

ORDINANCE NO. 3310

AN ORDINANCE DECLARING CERTAIN PROPERTY NO LONGER NEEDED FOR CITY GOVERNMENTAL PURPOSES AND AUTHORIZING THE SALE OF SAID PROPERTY AND APPOINTING THE BOARD OF PUBLIC WORKS AND SAFETY AS DISPOSING AGENT TO CONDUCT SAID SALE AND EXECUTE ALL INSTRUMENTS TO EFFECT THE SALE THEREOF

WHEREAS, the City of New Castle is the owner of certain commercial property located within the City of New Castle, Henry County, State of Indiana and commonly described as follows, to-wit:

A PART OF LOTS NUMBERED 4 AND 5, IN BLOCK NUMBER 5, IN THE ORIGINAL PLAT OF THE CITY OF NEW CASTLE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A 5/8 INCH REBAR AT THE NORTHWEST CORNER OF SAID LOT NUMBER 4, THENCE EAST ALONG THE NORTH LINE OF SAID LOTS NUMBER 4 AND NUMBER 5 A DISTANCE OF 84.65 FEET TO A 5/8 INCH REBAR LOCATED 1.58 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT NUMBER 5, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT NUMBER 4 A DISTANCE OF 95.00 FEET TO A CUT CROSS IN A CONCRETE STEP, THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOTS A DISTANCE OF 4.42 FEET TO A 5/8 INCH REBAR LOCATED 2.84 FEET WEST OF THE EAST LINE OF SAID LOT NUMBER 4, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT NUMBER 4 A DISTANCE OF 10.00 FEET TO A 5/8 INCH REBAR, THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT NUMBER 1 A DISTANCE OF 80.41 FEET TO A 5/8 INCH REBAR ON THE WEST LINE OF SAID LOT NUMBER 4, THENCE NORTH ALONG THE WEST LINE OF SAID LOT NUMBER 4 A DISTANCE OF 105.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.203 ACRES, MORE OR LESS.

AND

(PART OF BLOCK NO.5 IN THE ORIGINAL PLAT OF NEW CASTLE, INDIANA)

BEGINNING AT A REBAR AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 1557, DEED RECORD 180, PAGE 484 IN THE OFFICE OF RECORDER FOR HENRY COUNTY; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID TRACT AND THE WEST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 99003711 IN SAID RECORDER'S OFFICE A DISTANCE OF 165.00 FEET TO A SCRIBED "X" AT THE SOUTHWEST CORNER OF TRACT AND BEING ON THE NORTH RIGHT OF WAY LINE OF BROAD STREET THENCE NORTH 89 DEGREES 30 MINUTES 15 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 66.59 FEET TO THE WEST RIGHT OF WAY LINE OF 11TH STREET AS NOW LOCATED; THENCE NORTH 27 DEGREES 46 MINUTES 08 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 91.14 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 181.30 FEET, THE RADIUS POINT WHICH BEARS NORTH 60 DEGREES 01 MINUTES 34 SECONDS WEST FROM SAID POINT; THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 87.91 FEET TO A POINT THAT BEARS SOUTH 87 DEGREES 48 MINUTES 34 SECONDS EAST FROM SAID RADIUS POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING, CONTAINING

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0.10 ACRES (4378 SQ. FT), MORE OR LESS.

(Vacant lot located at the southeast corner of North 11th Street and Fleming Street)

and;

WHEREAS, the said real estate has been appraised by two (2) appraisers who are professionally engaged in making appraisals, and licensed under I.C. 25-34-1; and

WHEREAS, this real estate is not needed for City governmental purposes and it is therefore in the best interests of the City of New Castle to sell said property; and

WHEREAS, the Board of Public Works and Safety, being the Executive Branch of City Government, should act as the disposal agent for said property as that term is used in I.C. 36-1-11-1 et seq.

NOW THEREFORE, BE IT ENACTED by the Common Council of the City of New Castle, Indiana, as follows:

1. The Board of Public Works and Safety is hereby directed to sell the following described real estate located in Henry County, Indiana and more particularly described as follows, to-wit:

A PART OF LOTS NUMBERED 4 AND 5, IN BLOCK NUMBER 5, IN THE ORIGINAL PLAT OF THE CITY OF NEW CASTLE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A 5/8 INCH REBAR AT THE NORTHWEST CORNER OF SAID LOT NUMBER 4, THENCE EAST ALONG THE NORTH LINE OF SAID LOTS NUMBER 4 AND NUMBER 5 A DISTANCE OF 84.65 FEET TO A 5/8 INCH REBAR LOCATED 1.58 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT NUMBER 5, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT NUMBER 4 A DISTANCE OF 95.00 FEET TO A CUT CROSS IN A CONCRETE STEP, THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOTS A DISTANCE OF 4.42 FEET TO A 5/8 INCH REBAR LOCATED 2.84 FEET WEST OF THE EAST LINE OF SAID LOT NUMBER 4, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOT NUMBER 4 A DISTANCE OF 10.00 FEET TO A 5/8 INCH REBAR, THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID LOT NUMBER 1 A DISTANCE OF 80.41 FEET TO A 5/8 INCH REBAR ON THE WEST LINE OF SAID LOT NUMBER 4, THENCE NORTH ALONG THE WEST LINE OF SAID LOT NUMBER 4 A DISTANCE OF 105.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.203 ACRES, MORE OR LESS.

AND

(PART OF BLOCK NO.5 IN THE ORIGINAL PLAT OF NEW CASTLE, INDIANA)

BEGINNING AT A REBAR AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 1557, DEED RECORD 180, PAGE 484 IN THE OFFICE OF RECORDER FOR HENRY COUNTY; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) ALONG THE WEST LINE



OF SAID TRACT AND THE WEST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 99003711 IN SAID RECORDER'S OFFICE A DISTANCE OF 165.00 FEET TO A SCRIBED "X" AT THE SOUTHWEST CORNER OF TRACT AND BEING ON THE NORTH RIGHT OF WAY LINE OF BROAD STREET THENCE NORTH 89 DEGREES 30 MINUTES 15 SECONDS WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 66.59 FEET TO THE WEST RIGHT OF WAY LINE OF 11TH STREET AS NOW LOCATED; THENCE NORTH 27 DEGREES 46 MINUTES 08 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 91.14 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 181.30 FEET, THE RADIUS POINT WHICH BEARS NORTH 60 DEGREES 01 MINUTES 34 SECONDS WEST FROM SAID POINT; THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 87.91 FEET TO A POINT THAT BEARS SOUTH 87 DEGREES 48 MINUTES 34 SECONDS EAST FROM SAID RADIUS POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING, CONTAINING 0.10 ACRES (4378 SQ. FT), MORE OR LESS.

(Vacant lot located at the southeast corner of North 11th Street and Fleming Street. See Exhibit "A" attached.)

2. That said real estate should be sold pursuant to the provisions of I.C. 36-1-11-4.

3. That the Board of Public Works and Safety of the City of New Castle should act as the disposing agent, as that term is defined within I.C. 36-1-11-2(2). That as disposing agent, said Board of Public Works and Safety is further authorized to execute all necessary deeds and instruments to effect said sale and transfer title to the purchaser.

4. That the passage of this Ordinance shall be considered approval of the sale of the real estate by the City's fiscal body in conformity with the provisions of I.C. 36-1-11-3(c) (1)

5. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

6. Severability. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which, by operation, shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible shall remain in full force and effect.

This Ordinance shall be effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2002.

Sherman Boles, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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