

BPW&S RESOLUTION NO. 2022-6

Synopsis: This Resolution, if adopted, would authorize the Mayor to execute and deliver the attached quitclaim deed to the Huntington County Community School Corporation conveying a small portion of vacated Poplar Street.

RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF HUNTINGTON, INDIANA

The Board of Public Works & Safety of the City of Huntington, Indiana (“Board”), in duly assembled meeting, finds:

WHEREAS, the City of Huntington, Indiana (“City”) has an ownership interest in a small amount of real property commonly known as a portion of vacated Poplar Street and more specifically described as follows and as shown on the survey attached hereto:

A PART OF TRACT SEVEN (7) IN THE RESERVE OF TEN (10) SECTION, TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, BEING A PORTION OF THE LANDS DESCRIBED TO THE CITY OF HUNTINGTON PER DEED BOOK 199, PAGE 129, RECORDED ON SEPTEMBER 10, 1962 IN THE OFFICE OF THE HUNTINGTON COUNTY RECORDER’S OFFICE, AND AS SHOWN ON A SURVEY COMPLETED BY BERTSCH FRANK & ASSOCIATES, AND CERTIFIED BY MATTHEW G. BERTSCH (P.S.#20200087) ON MAY 18, 2022 UNDER JOB NUMBER 18230.200; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF POPLAR STREET EXTENDED WITH THE NORTHERLY LINE OF MCGAHN STREET, ALSO BEING THE NORTH LINE OF THE 15 ADDITIONAL FEET OF RIGHT-OF-WAY CONVEYED TO THE CITY OF HUNTINGTON PER DEED BOOK 197, PAGE 796 RECORDED ON DECEMBER 1, 1961 IN THE OFFICE OF SAID RECORDER, THENCE NORTH 35 DEGREES 58 MINUTES 10 SECONDS WEST, (NAD83 INDIANA STATE PLANE, ZONE EAST GRID AND BASIS OF BEARINGS TO FOLLOW), 1061.90 FEET (DEED) ALONG THE WEST LINE OF POPLAR STREET EXTENDED TO A 5/8”REBAR WITH A “BERTSCH-FRANK” IDENTIFICATION CAP ON THE NORTH LINE OF SAID DEED BOOK 199, PAGE 129 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 53 DEGREES 32 MINUTES 00 SECOND EAST, 66.00 FEET (DEED) ALONG SAID NORTH LINE TO A 5/8”REBAR WITH A “BERTSCH-FRANK” IDENTIFICATION CAP ON THE EAST LINE OF POPLAR STREET EXTENDED; THENCE SOUTH 35 DEGREES 58 MINUTES 10 SECONDS EAST, 311.90 FEET TO A 5/8”REBAR WITH A “BERTSCH-FRANK” IDENTIFICATION CAP SET ON THE NORTH LINE OF THE SOUTH 750 FEET OF POPLAR STREET; THENCE SOUTH 53 DEGREES 32 MINUTES 00 SECONDS WEST, 66.00 FEET ALONG THE NORTH LINE OF THE SOUTH 750 FEET TO A 5/8”REBAR WITH A “BERTSCH-FRANK” IDENTIFICATION CAP SET ON THE WEST LINE OF POPLAR STREET EXTENDED; THENCE NORTH 35 DEGREES 58 MINUTES 10 SECONDS WEST, 311.90 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 0.474 ACRES MORE OR LESS. SUBJECT TO EASEMENTS OF RECORD (“Real Property”); and

WHEREAS, Huntington County real estate records indicate that over the course of several years and transactions ownership of the Real Estate has become clouded; and

WHEREAS, it would be appropriate for the City to transfer its ownership interest, retaining only a utility easement; and

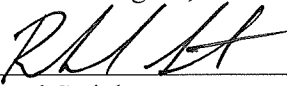
WHEREAS, pursuant to I.C. § 36-1-11-8, the City may transfer the Real Property to another governmental entity upon any agreed upon terms evidenced by the adoption of substantially identical resolutions; and

WHEREAS, the Huntington County Community School Corporation ("School Corporation"), is willing to accept a donation of the Real Property, and the City is willing to donate that Real Property.

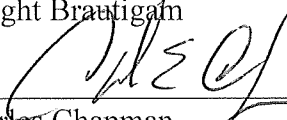
NOW, THEREFORE, BE IT RESOLVED that the City shall transfer the Real Property to the School Corporation as a donation by authorizing the Mayor to execute and deliver the attached Quitclaim Deed to the School Corporation. This transfer is made without warranty and is an "as is" transfer.


Approved this 21 day of June 2022.

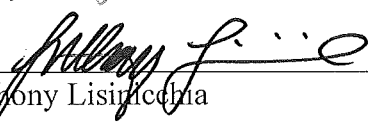
BOARD OF PUBLIC WORKS & SAFETY
City of Huntington, Indiana

By  as Mayor and
Richard Strick Member


By Absent as Member
Dwight Brautigam

By  as Member
Charles Chapman

By  as Member
Kathy Elmore

By  as Member
Anthony Lisinacchia

ATTEST:

 as Clerk-Treasurer
Christi A. McElhaney