

ORIGINAL

**RESOLUTION NO. 2020-023**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY,  
INDIANA TO RESCIND BOARD OF COMMISSIONERS' RESOLUTION NO. 2017-019**

*WHEREAS*, the Delaware County Board of Commissioners ("Commissioners") entered into a Letter of Intent with the Muncie Sanitary District, dated March 25, 2016, to exchange parcels of County-owned real property for real property owned by the Muncie Sanitary District; and

*WHEREAS*, the Commissioners did, on May 1, 2017, adopt Resolution Number 2017-019 to transfer certain County-owned real property to the Muncie Sanitary District according to the terms of the parties' Letter of Intent; and

*WHEREAS*, the above-referenced property exchange was contingent on the Muncie Sanitary District acquiring the real property needed to facilitate the exchange by, or before, April 29, 2016; and


*WHEREAS*, the Muncie Sanitary District was unable to acquire the real property needed to facilitate the exchange and, therefore, the proposed exchange was never, and cannot in the future, be carried out according to the terms of the parties' Letter of Intent.

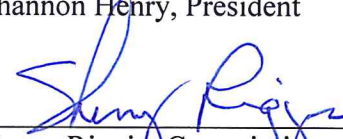
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA THAT:

1. The Letter of Intent, dated March 25, 2016, between the Delaware County Commissioners and the Muncie Sanitary District is deemed null and void and, by its own terms, shall no longer be of any force or effect on either the Commissioners, or the Muncie Sanitary District.
2. Resolution Number 2017-019, previously adopted by the Commissioners on May 1, 2017, is hereby RESCINDED in whole and shall no longer be of any force or effect and the County-owned real property referenced therein shall be retained by Delaware County for use or disposal as deemed fit by the Delaware County Board of Commissioners.
3. This Resolution shall be effective from and after its passage.

PASSED AND ADOPTED by the Board of Commissioners of Delaware County, Indiana,  
at a duly called public meeting on this, the 10 day of JULY, 2020.


BOARD OF COMMISSIONERS OF  
DELAWARE COUNTY, INDIANA

By:   
Shannon Henry, President

By:   
Sherry Riggins, Commissioner

By:   
James King, Commissioner

ATTEST:

  
Steven G. Craycraft, Auditor  
Delaware County, Indiana

RESOLUTION NO. 2017-019

BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA

RESOLUTION TO TRANSFER REAL ESTATE TO  
MUNCIE SANITARY DISTRICT

WHEREAS, the Delaware County Commissioners entered into a Letter of Intent with the Muncie Sanitary District dated March 25, 2016, to exchange parcels of real estate owned by Delaware County (referred to as Parcel 1 and Parcel 1(a)) for Parcel 2 owned by the Muncie Sanitary District, more particularly described as follows:

1. **Property Address:** 300 W Washington St., Muncie, In 47305  
**Tax ID:** 18-11-09-481-014.000-003.  
**Legal:** Gilbert Donation Addition S 80' Jury Parking Lot
- 1a. **Property Address:** 211 N Franklin St., Muncie, IN 47305  
**Tax ID:** 18-11-09-481-013.000-003  
**Legal:** Gilbert Donation Addition N 45 ft Jury Parking Lot 8
2. **Property Address:** 214 E Washington St., Muncie, In. 47305  
**Tax ID:** 18-11-10-356-011.000-003  
**Legal:** Gilbert Donation Addition Blk 10, Lot 7&8

WHEREAS, the Muncie Sanitary District, has expressed a desire to acquire the aforementioned Parcels 1 and Parcel 1(a) for and as a part of its storm water separation project;

WHEREAS, the Board of Commissioners of Delaware County would benefit from the Parcel 2 because its contiguous to a parking lot already owned by the Board of Commissioners of Delaware County; and,

WHEREAS, the Board of Commissioners of the Muncie Sanitary District have agreed to pass a substantially identical resolution accepting such transfer.

NOW, THEREFORE, BE IT RESOLVED by the Delaware County Board of Commissioners, as the Delaware County Executive, that the real estate described above shall be deeded to the Muncie Sanitary District, under the provisions of Indiana Code § 36-1-11-8.

The foregoing Resolution No. 2017-09 was passed by the Board of Commissioners of Delaware County, Indiana this 1, day of May, 2017.

COMMISSIONERS OF DELAWARE COUNTY

By: [Signature]  
James King, Commissioner

By: [Signature]  
Shannon Henry, Commissioner

By: [Signature]  
Sherry Riffin, Commissioner

ATTEST:

By: [Signature]  
Steven G. Craycraft, Auditor