

RESOLUTION NO. 13-16

A RESOLUTION DECLARING PROPERTY AS DESIRABLE FOR PURCHASE IN LIEU OF CONDEMNATORY ACTION; AND DECLARING SAID PROPERTY AS “SURPLUS PROPERTY” TO BE SOLD AND USED FOR ECONOMIC DEVELOPMENT PURPOSES IN THE CITY OF SOMERSET’S CORPORATE LIMITS.

WHEREAS, the City of Somerset, Kentucky wishes to obtain through monetary purchase a parcel of land, commonly known as the “Economy Inn, Monticello Street, Somerset, KY”, and the City has found that said parcel currently contains a hazardous and dilapidated commercial structure which the City believes must be immediately removed, cleared, and cleaned for the public’s benefit, safety, and welfare; and

WHEREAS, the City considers the parcel as a whole, or a part of, a blighted area which once cleared and cleaned will help to increase not only the safety and welfare of the public at large, but also will positively affect economic activity and development and provide an increase in the property values both on, and near, the subject parcel site and surrounding areas of the City of Somerset; and

WHEREAS, the City has successfully negotiated with the current land owner of said dilapidated property and therefore has avoided the necessity of filing a Condemnation Proceeding in the Courts of the Commonwealth in order to obtain legal title to the dilapidated structure/parcel and to remove the dilapidated structure(s); and

WHEREAS, the City has further learned that the parcel described above, once cleared of the hazardous and dilapidated structure, will be strongly considered by a third party as a potential location for an Assisted Living Residential Structure to be newly constructed on the parcel which will serve the City’s large elderly and/or disabled population as well as those in the surrounding County(s);

NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset that the above described parcel, identified and described in detail in “Exhibit A” attached hereto and incorporated in full herein by reference, is:

I. Declared by the City to be a desirable purchase under the negotiated purchase terms for the safety and welfare of the public; and further, that the purchase of said parcel at the negotiated amount avoids the cost and time of filing a Condemnation Proceeding in the Courts of the Commonwealth in order to enter onto the property and remove the dilapidated structure(s); and

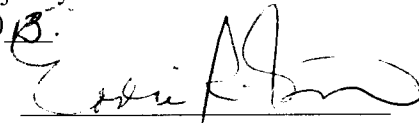
II. That the City declares it to be in its best interests that said parcel, once cleared and cleaned, shall thereafter be considered **Surplus Property** for purposes of the Model Procurement Code and all other Procurement Policies and Procedures as set forth in the Kentucky Revised Statutes and all other applicable law; and thereafter said Surplus Property is herein approved for sale *with compensation* to a third party buyer for an

amount which shall be comparable to the amount expended on the purchase, and pursuant to the comments and discussion at the time of motion and vote of this Resolution, the City will clean-up said property prior to the sale at no cost to the buyer, *without* public auction or sealed bids, with the understanding that any buyer shall maintain the parcel at their own expense, make any improvements or construction to the parcel for the welfare and benefit of the public, and such will be done in a manner that will positively affect economic activity and development in the area thereby increasing the value of the surrounding properties; and

III. Finally, that the City hereby declares that said sale and use of the above described Surplus Property is found to meet all express or implied requirements of "Economic Development" purposes set forth in the Procurement Laws of the Commonwealth, including but not limited to, as follows: said property is located in a blighted area of the City, the purchase and clean up, and thereafter improvement of which, shall aid in the beautification of said blighted area; the sale and use shall also help in the reimbursement to the City for the cost of removal of hazardous and dilapidated structures from the public's access and view without the cost of a court action; and the sale and use shall aid in increasing property values of parcels surrounding the Surplus Property by making them more valuable and ripe for both residential and commercial economic development and investment.

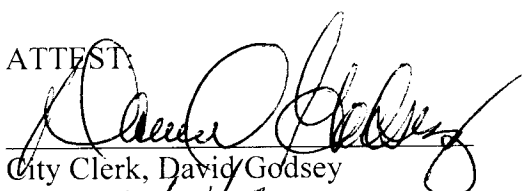
IV. This Resolution and Declaration by the City Council, based on the findings in this Resolution and Declaration, shall hereby allow the City by and through the Mayor to sale said Surplus Property in a transaction *exempt* from public auction or sealed bids pursuant to the all applicable local, state, and federal law, and pursuant to the use and purposes as set forth herein.

This Resolution/Declaration was hereby approved by a majority of the Common Council of the City of Somerset on this the 23rd day of Sept., 2013.



Mayor, Eddie Girdler

ATTEST:



City Clerk, David Godsey

Date: 10/14/13