

RESOLUTION NO. 125-2019

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 2301 VERSAILLES ROAD FOR THE VERSAILLES ROAD CORRIDOR IMPROVEMENT PROJECT, SECTIONS 1 & 2.

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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 2301 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 2301 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:

**2301 Versailles Road**  
**Lexington, Fayette County, Kentucky**

All that tract or parcel of land situated at the northwest 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 the intersection of the Versailles Road north right of way with the Alexandria Drive west right of way, being the southeast corner of Speedway SuperAmerica LLC (DB 1962, Pg 98), said point being South 22°14'22" West, 0.21 feet from a found rebar with survey cap (PLS 3681); thence with said Versailles Road north right of way, South 83°29'18" West, 19.78 feet to a set ½ inch diameter rebar 18 inches long with a red survey cap (PLS 3185 Chambliss); thence leaving said Versailles Road north right of way for a new line through the lands of said Speedway SuperAmerica LLC, North 45°37'06" East, 25.06 feet to a set ½ inch diameter rebar 18 inches long with a red survey cap (PLS 3185 Chambliss) at a point in said Alexandria Drive west right of way; thence with said Alexandria Drive west right of way South 06°30'42" East, 15.38 feet to the **POINT OF BEGINNING**, containing 152 square feet or 0.003 acre.

**TEMPORARY CONSTRUCTION EASEMENT**

**BEGINNING** at the intersection of the Versailles Road north right of way with the Alexandria Drive west right of way, being the southeast corner of Speedway SuperAmerica LLC (DB 1962, Pg 98), said point being South 22°14'22" West, 0.21 feet from a found rebar with survey cap (PLS 3681); thence with said Versailles Road north right of way South 83°29'18" West, 19.78 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Versailles Road north right of way, South 83°29'18" West, 12.20 feet to a point; thence leaving said Versailles Road north right of way for a new line through the lands of said Speedway SuperAmerica, North 38°21'23" East, 45.33 feet to a point in said Alexandria Drive west right of way; thence with said Alexandria Drive west right of way, South 06°30'42" East, 16.74 feet to a point; thence leaving said Alexandria Drive west right of way for a new line through the lands of said Speedway SuperAmerica, South 45°37'06" West, 25.06 feet to the **TRUE POINT OF BEGINNING**, containing 362 square feet or 0.008 acre.

Being a portion of the same property conveyed to Speedway SuperAmerica LLC by deed dated December 9, 1997 of record in Deed Book 1962, Page 98 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 a 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:            March 7, 2019

Linda Gorton  
MAYOR

ATTEST:

[Signature]  
CLERK OF THE URBAN COUNTY COUNCIL  
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