STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

RESOLUTION NO. 2017 - R - 4

A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY IN THE TOWN OF SELLERSBURG AND APPOINTING COUNCIL PRESIDENT RHODES AS AGENT FOR THE TOWN OF SELLERSBURG

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this "Council") is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, the City of Jeffersonville, Indiana ("Jeffersonville") is purchasing right-of-way for the expansion of Holmans Lane; and,

WHEREAS, the Town owns two (2) tracts of real property that abut Holmans Lane which Jeffersonville has requested to purchase portions of said tracts; and,

WHEREAS, Jeffersonville is a political subdivision to which real property owned by the Town may be transferred to pursuant to Ind. Code § 36-1-11-1 *et seq.*; and,

WHEREAS, Jeffersonville has offered to pay the Town fair market value for said portions of the properties; and,

WHEREAS, this Council believes it is in the best interest of the Town to transfer certain property to Jeffersonville for the offered prices.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Town Council of Sellersburg, Indiana that the property depicted in attached **Exhibits A and B** is hereby transferred to the City of Jeffersonville, Indiana for \$4,400 and \$26,623, respectively, upon Jeffersonville passing the same or similar resolution.

IT IS FURTHER RESOLVED that Paul J. Rhodes, President of the Town Council of Sellersburg, Indiana is hereby authorized to execute documents effectuating the transfer of the properties described in Exhibits A and B.

SO RESOLVED by the Town Council of	of Sellersburg, Indiana on the 23 day of
October, 2017.	
"Aye"	"Nay"
Paul J. Rhodes Council President	Paul J. Rhodes Council President
Brad Amos Council Vice President	Brad Amos Council Vice President
Martina Webster Council Member	Martina Webster Council Member
Jim LaMaster Council Member	Jim LaMaster Council Member
William Coulin Council Member	William Conlin Council Member
Michelle D. Miller Attested by: Michelle Miller Sellersburg Clerk-Treasurer	

WARRANTY DEED

Project: Veterans Pkwy. - Phase 2

Parcel: 26

1 of 2

Page:

Tax ID No. 10-21-02-101-363.000-009

THIS INDENTURE WITNESSETH, That The Town of Sellersburg, the Grantor, of Clark County, State of Indiana, Conveys and Warrants to the City of Jeffersonville, Indiana, an Indiana Municipal Corporation, the Grantee, for and in consideration of the sum of Twenty-Three Thousand Seven Hundred Seventy and NO/00 Dollars (\$23,770.00), (of which said sum \$23,770.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Clark State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Right-of-Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right-of-way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

The undersigned people executing this conveyance represent and certify on behalf of the Grantor; that they have been fully empowered by the Grantor to execute and deliver this conveyance and all other such instruments of transfer; that the Grantor has full capacity to convey the real estate described; and that all necessary action for the making of this conveyance has been duly taken.

WARRANTY DEED

Project: Veterans Pkwy. - Phase 2

Parcel: 26

Tax ID No. 10-21-02-101-363.000-009

Page: 1 of 2

THIS INDENTURE WITNESSETH, That The Town of Sellersburg, the Grantor, of Clark County, State of Indiana, Conveys and Warrants to the City of Jeffersonville, Indiana, an Indiana Municipal Corporation, the Grantee, for and in consideration of the sum of Twenty-Three Thousand Seven Hundred Seventy and NO/00 Dollars (\$23,770.00), (of which said sum \$23,770.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Clark State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Right-of-Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right-of-way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

The undersigned people executing this conveyance represent and certify on behalf of the Grantor; that they have been fully empowered by the Grantor to execute and deliver this conveyance and all other such instruments of transfer; that the Grantor has full capacity to convey the real estate described; and that all necessary action for the making of this conveyance has been duly taken.



Parcel: 26
Page: 2 of 2

Tax ID No. 10-21-02-101-363.000-009

IN WITNESS WHEREOF, the sa	aid Grantor has executed this instrument this
day of, 2017.	
BY: The Town of Sellersburg	
Signature: (add printed name here)	Signature: (add printed name here)
STATE OF: SS:	
COUNTY OF:	
The Town of Sellersburg, conveyance, and acknowledged the execution of	or said State and County, personally appeared for the Same on the date aforesaid to be their voluntary d any representations contained therein are true.
WITNESS my hand and Notarial Seal	this, 2017.
Signature	Printed Name
County of Residence:	My Commission Expires:
Mail tax statement to: 500 Quartermaster Cou	urt, Jeffersonville, Indiana, 47130

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Les Merkley, Attorney

The foregoing instrument was prepared by Les Merkley, City of Jeffersonville Attorney, 500 Quartermaster Court, Jeffersonville, Indiana 47130. Preparation and attachment of any exhibits hereto are as stated thereon.

Parcel: 26
Page: 2 of 2

Tax ID No. 10-21-02-101-363.000-009

IN WITNESS WHEREOF, the same day of, 2017.	aid Grantor has executed this instrument this					
BY: The Town of Sellersburg						
Signature: (add printed name here)	Signature: (add printed name here)					
STATE OF: SS:						
COUNTY OF:	11					
Before me, a Notary Public in and for	or said State and County, personally appeared for					
The Town of Sellersburg,	, the Grantor in the above					
conveyance, and acknowledged the execution of	of the same on the date aforesaid to be their voluntary					
act and deed and who, being duly sworn, state	d any representations contained therein are true.					
	this, 2017.					
Signature	Printed Name					
County of Residence:	My Commission Expires:					
Mail tax statement to: 500 Quartermaster Con	urt, Jeffersonville, Indiana, 47130					
	' that I have taken maganable core					

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Les Merkley, Attorney

The foregoing instrument was prepared by Les Merkley, City of Jeffersonville Attorney, 500 Quartermaster Court, Jeffersonville, Indiana 47130.

Preparation and attachment of any exhibits hereto are as stated thereon.



EXHIBIT "A"

Page 1 of 1

Parcel 26 Fee (Permanent Right-of-Way)

Road:

Holmans Lane

County:

Clark

Survey No: 21, Illinois Grant

Tax ID No: 10-21-02-100-363.000-009

Being a part of Survey No. 21 of the Illinois Grant in the City of Jeffersonville, Clark County, Indiana, and intending to be all that tract of land described in Deed Drawer 18, Instrument 1927 lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows:

Commencing at a cotton gin spindle marking the north corner of Survey No. 21 being designated as point "31013" on said plat; thence South 35°31'23" East, 3333.33 feet along the line dividing Survey Nos. 21 and 22; South 54°18'26" West, 28.92 feet to the existing southwesterly right-of-way of Holmans Lane, being the True Point of Beginning;

Thence South 35°31'12" East, 99.94 feet along said existing right-of-way; thence South 35°27'54" East, 223.02 feet continuing along said existing right-of-way to southeasterly line of said tract; thence South 54°26'02" West, 14.83 feet along said line; thence North 35°11'31" West, 322.94 feet to the northwesterly line of said tract; thence North 54°18'26" East, 13.20 feet along said line to the True Point of Beginning.

Containing 0.104 acres, more or less.

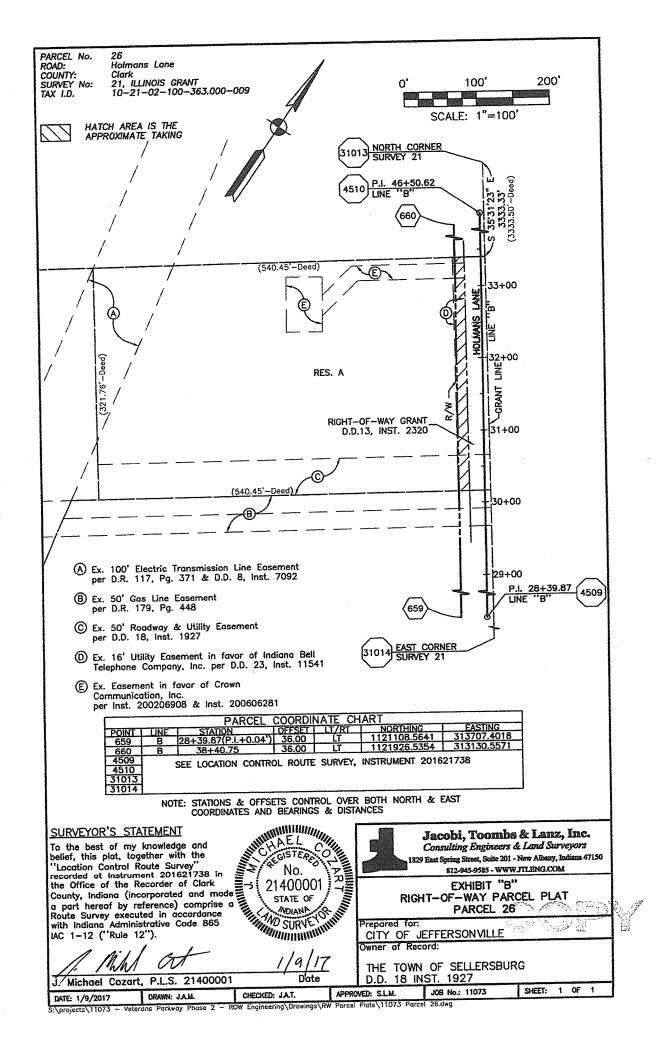
All bearings in this description are based on the bearing system for the City of Jeffersonville, Veterans Parkway Improvements Project as shown on Location Control Route Survey recorded at Instrument 201621738, in the Office of Recorder, Clark County, Indiana.

CERTIFIED BY:

Michael Cozart, P.L.S. No. 21400001

Date

COPY



TEMPORARY HIGHWAY EASEMENT GRANT

Project: Veterans Pkwy. - Phase 2

Parcel: 26A
Page: 1 of 2

Tax ID No. 10-21-02-101-363.000-009

THIS INDENTURE WITNESSETH, That The Town of Sellersburg, the Grantor, of Clark County, State of Indiana, Grants to the City of Jeffersonville, Indiana, an Indiana Municipal Corporation, the Grantee, for and in consideration of the sum of Two Thousand Eight Hundred Fifty-Three and NO/00 Dollars (\$2.853.00), (of which said sum \$0.00 represents land improvements acquired and \$2.853.00 represents land temporarily encumbered and damages) and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement to enter upon and have possession of the Real Estate of the Grantor for the purpose of lawn grading and/or other road related improvements servicing to the Grantor's property to and from the highway facility, which said work is incidental to the construction of the highway facility known as Holmans Lane, which said Real Estate situated in the County of Clark, State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" of which exhibit is incorporated herein by reference, which said temporary easement shall be extinguished, become void and revert to the Grantor and/or the Grantor's successor(s) in title upon completion of the said Project.

Any and all timber, shrubbery, and fences and any other improvements situated within the area of temporary easement granted herein shall become the property of the City of Jeffersonville, and may be modified, altered, removed and not replaced, except:

The said Grantor acknowledges that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of Jeffersonville to accept this grant and to pay the hereinbefore referenced consideration, represent that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

TEMPORARY HIGHWAY EASEMENT GRANT

Project: Veterans Pkwy. - Phase 2

Parcel: 26A
Page: 1 of 2

Tax ID No. 10-21-02-101-363.000-009

THIS INDENTURE WITNESSETH, That The Town of Sellersburg, the Grantor, of Clark County, State of Indiana, Grants to the City of Jeffersonville, Indiana, an Indiana Municipal Corporation, the Grantee, for and in consideration of the sum of Two Thousand Eight Hundred Fifty-Three and NO/00 Dollars (\$2,853.00), (of which said sum \$0.00 represents land improvements acquired and \$2,853.00 represents land temporarily encumbered and damages) and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement to enter upon and have possession of the Real Estate of the Grantor for the purpose of lawn grading and/or other road related improvements servicing to the Grantor's property to and from the highway facility, which said work is incidental to the construction of the highway facility known as Holmans Lane, which said Real Estate situated in the County of Clark, State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" of which exhibit is incorporated herein by reference, which said temporary easement shall be extinguished, become void and revert to the Grantor and/or the Grantor's successor(s) in title upon completion of the said Project.

Any and all timber, shrubbery, and fences and any other improvements situated within the area of temporary easement granted herein shall become the property of the City of Jeffersonville, and may be modified, altered, removed and not replaced, except:

The said Grantor acknowledges that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of Jeffersonville to accept this grant and to pay the hereinbefore referenced consideration, represent that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.



Parcel: 26A
Page: 2 of 2

Tax ID No. 10-21-02-101-363.000-009

IN WITNESS WHEREOF, the s	said Grantor has executed this instrument this			
BY: The Town of Sellersburg				
Signature: (add printed name here)	Signature: (add printed name here)			
STATE OF:				
COUNTY OF:				
The Town of Sellersburg,	for said State and County, personally appeared for the Grantor in the above conveyance on the date aforesaid to be their voluntary act and deed entations contained therein are true.			
WITNESS my hand and Notarial Seal	this day of, 2017.			
Signature	Printed Name			
County of Residence:	My Commission Expires:			
Mail tax statement to: 500 Quartermaster Co	ourt, Jeffersonville, Indiana, 47130			

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Les Merkley, Attorney

The foregoing instrument was prepared by Les Merkley, City of Jeffersonville, Attorney, 500 Quartermaster Court, Jeffersonville, Indiana 47150.

Preparation and attachment of any exhibits hereto are as stated thereon.

Parcel: 26A Page: 2 of 2

Tax ID No. 10-21-02-101-363.000-009

IN WITNESS WHEREOF, the sday of, 2017.	id Grantor has ex	xecuted this i	instrument thi	S	
BY: The Town of Sellersburg					
Signature: (add printed name here)	Signature: (ad	ld printed name	e here)		
STATE OF: SS: COUNTY OF:					
Before me, a Notary Public in and f	or said State and Co	ounty, persona	lly appeared for	or	
The Town of Sellersburg,	tne C	rantor in the ac	toru act and dee	o, ad	
and acknowledged the execution of the same o	the date aforesaid to) be meir voium	iary act and dec	,u	
and who, being duly sworn, stated any represe	ntations contained in	lerem are muc.			
WITNESS my hand and Notarial Seal	this day	of	, 201′	7.	
Signature	Printed Name				
County of Residence:	My Commission Expires:				
Mail tax statement to: 500 Quartermaster Co	ırt, Jeffersonville, In	diana, 47130			
I affirm, under penalties for per to redact each Social Se	jury, that I have take urity number in this	n reasonable co	are		

The foregoing instrument was prepared by Les Merkley, City of Jeffersonville, Attorney, 500 Quartermaster Court, Jeffersonville, Indiana 47150.

unless required by law. - Les Merkley, Attorney

Preparation and attachment of any exhibits hereto are as stated thereon.

EXHIBIT "A"

Page 1 of 1

Parcel 26A Temporary Right-of-Way for Drive Construction and Lawn Grading

Road: Holmans Lane

County: Clark

Survey No: 21, Illinois Grant

Tax ID No: 10-21-02-100-363.000-009

Being a part of Survey No. 21 of the Illinois Grant in the City of Jeffersonville, Clark County, Indiana, and part of the land described in Deed Drawer 18, Instrument 1927, described as follows:

Commencing at a cotton gin spindle marking the north corner of Survey No. 21; thence South 35°31'23" East, 3333.33 feet along the line dividing Survey Nos. 21 and 22; thence South 54°18'26" West, 42.12 feet, being the True Point of Beginning;

Thence South 35°11'31" East, 322.94 feet to the southeasterly line of said tract; thence South 54°26'02" West, 9.00 feet along said southeasterly line; thence North 35°11'31" West, 43.84 feet; thence North 08°37'37" West, 11.18 feet; thence North 35°11'31" West, 95.00 feet; thence South 54°48'29" West, 10.00 feet; thence North 35°11'31" West, 25.00 feet; thence North 54°48'29" East, 10.00 feet; thence North 35°11'31" West, 115.00 feet; thence South 54°48'29" West, 10.00 feet; thence North 35°11'31" West, 34.04 feet to the northwesterly line of said tract; thence North 54°18'26" East, 14.00 feet along said northwesterly line to the True Point of Beginning.

Containing 0.049 acres, more or less.

CERTIFIED BY:

Michael Cozart, P.L.S. No. 21400001

Data

COPY

WARRANTY DEED

Project: Veterans Pkwy. - Phase 2

Parcel: 86

Tax ID No. 10-19-02-100-326.000-009

Page: 1 of 2

THIS INDENTURE WITNESSETH, That Civil Town of Sellersburg, of Clark County, State of Indiana, the Grantor, of Clark County, State of Indiana, Conveys and Warrants to the City of Jeffersonville, Indiana, an Indiana Municipal Corporation, the Grantee, for and in consideration of the sum of Four Thousand Four Hundred and NO/00 Dollars (\$4,400.00), (of which said sum \$4,400.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Clark State of Indiana, and which is more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Right-of-Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right-of-way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

The undersigned people executing this conveyance represent and certify on behalf of the Grantor; that they have been fully empowered by the Grantor to execute and deliver this conveyance and all other such instruments of transfer; that the Grantor has full capacity to convey the real estate described; and that all necessary action for the making of this conveyance has been duly taken.

Parcel: 86
Page: 2 of 2

Tax ID No. 10-19-02-100-326.000-009

IN WITNESS	WHEREO	F, the said	l Grantor	has	executed	this	instrument	this
day of		, 2017.						
BY: Civil Town of So	ellersburg, of	Clark Cou	nty, State	of Ind	iana			
Signature:	**************************************		Signat	ure:				
STATE OF	•	SS:						
COUNTY OF	:							
Before me, a Notary P Town of Sellersburg, Grantor in the above co to be their voluntary ac therein are true.	of Clark Country onveyance, and at and deed and	nty, State of d acknowled d who, being	Indiana_ ged the exe g duly swo	ecution	of the sar	me on presen	the date afor	_, the resaid ained
WITNESS my	hand and Not	arial Seal th	is	day	y of	***************************************		2017.
Signature	Printed Name							
County of Residence:	My Commission Expires:							
Mail tax statement to:	500 Quartern	naster Court	, Jefferson	ville, I	ndiana, 4'	7130		
	under penalti redact each s unless requ		ity number	in this	s docume		are	

The foregoing instrument was prepared by Les Merkley, City of Jeffersonville Attorney, 500 Quartermaster Court, Jeffersonville, Indiana 47130. Preparation and attachment of any exhibits hereto are as stated thereon.

EXHIBIT "A"

Page 1 of 1

Parcel 86 Fee (Permanent Right-of-Way)

Road: Holmans Lane

County: Clark

Survey No: 22, Illinois Grant

Tax ID No: 10-19-02-100-326.000-009

Being a part of Survey No. 22 of the Illinois Grant in the City of Jeffersonville, Clark County, Indiana, and intending to be all that tract of land described in Deed Drawer 4 Instrument 606, lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows:

Commencing at a steel pin marking the south corner of Survey No. 22 being designated as point "31014" on said plat; thence North 35°31'23" West, 563.74 feet along the line dividing Survey Nos. 21 and 22 to the south corner of said tract, being the True Point of Beginning;

Thence North 35°31'23" West, 100.00 feet along said dividing line to the northwesterly line of said tract; thence North 54°37'34" East, 24.55 feet along said northwesterly line to a point being designated as "666" on said plat; thence 82.43 feet along the arc of a curve to the left having a radius of 5764.01 feet and a chord which bears South 36°50'38" East, 82.43 feet to a point being designated as "720" on said plat; thence South 37°15'13" East, 17.61 feet to the southeasterly line of said tract being designated as point "719" on said plat; thence South 54°37'34" West, 26.99 feet along said southeasterly line to the True Point of Beginning.

Containing 0.059 acres, more or less, inclusive of the presently existing right-of-way which contains 0.020 acres, more or less.

All bearings in this description are based on the bearing system for the City of Jeffersonville, Veterans Parkway Improvements Project as shown on Location Control Route Survey recorded at Instrument 201621738, in the Office of Recorder, Clark County, Indiana.

CERTIFIED BY:

Stephen L. Marshall, P.L.S. No. 20000204

Date

