



Lexington-Fayette Urban County Government  
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray  
Mayor

Sally Hamilton  
CAO

**TO: JIM GRAY, MAYOR  
URBAN COUNTY COUNCIL**

**FROM: IRENE GOODING, DIRECTOR  
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

**DATE: OCTOBER 1, 2013**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE  
MEMORANDUM OF UNDERSTANDING WITH THE  
COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET  
DEPARTMENT OF HIGHWAYS AND LEXINGTON COMMUNITY  
LAND TRUST FOR TRANSFER OF PROPERTY ACQUIRED FOR  
PHASE I MITIGATION AREA OF THE NEWTOWN PIKE EXTENSION  
PROJECT**

---

On November 9, 2000 (Ordinance # 344-2000), the Lexington-Fayette Urban County Council authorized acceptance of award from the Kentucky Transportation Cabinet in the amount of \$7.5 million in federal and state funds for the extension of Newtown Pike.

Federal Highway Administration executed a Record of Decision on October 11, 2007, providing for mitigation of environmental justice impacts to the Newtown Pike Extension area and providing for creation of a community land trust to benefit current and future neighborhood residents that will protect community cohesion and provide for permanently affordable housing.

On February 26, 2009 (Ordinance # 24-2009), Council authorized execution of Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet in the amount of \$3,975,000 for support the cost of appraisals for right-of-way acquisitions and mitigation expenses which include the provision of temporary housing, utility payments for temporarily relocated residents, and setting up and operating a Community Land Trust.

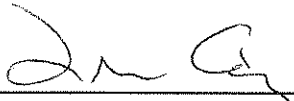
On June 22, 2011 (Ordinance # 76-2011), Council authorized execution of Supplemental Agreement No. 2 in the amount of \$5,088,000 for final design of Phase II and Phase III, and mitigation expenses, which include operation of the Community Land Trust and rehabilitation of Carver Center.

Kentucky Transportation Cabinet (KYTC) has now acquired all properties comprised of Phase I of the Mitigation Area and is ready to transfer these properties to the LFUCG for assimilation, redevelopment platting, and subsequent transfer to the Lexington Community Land Trust in

accordance with the provisions of the Record of Decision. KYTC will complete remediation of known environmental contamination in the area in accordance with a plan approved by the Kentucky Division of Waste Management. An Environmental Covenant

The Newtown Pike extension is authorized by Congress as a High Priority Project under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). The project provides for construction from West Main Street to South Limestone.

Council authorization to execute Memorandum of Understanding between the Commonwealth of Kentucky Transportation Cabinet Department of Highways, accepting transfer of property, and with the Lexington Community Land Trust, providing for subsequent transfer of property.



---

Irene Gooding, Director

Xc: Derek Paulsen, Commissioner of the Department of Planning, Preservation, and Development