

RESOLUTION NO. 2021-019

RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF
COMMISSIONERS TO TRANSFER COUNTY-OWNED REAL
PROPERTY TO THE MUNCIE SANITARY DISTRICT

ORIGINAL

WHEREAS, the Delaware County Board of Commissioners, as the legislative body and executive of Delaware County, Indiana (hereinafter, the “Commissioners”), owns certain real property located in the City of Muncie, Indiana, which is specifically identified on EXHIBIT A, attached hereto (hereinafter, the “County Property”);

WHEREAS, the Board of Sanitary Commissioners, as the governing body of the Muncie Sanitary District (the “District”), owns certain real property located in the City of Muncie, Indiana, which is immediately adjacent to the County Property and used by the District in providing sanitation services to its users;

WHEREAS, the District desires to acquire the County Property from the Commissioners to be used to improve efficiency in the provision of wastewater and other sanitation-related services to its users; and

WHEREAS, the Commissioners desire to transfer said County Property to the District, subject to acceptance of said County Property by the District and upon the terms and conditions stated herein.


NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA THAT:


1. The Delaware County Board of Commissioners shall transfer said County Property, as described in EXHIBIT A, attached hereto, to the Muncie Sanitary District upon acceptance of the County Property by the District and upon the condition that the County Property shall only be used for the purpose of improving efficiency in the provision of wastewater and other sanitation-related services to its users by whatever means reasonably necessary, as determined by the District’s Board of Sanitary Commissioners.
2. The District’s acceptance of the County Property shall be demonstrated by the adoption of a substantially similar resolution by the District’s Board of Sanitary Commissioners, a copy of which shall be provided to the Commissioners upon its adoption by the District’s Board of Sanitary Commissioners.
3. The Delaware County Auditor shall provide an executed copy of this Resolution to the District’s Board of Sanitary Commissioners and, upon receipt of a substantially similar resolution adopted by the District’s Board of Sanitary Commissioners, the President of the Board of Commissioners of Delaware County, Indiana shall be authorized to execute all necessary documents to facilitate and carry out said transfer of the County Property to the District.


4. This Resolution shall be effective upon adoption.

DULY ADOPTED by the Board of Commissioners of Delaware County at a regularly scheduled public meeting held on this, the 7 day of June, 2021.

*DELAWARE COUNTY
BOARD OF COMMISSIONERS*


James King, President


Sherry Riggan, Commissioner


Shannon Henry, Commissioner

ATTEST:


Steven Craycraft, Auditor
Delaware County, Indiana

EXHIBIT A

Property Description

Parcel ID: 18-11-18-402-001.000-003

Legal Description: A part of the south half of Section Eighteen (18), Township Twenty (20) North, Range Ten (10) East, bounded as follows:

Beginning at a point 54.07 rods west and 95.3 rods north of the southeast corner of the southeast quarter of said section; thence north 19.86 rods to the center of White River; thence following the middle line of said River northwesterly to the north line of said quarter section, at a point 26.88 rods east of the northwest corner of said quarter section; thence west 26.88 rods to the northwest corner of said quarter section; thence south 70.2 rods; thence east parallel to the Muncie and Yorktown Pike 59.12 rods; thence south parallel to the west line of said quarter section 35.2 rods to the center of the Muncie and Yorktown pike; thence northeasterly along the center of said Pike 27.28 rods; thence north 37 rods; thence east 19.45 rods to the place of beginning, containing forty (40) acres, more or less.

EXCEPTING THEREFROM:

A part of the Southeast Quarter of Section Eighteen (18), Township Twenty (20) North, Range Ten (10) East in the City of Muncie, Delaware County, Indiana, described as follows:

Commencing at the point of intersection of the West line of the Southeast Quarter of Section Eighteen (18), Township Twenty (20) North, Range Ten (10) East with the center line of State Highway #32, said point being North 01 degree, 16 minutes, 38 seconds West 921.55 feet (assumed bearing) from the Southwest corner of said Quarter Section; thence North 01 degree, 16 minutes, 38 seconds West 580.8 feet to the point of beginning; thence North 01 degree, 16 minutes, 38 seconds West 421.95 feet; thence North 89 degrees, 55 minutes, 21 seconds East 1754.65 feet to the East line of a tract of ground described in Deed Record 129, page 105, Records of Delaware County, Indiana; thence South 00 degrees, 37 minutes, 53 seconds East 356.5 feet to the Northeast corner of a tract of ground described in Deed Record 345, page 382, Records of Delaware County, Indiana; thence South 89 degrees, 55 minutes, 21 seconds West 320.92 feet to the Northwest corner of said tract; thence South 01 degree, 16 minutes, 38 seconds East 591.9 feet along the West line of said tract of ground to a point on the center line of State Highway #32, said point being on a curve and South 13 degrees, 44 minutes, 21 seconds East 1918.32 feet from the radius point of said curve; thence Westerly 457.38 feet along said curved center line to a point on the East line of a tract of ground described in Deed Record 1982, pages 1428-9, said point being South 00 degrees, 04 minutes, 39 seconds East 1918.32 feet from the radius point of said curve; thence North 01 degree 16 minutes, 38 seconds West 580.0 feet to the Northeast corner of said tract thence South 89 degrees, 55 minutes, 21 seconds West 975.48 feet to the point of beginning, containing 22.35 acres, more or less.