

**RESOLUTION 16-03**  
**CITY OF SOMERSET, KENTUCKY**

WHEREAS, the City of Somerset, Kentucky obtained a parcel of land located in the Industrial Park on Murphy Ave., and that said parcel was obtained from Pulaski County, by and through the Fiscal Court, for the purposes of economic development pursuant to KRS 67.0802; and

WHEREAS, the City agrees that the best use of the parcel would be to convey it to Duraflame East, LLC, as all the surrounding property is currently being used as part of said commercial/business, and the surrounding parcels have one singular property owner as named above; and

WHEREAS, the City believes there is no other or additional public purpose or use for the parcel other than that for which it was originally conveyed to the City of Somerset;

NOW THEREFORE, be it resolved and ordained by the Common Council of the City of Somerset that the above described parcel, as described in Exhibit "A", incorporated in full herein by reference, is declared by the City to be Surplus Property, and that said property, having no value to the City of Somerset, and having been obtained for \$0 Dollars (Zero Dollars and 00/100), and having no other public purpose or use to which the City finds otherwise to be in its best interests, hereby approves a conveyance without compensation, and without public auction or sealed bids, with the understanding that Duraflame East, LLC plans to maintain the parcel at their own expense, including making improvements to the parcel and combining said parcel with the surrounding parcels to create a larger commercial/business lot, thus increasing the value of the surrounding property in the area, aiding in local economic development.

Approved by a majority of the Common Council of the City of Somerset on this the 13<sup>th</sup> day of JUNE, 2016.

  
\_\_\_\_\_  
Mayor, Eddie Girdler

ATTEST:

  
\_\_\_\_\_  
City Clerk, Nick Bradley

**QUITCLAIM DEED**

THIS QUITCLAIM DEED made and entered into this the 19<sup>th</sup> day of May, 2016, by and between PULASKI COUNTY, KENTUCKY, by Steve Kelley, Pulaski County Judge Executive, acting by and through the Pulaski Fiscal Court, GRANTOR, and CITY OF SOMERSET, a Municipal Corporation, with mailing address of P.O. Box 989, Somerset, KY 42502, GRANTEE;

**WITNESSETH:**

**WHEREAS**, the following described property acquired by Pulaski County, Kentucky by Civil Action Number 79-CI-618;

**NOW THEREFORE**, in consideration of KRS 67.0802(3)(a) the Grantor does hereby remise, release and forever quitclaim unto the Grantee all right, title and interest in and to the following described real property located in Pulaski County, Kentucky and being more particularly described as follows, to-wit:

Beginning at a point in the H. Edwin Allen and Pulaski County Industrial Foundation property line and East right of way of Denham Road, said point being 562.33 feet measured in a northwesterly direction along said property line from the property corner of the Pulaski County Industrial Foundation and Fred Jones, said corner being in the east right of way of Denham Road; thence with said property line N 36 degrees 53' 28.58" W 160.00 feet; thence across Denham Road and the H. Edwin Allen property N 89 deg. 57' 19.13" W 324.991 feet to a point; thence S 87 degrees 30' 43.44" W 459.060 feet; thence S 78 degrees 23' 58.47" W 153.337 feet; thence S 72 degrees 36' 24.04" W 335.070 feet to a point in the H. Edwin Allen and Jerry S. Ikerd property line, said point being 518.375 feet measured in a southeasterly direction along said property line from the H. Edwin Allen and Jerry S. Ikerd property corner; thence with the H. Edwin Allen and Jerry S. Ikerd property line S 20 degrees 07' 30.91" E 110.000 feet; thence across H. Edwin Allen's property N 71 degrees 37' 14.10" E 318.608 feet; thence N 85 degrees 35' 52.09" E 343.648 feet; thence N 88 degrees 45' 42.35" E 293.408 feet; N 77 degrees 24' 40.75" E 103.079 feet; thence S 87 degrees 07' 14.34" E 200.062 feet; thence S 74 degrees 58' 41.15" E 75.620 feet to the point of beginning and containing 3.352 acres more or less.

Being the same property conveyed to Pulaski County, Kentucky, by deed dated April 11, 2016 of record in Master Commissioner's Deed Book 33, Page 394, Pulaski County Court Clerk's Office, Kentucky.



It is agreed and understood by and between the parties that the GRANTEE shall receive possession of the hereinabove described property with delivery of deed.


TO HAVE AND TO HOLD the same, together with all appurtenances thereunto belonging, unto the GRANTEE, its successors and assigns, forever.

CONSIDERATION CERTIFICATE:

The parties hereto certify that the fair cash value of said property is \$ 5,000.00. The GRANTEE join this deed for the sole purpose of certifying the consideration pursuant to KRS 382.

IN TESTIMONY WHEREOF, witness the signatures of the parties hereto this the day and date first above written.

**PULASKI COUNTY FISCAL COURT  
GRANTOR**

  
\_\_\_\_\_  
**STEVE KELLEY, PULASKI COUNTY  
JUDGE EXECUTIVE**

**ATTEST:**

  
\_\_\_\_\_  
**LINDA BURNETT  
PULASKI COUNTY CLERK**

**CITY OF SOMERSET, GRANTEE**

  
\_\_\_\_\_  
**EDDIE GIRDLER, MAYOR** 

**STATE OF KENTUCKY  
COUNTY OF PULASKI**

The foregoing Deed of Conveyance and Consideration Certificate was signed, acknowledged and sworn to before me this the 16<sup>th</sup> day of May, 2016, by Steve Kelley, Pulaski County Judge Executive, acting by and through the Pulaski Fiscal Court, GRANTOR.

  
\_\_\_\_\_  
**NOTARY PUBLIC**

**MY COMMISSION EXP: 07-20-19**

**STATE OF KENTUCKY  
COUNTY OF PULASKI**

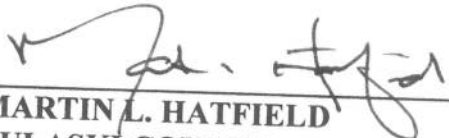
The foregoing Consideration Certificate was signed, acknowledged and sworn to before me this the 19 day of May, 2016, by Eddie Girdler, Mayor of City of Somerset, a Municipal Corporation, GRANTEE.



**NOTARY PUBLIC**

**MY COMMISSION EXP: 8-16-16**

**THIS DOCUMENT WAS DRAFTED BY THE UNDERSIGNED WITHOUT A TITLE SEARCH AND DOES NOT GUARANTEE A CLEAR OR MARKETABLE TITLE.**



**MARTIN L. HATFIELD  
PULASKI COUNTY ATTORNEY  
103 SOUTH MAPLE STREET  
SOMERSET, KY 42501  
(606) 679-4449**

**67.0802 Sale or other disposition of county property.**

- (1) A county may sell or otherwise dispose of any of its real or personal property.
- (2) Before selling or otherwise disposing of any real or personal property, the county shall make a written determination setting forth and fully describing:
  - (a) The real or personal property;
  - (b) Its intended use at the time of acquisition;
  - (c) The reasons why it is in the public interest to dispose of it; and
  - (d) The method of disposition to be used.
- (3) Real or personal property may be:
  - (a) Transferred, with or without compensation, to another governmental agency;
  - (b) Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b);
  - (c) Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1)(b); or
  - (d) Sold by sealed bids in accordance with the procedure for sealed bids under KRS 45A.365(3) and (4).
- (4) If a county receives no bids for the real or personal property, either at public or electronic auction or by sealed bid, the property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the county. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made.
- (5) Any compensation resulting from the disposal of this real or personal property shall be transferred to the general fund of the county.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 153, sec. 2, effective July 13, 2004. -- Created 2000 Ky. Acts ch. 223, sec. 2, effective July 14, 2000.