

RESOLUTION NO. _____ SERIES 2023

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF METRO GOVERNMENT TO ACCEPT THE DONATION OF A CONSERVATION EASEMENT ON PROPERTY OWNED BY WASTE MANAGEMENT OF KENTUCKY, LLC, LOCATED AT 9005 BROWN AUSTIN ROAD IN JEFFERSON COUNTY, KENTUCKY.

SPONSORED BY: COUNCIL MEMBERS DAN SEUM, JR., JECOREY ARTHUR, PHILLIP T. BAKER AND BETSY RUHE

WHEREAS, Waste Management of Kentucky, LLC, a Kentucky limited liability company ("Waste Management") is the owner in fee simple of a tract of land consisting of 86.5836 acres located at 9005 Brown Austin Road in Jefferson County, Kentucky, and Waste Management proposes to place a conservation easement on 17.85 acres of the larger tract (the "Property"), and the grant of a conservation easement on this Property shall assure the protection of outstanding natural resources and conservation values in the Pond Creek watershed, including a large variety of wildlife, and will yield significant public benefits; and

WHEREAS, the grant of a conservation easement on this Property 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.*, Metro Government 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 Metro Government 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 Metro Government to accept this conservation easement on the Waste Management of Kentucky, LLC, Property on behalf of Metro Government.

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

SECTION I: Louisville Metro is hereby authorized to accept this 17.85-acre Deed of Conservation Easement on property owned by Waste Management of Kentucky, LLC at 9005 Brown Austin Road 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

Markus Winkler
President Of The Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:
Michael J. O'Connell
Jefferson County Attorney

By: _____

