

RESOLUTION NO. _____-2019

A RESOLUTION AUTHORIZING THE DEPARTMENT OF LAW TO INSTITUTE CONDEMNATION PROCEEDINGS IN FAYETTE CIRCUIT COURT TO OBTAIN A FEE SIMPLE INTEREST IN AND A TEMPORARY CONSTRUCTION EASEMENT ON PORTIONS OF THE PROPERTY LOCATED AT 2285 VERSAILLES ROAD FOR THE VERSAILLES ROAD CORRIDOR IMPROVEMENT PROJECT, SECTIONS 1 & 2.

WHEREAS, the Urban County Council has determined that the acquisition of a fee simple interest in and temporary construction easement on portions of the property located at 2285 Versailles Road, as further described herein, is necessary for the Versailles Road Corridor Improvement Project, Sections 1 & 2; and,

WHEREAS, the Owner of the property and the Lexington-Fayette Urban County Government have been unable to reach an agreement upon the terms and conditions of the conveyance of the necessary property interests to the Lexington-Fayette Urban County Government;

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

Section 1 — That the Lexington-Fayette Urban County Government has determined that the acquisition of a fee simple interest in and temporary construction easement on portions of the property located at 2285 Versailles Road is necessary and required for the Versailles Road Corridor Improvement Project, Sections 1 & 2, and that it is in the best interest of the community to acquire the same, and that the Owner of the property and the Lexington-Fayette Urban County Government have been unable to reach an agreement on the terms and conditions of the conveyance of the necessary property interests to the Urban County Government.

Section 2 — That, pursuant to the condemnation powers granted to this Government, the Lexington-Fayette Urban County Council hereby condemns the property interests referenced herein and further described below to be obtained for the Versailles Road Corridor Improvement Project, Sections 1 & 2:

2285 Versailles Road
Lexington, Fayette County, Kentucky

All that tract or parcel of land situated at the northeast corner of the intersection of Versailles Road (U.S. 60) and Alexandria Drive in Lexington, Fayette County, Kentucky, being more fully described and bounded as follows, to wit:

FEE SIMPLE PARCEL

BEGINNING at a found Mag Nail with shiner (PLS 3032) at the intersection of the Versailles Road north right of way with the Alexandria Drive east right of way, being the southwest corner of ZC Pharmacy SUB DST (DB 3180, Pg 532); thence with said Alexandria Drive east right of way North 06°30'42" West, 15.06 feet to a set ½ inch diameter rebar 18 inches long with a red survey cap (PLS 3185 Chambliss); thence leaving said Alexandria Drive for a new line through the lands of said ZC Pharmacy SUB DST, South 66°43'30" East, 30.32 feet to a set ½ inch diameter rebar 18 inches long with a red survey cap (PLS 3185 Chambliss) in said Versailles Road north right of way; thence with said Versailles Road north right of way South 83°29'18" West, 26.31 feet to the **POINT OF BEGINNING**, containing 198 square feet or 0.004 acre.

TEMPORARY CONSTRUCTION EASEMENT

BEGINNING at a found Mag Nail with shiner (PLS 3032) at the intersection of the Versailles Road north right of way with the Alexandria Drive east right of way, being the southwest corner of ZC Pharmacy SUB DST (DB 3180, Pg 532); thence with said Alexandria Drive east right of way North 06°30'42" West, 15.06 feet to **TRUE POINT OF BEGINNING**; thence continuing with said Alexandria Drive east right of way North 06°30'42" West, 11.52 feet to a point; thence leaving said Alexandria Drive east right of way for a new line through the lands of said ZC Pharmacy SUB DST, South 66°43'30" East, 53.51 feet to a point in said Versailles Road north right of way; thence with said Versailles Road north right of way, South 83°29'18" West, 20.13 feet to a point; thence leaving said Versailles Road north right of way for a new line through the lands of said ZC Pharmacy SUB DST, North 66°43'30" West, 30.32 feet to the **TRUE POINT OF BEGINNING**, containing 419 square feet or 0.01 acre.

Being a portion of the same property conveyed to ZC Pharmacy SUB DST by deed dated August 22, 2013 of record in Deed Book 3180, page 532 in the Fayette County Clerk's Office.

This description was prepared by James M. Chambliss, PLS 3185, on October 25, 2017 and is based on survey performed by Integrated Engineering PLLC on October 24, 2017.

Section 3 — That the Department of Law be and hereby is authorized to file an action in the Fayette Circuit Court to carry out the purposes of this Resolution.

Section 4 — That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL
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