

BEFORE THE COMMON COUNCIL  
CITY OF CHARLESTOWN, INDIANA

RESOLUTION 2015-R- 1

**A RESOLUTION APPROVING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY,  
AND APPOINTING MAYOR G. ROBERT HALL AS AGENT FOR THE CITY OF CHARLESTOWN**

Comes now the Common Council of the *City of Charlestown, Indiana* (the “City”), with respect to certain surplus real property which the City has a desire to dispose of, which real property is located at 803 Level Street in Charlestown, Clark County, Indiana (hereinafter referred to as the “*Real Estate*”), and states as follows:

WHEREAS, through negotiation following enforcement proceedings of the City’s *Property Maintenance Code* the Real Estate was conveyed to the City; and

WHEREAS, after receiving conveyance of the Real Estate, the City caused a dilapidated structure on the Real Estate to be razed, at City expense; and,

WHEREAS, the Real Estate has economic value, but presently the City has no foreseeable use for the Real Estate; and,

WHEREAS, the *Non-Reverting Fund for Planning and Zoning* is utilized by the Building Commissioner for abatement of violations of property maintenance problems in the City, such as uncut grass, removal of debris, abating common nuisances, razing unsafe structures, etc... ; and,

WHEREAS, it is in the best interest of the City to dispose of the Real Estate and that the proceeds of the sale of the Real Estate be utilized to offset the legal and other costs incurred in enforcement proceedings brought against the former owners of the Real Estate; for the razing of the dilapidated structure on the Real Estate, and that the balance of the proceeds of the sale be applied to replenish and supplement the *Non-Reverting Fund for Planning and Zoning*. Now Therefore,

IT IS HEREBY RESOLVED by the Common Council of the City of Charlestown, Indiana that the Real Estate located at 803 Level Street in Charlestown, Clark County, Indiana, owned by the City of Charlestown, Indiana, is declared surplus property, and shall be sold pursuant to the requirements of **Indiana Code §36-1-11-1 et seq.** That Real Estate is further more particularly described as follows, to wit:

A tract of land within the corporate limits of the City of Charlestown, Clark County, Indiana and being part of one of the lots laid out by Isaac Naylor and designated by letter “J” containing 5.5 acres and 6 poles in number 117 of the Illinois grant as shown in plat book number 3 at page 67 of the Clark County, Indiana records. Commencing at the northeast corner of said tract

designated by letter "J" and running north 34 degrees and 22 minutes west with the north line of said tract a distance of 92 feet to the west corner of lot number 425 in the City of Charlestown; thence south 54 degrees 43 minutes west 50 feet; thence north 34 degrees 22 minutes west a distance of 425 feet and the true place of beginning of this description; thence north 34 degrees 22 minutes west 90 feet to a steel pin in the west line of said tract designated as letter "J"; thence south 54 degrees 43 minutes west with said west line 173 feet; thence south 34 degrees 22 minutes east 90 feet; thence north 54 degrees 43 minutes east 173 feet to the point of beginning, containing 3/10 of an acre, more or less.

IT IS FURTHER RESOLVED that the proceeds of the sale of the real estate be utilized to offset the legal and other costs incurred in enforcement proceedings brought against the former owners of the Real Estate, for the costs of razing of the dilapidated structure on the Real Estate, for the costs of disposal of the Real Estate, and that the balance of the proceeds of the sale of the Real Estate be transferred to the *Non-Reverting Fund for Planning and Zoning*.

IT IS FURTHER RESOLVED that the Mayor of Charlestown, Indiana should be, and hereby is, authorized to act as agent for the City of Charlestown, Indiana to execute documents effectuating the sale of the Real Estate described above.

ALL OF WHICH IS RESOLVED on the 6 day of July, 2015.

	Voted In Favor	Voted Against	Abstained	Absent
<u>Ruth Ann Rawlings</u> Ruth Ann Rawlings	✓	_____	_____	_____
<u>Scott McKechnie</u> Scott McKechnie	✓	_____	_____	_____
<u>Jeff Aaron</u> Jeff Aaron	✓	_____	_____	_____
<u>Danny James</u> Danny James	✓	_____	_____	_____
<u>Kathy Cash</u> Kathy Cash	✓	_____	_____	_____

SEEN AND APPROVED BY ME THIS 6 DAY OF July, 2015, BY:

G. Robert Hall  
Mayor G. Robert Hall

ATTESTED on the 6 day of July, 2015



Donna Coomer  
City Clerk/Treasurer