

**RESOLUTION NO. 03022015-1**

**A RESOLUTION AUTHORIZING THE DISPOSAL OF CERTAIN REAL ESTATE**

**WHEREAS**, the Water Utility of the City of New Castle owns certain real estate located in Harrison Township, Henry County, Indiana and more particularly described as follows:

"A part of Deed Record 152, Page 379"

A part of the West Half of the Northeast Quarter of Section 13, Township 17 North, Range 9 East, in Harrison Township, Henry County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Northeast Quarter Section; thence on an assumed bearing of North 89 degrees 49 minutes 45 seconds East along the South line thereof a distance of 106.00 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southwest corner of a tract of land described in Deed Record 152, Page 379 as recorded in the Office of the Recorder of Henry County, Indiana; thence North 00 degrees 50 minutes 42 seconds East along the West line thereof a distance of 358.87 feet to the POINT OF BEGINNING of this description; thence North 00 degrees 50 minutes 42 seconds East continuing along the West line thereof a distance of 933.73 feet to a 16 inch concrete post; thence North 10 degrees 41 minutes 17 seconds East continuing along the West line thereof a distance of 1350.00 feet to a 16 inch concrete post; thence North 10 degrees 41 minutes 17 seconds East continuing along the West line thereof a distance of 41.24 feet to a "Mag" nail marking the Northwest corner of said tract, said point also being on the North line of said Northeast Quarter; thence South 89 degrees 59 minutes 40 seconds East along the North line thereof a distance of 978.56 feet to a "Mag" nail marking the Northeast corner of the West Half of said Northeast Quarter; thence South 01 degrees 19 minutes 37 seconds West along the East line thereof a distance of .2297.69 feet to a "Mag" nail; thence South 89 degrees 49 minutes 45 seconds West parallel with the South line of said Northeast Quarter a distance of 1197.15 feet to the POINT OF BEGINNING. Containing 59.955 acres, more or less.

and,

**WHEREAS**, it has been determined after public hearing that said real estate is no longer needed for a governmental purpose and should be disposed; and,

**WHEREAS**, the real estate appraised for the sum of \$269,798.00, and therefore should not be sold for less than said appraised value plus costs of sale.

**NOW , THEREFORE , BE IT RESOLVED** by the Common Council of the City of New Castle that the real estate described hereinabove should be disposed of pursuant to statute and the Board of Public Works and Safety is hereby directed to act as disposing agent for the real estate.

**IT IS FURTHER RESOLVED**, that upon receipt of successful bid by the City of New Castle and the sale is negotiated, the Mayor of the City of New Castle and its Clerk-Treasurer are authorized to execute all documents necessary to convey title to the successful bidder. Any sale made pursuant to this resolution shall be without warranty by the City and the purchaser shall take the property as is and proceed at his or her risk. No sale shall be made to any ineligible person identified by statute and the City shall reserve the right at any time to reject all bids and cancel said sale.

**REPEALER:** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**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 resolution, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This resolution shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Greg York, PRESIDING OFFICER  
COMMON COUNCIL, NEW CASTLE, IN

ATTEST:

\_\_\_\_\_  
CHRISTY YORK, CLERK-TREASURER

AYE

NAY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Greg York, Mayor  
City of New Castle, Indiana