

RESOLUTION NO. _____, SERIES 2025

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF LOUISVILLE/JEFFERSON COUNTY LOUISVILLE METRO GOVERNMENT TO ACCEPT THE ASSIGNMENT OF FOUR SCENIC-CONSERVATION EASEMENTS FROM THE LOUISVILLE/JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT ALONG THE SOUTH FORK OF BEARGRASS CREEK IN JEFFERSON COUNTY, KENTUCKY.

SPONSORED BY: COUNCIL MEMBER JOSIE RAYMOND

WHEREAS, Louisville/Jefferson County Metropolitan Sewer District (“MSD”) is the holder of four Scenic-Conservation Easements along the banks of the South Fork of Beargrass Creek in Jefferson County, Kentucky (the “Conservation Easements”); and

WHEREAS, MSD proposed to assign the Conservation Easements to Louisville/Jefferson County Louisville Metro Government (“Louisville Metro”); and

WHEREAS, the Louisville/Jefferson County Environmental Trust (the “Environmental Trust”) is the Louisville Metro entity charged with managing conservation easements held by Louisville Metro pursuant to LMCO chapter 158; and

WHEREAS, MSD and the Environmental Trust agreed that MSD would assign the Conservation Easements to Louisville Metro pursuant to a Memorandum of Agreement executed in November 2019, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the assignment of the Conservation Easements to Louisville Metro shall assure the continued protection of outstanding natural resources and conservation values in the Beargrass Creek watershed, including a large variety of wildlife, and will yield significant public benefits; and

WHEREAS, the assignment of the Conservation Easements to Louisville Metro will serve the clearly delineated governmental policies of Kentucky Revised Statutes 382.800 *et seq.* to retain or protect "natural, scenic or open space values of real property,

assuring its availability for agricultural, forest, recreational or open space use" and for "protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, archaeological, or cultural aspects of real property"; and

WHEREAS, pursuant to KRS 382.800 et seq., Louisville Metro is authorized to accept conservation easements to retain and protect natural, scenic and open space values of real property assuring its availability for agricultural, forest or open space use, protecting natural resources, and preserving agricultural and other cultural aspects of real property in Kentucky, and Louisville Metro is qualified to accept such easements under Section 170(h) of the Internal Revenue Code; and

WHEREAS, the Metro Council desires the Mayor on behalf of Louisville Metro to accept the assignment of the Conservation Easements attached as Exhibit B on behalf of Louisville Metro;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY LOUISVILLE METRO AS FOLLOWS:

SECTION I: Louisville Metro is hereby authorized to accept the assignment of four Scenic-Conservation Easements along the banks of the South Fork of Beargrass Creek in Jefferson County, Kentucky.

SECTION II: This Resolution shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

Brent Ackerson
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

R-040-25 Conservation Easement Assignments Beargrass Creek.docx (APS)