

# FCR 11

Office of the President  
September 11, 2007

Members, Board of Trustees:

AUTHORIZATION TO ACQUIRE PROPERTIES TO  
FACILITATE UTILITY RELOCATION ASSOCIATED WITH THE  
UK HEALTHCARE PATIENT CARE FACILITY PROJECT

Recommendation: that the Board of Trustees, acting pursuant to its statutory authority as stated in Kentucky Revised Statutes (KRS)164.260 and the Eminent Domain Act of Kentucky, authorize the Executive Vice President for Finance and Administration or his designee to negotiate the acquisition of certain real properties (or interests therein), fronting on the west side of Limestone Street between Waller Avenue and Conn Terrace as well as Woodland Avenue at Euclid Avenue, for a purchase price not to exceed the properties' (or interests therein) fair market values as based on independent appraisals or through condemnation proceedings. The impacted properties include 102 Conn Terrace, 1033 through 1201 South Limestone, and 401-405 Woodland Avenue, Lexington, Kentucky.

Background: Electrical work associated with the UK HealthCare Patient Care Facility Project requires the elimination of existing distribution routes and the creation of new distribution and transmission routes. The new electrical service requires easements from the owners of each individual property in the impacted areas and is essential to the construction of the Patient Care Facility. University officials, on behalf of Kentucky Utilities, are acting in good faith to acquire these easements from the owners. In certain cases, the university may need to acquire the properties in fee simple.

Accordingly, in view of the fact that these properties are crucial to this project and the proposed schedule for construction, should university officials be unable to amicably resolve the issues and contract for the easements of the affected properties, it is in the university's best interest to proceed with condemnation.

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Action taken:     Approved     Disapproved     Other \_\_\_\_\_