 5/8" X 30" IRON PIN AND CAP (#3001) AT THE NORTHWEST CORNER OF LOT 169 OF CASEY AND KENNEDY SUBDIVISION AS RECORDED IN COPIED AND RESTORED PLAT 27 OF THE KENTON COUNTY, KENTUCKY RECORDS AT COVINGTON AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF MONTAGUE STREET WITH THE SOUTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY OF MONTAGUE ROAD ALONG THE WESTERLY LINE OF SAID LOT 169 AND THE RIGHT OF WAY OF NEW AMSTERDAM ROAD, SOUTH 17°54'23" WEST, 19.95 FEET TO SET 5/8" X 30" IRON PIN AND CAP (#3001); THENCE LEAVING THE WESTERLY LINE OF SAID LOT 169, CONTINUING ALONG THE SOUTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD, NORTH 88°11'59" WEST, 5.00 FEET TO THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG THE SOUTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD, THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 88°11'59" WEST, 83.95 FEET TO A POINT AND ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 374.30 FEET, A DISTANCE OF 410.26 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 60°24'01" WEST, 390.03 FEET TO A POINT; THENCE SOUTH 29°00'01" WEST, 387.46 FEET TO SET 5/8" X 30" IRON PIN AND CAP (#3001) AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD WITH THE CORPORATION LINE BETWEEN THE CITY OF COVINGTON AND THE CITY OF PARK HILLS; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD, ALONG SAID

CORPORATION LINE, NORTH 16°42'01" EAST, 328.59 FEET TO SET 5/8" X 30" IRON PIN AND CAP (#3001) AT THE INTERSECTION OF SAID CORPORATION LINE WITH THE NORTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD; THENCE LEAVING SAID CORPORATION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 29°00'01" EAST, 66.40 FEET TO A POINT AND ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 444.30 FEET, A DISTANCE OF 461.13 FEET, THE CHORD OF SAID CURVE BEARS NORTH 58°43'59" EAST, 440.71 FEET TO A SET 5/8" X 30" IRON PIN AND CAP (#3001) AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD WITH THE SOUTHERLY RIGHT OF WAY OF MONTAGUE ROAD; THENCE LEAVING THE NORTHERLY RIGHT OF WAY OF NEW AMSTERDAM ROAD, ALONG THE SOUTHERLY RIGHT OF WAY OF MONTAGUE ROAD, SOUTH 65°35'59" EAST, 130.33 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 1.1315 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS USED IN THIS LEGAL DESCRIPTION ARE RELATIVE TO NAD 83, KENTUCKY STATE PLANE COORDINATES, NORTH ZONE BASED ON GPS OBSERVATIONS OF THE KENTON COUNTY, KENTUCKY GEODETIC CONTROL MONUMENTS.

THE ABOVE DESCRIBED REAL ESTATE IS PART OF THE SAME PREMISES AS RECORDED IN DEED BOOK 438, PAGE 77 OF THE KENTON COUNTY, KENTUCKY RECORDS AT COVINGTON. BEING THE RESULT OF A SURVEY AND PLAT DATED DECEMBER 18, 2018 MADE BY STEPHEN L. CAHILL, KENTUCKY LAND PLAT DATED DECEMBER 18, 2018 MADE BY STEPHEN L. CAHILL, KENTUCKY LICENSED PROFESSIONAL LAND SURVEYOR #3001.

