

RESOLUTION NO. 462 - 2018

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COMMONWEALTH OF KENTUCKY, BY AND THROUGH THE UNIVERSITY OF KENTUCKY, FOR AN ECONOMIC DEVELOPMENT AND CAMPUS PEDESTRIAN AND BIKE SAFETY INITIATIVE INVOLVING THE TRANSFER OF APPROXIMATELY TWO HUNDRED FIFTY ACRES OF PROPERTY IN OR ADJACENT TO THE COLDSTREAM RESEARCH CAMPUS IN EXCHANGE FOR CERTAIN CAMPUS AREA STREETS AND ALLEYS, AS WELL AS OTHER MUTUALLY BENEFICIAL CONSIDERATION, WITH AN ESTIMATED COST NOT TO EXCEED \$100,000.00 IN FISCAL YEAR 2019.

BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute a Memorandum of Understanding, which is attached hereto and incorporated herein by reference, with the Commonwealth of Kentucky, by and through the University of Kentucky, for an economic development and campus pedestrian and bike safety initiative involving the transfer of approximately two hundred fifty acres of property in or adjacent to the Coldstream Research Campus in exchange for certain campus area streets and alleys, as well as other mutually beneficial consideration, with an estimated cost not to exceed \$100,000.00 in Fiscal Year 2019.

Section 2 – That an amount, not to exceed the sum of \$100,00.00, be and hereby is committed from account #1101-303601-91614 to be expended on matters consistent with the provisions of the Memorandum of Understanding as further determined by the Urban County Council.

Section 3 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: July 5, 2018

MAYOR 

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
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THE UNIVERSITY OF KENTUCKY
RESEARCH FOUNDATION, a non-profit
corporation organized and existing under the laws
of the Commonwealth of Kentucky

By: _____

Its: _____

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Deed and Consideration Certificate was acknowledged, subscribed and sworn to before me this _____ day of July, 2022, by _____, as _____ of The University of Kentucky Research Foundation, a non-profit corporation organized and existing under the laws of the Commonwealth of Kentucky, for and on behalf of the corporation.

My Commission expires: _____.

NOTARY PUBLIC
NOTARY ID#: _____

QUITCLAIM DEED

THIS QUITCLAIM DEED is made and entered into this 5th day of July, 2022, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky, with a mailing address of 200 East Main Street, Lexington, Kentucky 40507 (“Grantor”), and the **COMMONWEALTH OF KENTUCKY**, for the use and benefit of the **UNIVERSITY OF KENTUCKY**, having an address of 301 Main Building, Lexington, Kentucky 40506-0032 (“Grantee”).

W I T N E S S E T H:

WHEREAS, Grantor and Grantee entered into that certain Memorandum of Understanding (the “MOU”) providing for the conveyance by Grantor to Grantee of certain streets and roadways, or portions thereof, together with related infrastructure (collectively, the “City Streets”), as more particularly described in the MOU, in exchange for the conveyance by the Grantee to the Grantor of certain land adjacent to the Grantee’s Coldstream Research Park, being a portion of the property located at 2850 Georgetown Road and 1490 Bull Lea Road, Lexington, Kentucky, as more particularly described in Recital D of the MOU (collectively, the “Phase II Property”), such

LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT

By: Linda Gorton
LINDA GORTON

Its: Mayor

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Quitclaim Deed and Consideration Certificate was acknowledged, subscribed and sworn to before me this 5th day of July, 2022, by Linda Gorton, Mayor of the Lexington-Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky, on behalf of the urban county government.

My Commission expires: 11/7/2023.

MaKenzie Summers
NOTARY PUBLIC
NOTARY ID#: 635048

669 feet, more or less, to the eastern right of way line of Elizabeth Street. The property described herein contains 26,760 square feet (0.61 acres), more or less.

Being the same property dedicated to public use as set forth in the plat of Conn Terrace, Block One, recorded June 16, 1927, of record in Plat Cabinet E, Slide 357, in the Fayette County Clerk's office. The exception was conveyed by the City of Lexington to the Commonwealth of Kentucky, for the use and benefit of the Department of Highways, by deed dated November 1, 1962, recorded in Deed Book 755, Page 249, in the Fayette County Clerk's office.

Davis Alley

Being a parcel shown as an unnamed alley (now commonly known as Davis Alley) on a plat of Prall Addition, and being more particularly described as follows:

Being a section of alley, fronting 12 feet, more or less, on the north right-of-way of Colfax Street and running northerly 100 feet, more or less, to a previously closed section of the alley that was conveyed to the Commonwealth of Kentucky, for the use and benefit of the University of Kentucky, (in accordance with Ordinance No. 164-2008 of the Urban County Government recorded in the Fayette County Clerk's office in Deed Book 2819, Page 290, and by deed recorded in Deed Book 2824, Page 452), and being bounded on the east by lot 31 of Prall Addition, and bounded on the west by lot 30 of Prall Addition. The parcel described herein contains 1200 square feet (0.027 acres), more or less.

Being part of the same property dedicated to public use as set forth in the plat of Prall Addition, filed of record on January 1, 1869, in Deed Book 46, Page 62, in the Fayette County Clerk's office.

Elizabeth Street

Being all of the two parcels comprising the section of right-of-way, now known as Elizabeth Street, located between the northern right-of-way of Waller Avenue and the southern right-of-way of Transcript Avenue, with one parcel being shown as Reading Street on a plat of the Rodes Addition, and the second parcel being shown as Elizabeth Street on a plat of the Conn Subdivision, and being more particularly described as follows:

Being a 40 feet wide parcel with the beginning center point located on the northern right-of-way of Waller Avenue and being 710 feet, more or less, west of the northwest intersection of the Waller Avenue and South Limestone Street rights-of-way; thence running northerly 1265.6 feet, more or less, to a point in the south right-of-way of Transcript Avenue. The parcel described herein contains 50,624 square feet (1.16 acres), more or less.

Being part of the same property dedicated to public use as set forth in the plats of Rodes Addition, dated July 2, 1914, recorded in Plat Cabinet E, Slide 185, and Conn Subdivision, dated June, 1950, recorded in Plat Cabinet E, Slide 680, in the Fayette County Clerk's office.

Being a 60 feet wide parcel with the beginning center point located on the eastern right-of-way of Rose Street and being 30 feet southwest of the southwest corner of Lot 9, Block 8; thence running southeasterly 1566.5 feet, more or less, to a point in the western right-of-way of Woodland Avenue. The property described herein contains 93,990 square feet (2.16 acres), more or less.

Being the same property dedicated to public use as set forth in the plat of Aylesford Addition (Third Amended Plot), of record in Plat Cabinet E, Slide 141, in the Fayette County Clerk's office.

Rose Street

Being all of the section of right-of-way parcel known as Rose Street located between the south right-of-way of Columbia Avenue and the south right-of-way of Euclid Avenue and being more particularly described as follows:

Beginning at a point being the southeast intersection of the rights-of-way of Rose Street and Columbia Avenue, and being the northeast corner of a previously closed section of Rose Street (as described in, and conveyed by Lexington-Fayette Urban County Government to the Commonwealth of Kentucky for the use and benefit of The University of Kentucky, in Deed Book 3639, Page 277, recorded January 4, 2019, in the Fayette County Clerk's office); thence crossing Rose Street 52 feet, more or less, along the line of the south right-of-way of Columbia Avenue extended to a point in the western right-of-way of Rose Street; thence northeasterly 1150 feet, more or less, along the western right-of-way of Rose Street to a point being the southern intersection of the rights-of-way of Rose Street and Avenue of Champions, thence southwesterly 52 feet, more or less, and crossing Rose Street to a point being the southeast intersection of the rights-of-way of Rose Street and Euclid Avenue; thence southwesterly 1150 feet, more or less, along the eastern right-of-way of Rose Street to the beginning. The parcel described herein contains 59,800 square feet (1.37 acres), more or less.

Being the same property dedicated to public use by multiple plats and/or deeds hereinbefore recorded in the Fayette County Clerk's office.

Rose Street Bike Lane Easements

The following bike lane easements for locations 400, 402, 404, 406, 408, 410, 412, and 414 Rose Street:

Permanent Easement – 400 Rose Street

(A portion of 400 Rose Street)

Beginning at a point in the south right of way line of Rose Street, said point being the northwest property corner of 400 Rose Street and listed as Lot 16 in the Aylesford Addition (Third Amended Plot) as recorded in Plat Cabinet E, Slide 141 in the Fayette County, Kentucky, Clerk's office, said point also being the northeast corner of Lot 15 in said Aylesford Addition (Third Amended Plot); thence with the south right of way line of Rose Street, North 48° 38' 16" East,

50.00 feet to the northeast property corner of Lot 10, said point also being the northwest property corner of Lot 11 in said Aylesford Addition (Third Amended Plot); thence with the common lot line of Lot 10 and Lot 11, South 41° 21' 44" East, 6.76 feet to a point, said point being common to the proposed permanent easement; thence leaving the common lot line of Lot 10 and Lot 11, and with the proposed permanent easement through Lot 10, South 48° 35' 28" West, 50.00 feet to a point in the west lot line of Lot 10, said point also being in the east lot line of Lot 9; thence with the common lot line of Lot 10 and Lot 9, North 41° 21' 44" West, 6.80 feet to the Point of Beginning and containing 340 square feet or 0.008 acres.

Being the same property conveyed to Lexington-Fayette Urban County Government by The Commonwealth of Kentucky for the use and benefit of the University of Kentucky by deed recorded on December 20, 2013, in Deed Book 3206, Page 266 (see this referenced deed for exhibit A of this easement).

Permanent Easement – 414 Rose Street
(A portion of 414 Rose Street)

Beginning at the intersection of the south right of way of Rose Street and the east right of way of Rose Lane, said point being the northwest property corner of 414 Rose Street and listed as Lot 9 in the Aylesford Addition (Third Amended Plot) as recorded in Plat Cabinet E, Slide 141 in the Fayette County, Kentucky, Clerk's office; thence with the south right of way line of Rose Street, North 48° 38' 16" East, 50.00 feet to the northeast property corner of Lot 9, said point also being the northwest property corner of Lot 10 in said of Aylesford Addition (Third Amended Plot); thence with the common lot line of Lot 9 and Lot 10, South 41° 21' 44" East, 6.80 feet to a point, said point being common to the proposed permanent easement; thence leaving the common lot line of Lot 9 and Lot 10, and with the proposed permanent easement through Lot 9, South 48° 35' 28" West, 50.00 feet to a point in the west lot line of Lot 9, said point being in the east right of way of Rose Lane; thence with the east right of way of Rose Lane, North 41° 21' 44" West, 6.84 feet to the Point of Beginning and containing 342 square feet or 0.008 acres.

Being the same property conveyed to Lexington-Fayette Urban County Government by The Commonwealth of Kentucky for the use and benefit of the University of Kentucky by deed recorded on December 20, 2013, in Deed Book 3206, Page 266 (see this referenced deed for exhibit A of this easement).

Martin Luther King Boulevard

Being all of the section right-of-way of variable width known as Martin Luther King Boulevard that is located between the south right-of-way of Maxwell Street and the north right-of-way of Avenue of Champions, and being more particularly described as follows:

Being a parcel beginning at a point in the south right-of-way of Maxwell Street and being 24.25 feet northwest of the northwest corner of Lot 1 of J B. Simrall's Subdivision, and being 48.5 feet wide at this point, and running southwesterly 977 feet, more or less, to a point in the north right-

EXHIBIT B

(Storm Water Infrastructure)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into this 6th day of July, 2022, by and between the **COMMONWEALTH OF KENTUCKY, for the use and benefit of the UNIVERSITY OF KENTUCKY**, with a mailing address of 301 Main Building, Lexington, Kentucky 40506-0032 ("Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky, with a mailing address of 200 East Main Street, Lexington, Kentucky 40507 ("Grantee").

W I T N E S S E T H:

WHEREAS, Grantor and Grantee entered into that certain Memorandum of Understanding (the "MOU") providing for the conveyance by the Grantor to the Grantee of certain land located adjacent to the Grantor's Coldstream Research Park, being a portion of the property located at 2850 Georgetown Road and 1490 Bull Lea Road, Lexington, Kentucky, as more particularly described in Recital D of the MOU (collectively, the "Phase II Property"), in exchange for the conveyance by Grantee to Grantor of certain streets and roadways, or portions thereof, together with related infrastructure (collectively, the "City Streets"), as more particularly described in the MOU, such exchange being subject to the terms, conditions, covenants, restrictions and agreements more specifically set forth in the MOU;

fair cash value of the property herein conveyed is \$12,000,000.00. The in-care of tax mailing address for the current tax year is 200 East Main Street, Lexington, Kentucky 40507.

IN TESTIMONY WHEREOF, witnesseth the signatures of the parties as of the date first above written.

COMMONWEALTH OF KENTUCKY, for the use and benefit of the UNIVERSITY OF KENTUCKY

By: _____
ERIC N. MONDAY

Its: Executive Vice President for Finance and Administration

COMMONWEALTH OF KENTUCKY
COUNTY OF FAYETTE

The foregoing Special Warranty Deed and Consideration Certificate was acknowledged, subscribed and sworn to before me this ____ day of July, 2022, by Eric N. Monday, as Executive Vice President for Finance and Administration of the University of Kentucky, Commonwealth of Kentucky, for and on behalf of the University of Kentucky.

My Commission expires: _____.

NOTARY PUBLIC
NOTARY ID# _____

EXHIBIT A

Being all of Lot 40, consisting of Parcels 1, 2, 3 and 4 (200 acres), as shown on the Consolidation Minor Record Plat of Coldstream Farm (Phase II Property) 2850 Georgetown Road and 1490 Bull Lea Road, Fayette County, Lexington, Kentucky of record in Plat Cabinet S, Slide 311, in the Fayette County Clerk's office to which plat reference is made for a more particular description of said property.

Parcels 1, 2 and 4 being a part of the same property conveyed to the Commonwealth of Kentucky, for the use and benefit of the University of Kentucky, by deed dated December 9, 1991, of record in Deed Book 1744, page 652, and by deed of correction dated February 25, 2000, of record in Deed Book 2121, page 575, in the Fayette County Clerk's office.

Parcel 3 being the same property conveyed to the University of Kentucky, by quitclaim deed dated the _____ day of July, 2022, of record in Deed Book _____, page _____, in the Fayette County Clerk's office.

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