

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION NO. 13 - 2012

A RESOLUTION AUTHORIZING THE DONATION OF CERTAIN RIGHTS-OF-WAY TO THE INDIANA DEPARTMENT OF TRANSPORTATION AS AN INDUCEMENT TO FUND AND CONSTRUCT THE STAR HILL ROAD IMPROVEMENT PROJECT

WHEREAS, this Board of Commissioners of Clark County, Indiana (hereinafter this "Board"), is the executive body of the Clark County government unit pursuant to IC 36-2-2-2; and,

WHEREAS, this Board has acquired certain rights-of-way for use in constructing the Star Hill Road improvement project in Wood Township, Clark County, Indiana (the "Project"), with funding obtained from the Indiana Department of Transportation ("INDOT"); and,

WHEREAS, this Board is aware that certain of the rights-of-way need to be conveyed to INDOT as they will properly become a part of improvements to State Road 60 within the boundaries of the Project; and,

WHEREAS, this Board now adopts this Resolution for purposes of authorizing the donation and conveyance of certain of the rights-of-way for the Project to INDOT pursuant to the provisions of IC 36-1-11-3 and IC 36-1-11-8.

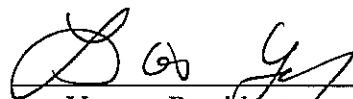
NOW, THEREFORE, BE IT RESOLVED by this Board of Clark County Commissioners as follows:

1. This Board hereby authorizes the donation to the INDOT of certain rights-of-way to be used as part of the Star Hill Road Project pursuant to the terms of the conveyance instrument attached hereto as Exhibit "A".

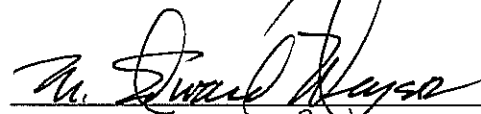
2. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption by this Board.

So Resolved by this Board at a properly noticed and convened regular meeting this 30th day of August, 2012.

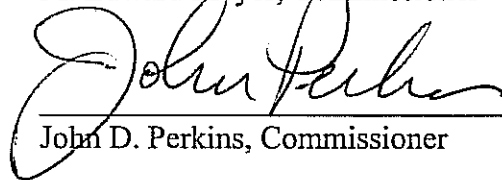
**BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**



Les Young, President

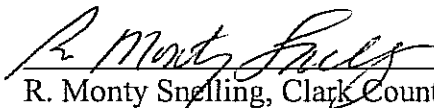


M. Edward Meyer, Commissioner



John D. Perkins, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor

WARRANTY DEED

Project: 0201017
Code: N/A
Parcel: 13 Disposition
Page: 1 of 2

THIS INDENTURE WITNESSETH, That the **Board of County Commissioners of Clark County, Indiana**, the Grantor, of Clark County, State of Indiana, Conveys and Warrants to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of NO Dollars (\$0.00) and/or other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Clark, State of Indiana, and being more particularly described in the legal description(s) 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.

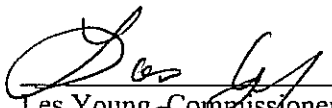
This conveyance is subject to any and all easements, conditions and restrictions of record.

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 represent and warrant that they are the County Commissioners of the Grantor, that pursuant to resolution of the Board of County Commissioners of Clark County, Indiana, they have full authority to manage the affairs of said County and sign and execute documents on its behalf and that said authority has not been revoked, and that they are therefore, fully authorized and empowered to convey to the State of Indiana real estate of the County, and that on the date of execution of said conveyance instruments they had full authority to so act.

IN WITNESS WHEREOF, the said Grantor has executed this instrument this 30th day of August, 2012.

Board of County Commissioners of Clark County, Indiana



Les Young, Commissioner



John D. Perkins, Commissioner



M. Edward Meyer, Commissioner

Project: 0201017
Code: N/A
Parcel: 13 Disposition
Page: 2 of 2

STATE OF INDIANA

COUNTY OF CLARK

Before me, a Notary Public in and for said State and County, personally appeared the Board of County Commissioners of Clark County, Indiana, by its commissioners, Les Young, M. Edward Meyer, and John D. Perkins, the Grantor in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be its voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this _____ day of _____, 2012.

Signature

Printed Name

My Commission expires _____

I am a resident of _____ County.

This deed prepared without benefit of title work

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, and that this instrument was prepared by:

C. Gregory Fifer
APPLEGATE FIFER PULLIAM LLC
P. O. Box 1418
Jeffersonville, Indiana 47131-1418
(812) 284-9499

Interests in land acquired by the Indiana
Department of Transportation
Grantee mailing address:
100 North Senate Avenue
Indianapolis, IN 46204-2219
I.C. 8-23-7-31

EXHIBIT "A"

Star Hill Road
Clark County.
Parcel 13 Disposition
Grantor: Clark County

Sheet 1 of 2

A part of North Half of Section 2, Township 1 South, Range 5 East, Clark County, Indiana, and being a part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southwest corner of said half section; thence North 89 degrees 57 minutes 21 seconds East 1,329.10 feet along the south line of said half section; thence North 0 degrees 15 minutes 08 seconds West 1,715.95 feet to the centerline of S.R. 60; thence along said centerline of S.R. 60 Southeasterly 703.28 feet along an arc to the left having a radius of 1,910.11 feet and subtended by a long chord having a bearing of South 62 degrees 14 minutes 25 seconds East and a length of 699.31 feet; thence South 72 degrees 47 minutes 17 seconds East 16.19 feet along said centerline of S.R. 60 to the point of beginning of this description: thence North 17 degrees 13 minutes 29 seconds East 40.00 feet to point "529" as designated on said parcel plat; thence South 82 degrees 19 minutes 04 seconds East 152.10 feet to point "530" as designated on said parcel plat; thence South 72 degrees 46 minutes 31 seconds East 595.00 feet to point "531" as designated on said parcel plat; thence South 59 degrees 22 minutes 10 seconds East 56.54 feet to point "571" as designated on said parcel plat; thence South 49 degrees 07 minutes 50 seconds East 54.58 feet to point "572" as designated on said parcel plat; thence South 86 degrees 31 minutes 16 seconds East 42.01 feet to point "573" as designated on said parcel plat; thence South 72 degrees 47 minutes 17 seconds East 9.68 feet to the centerline of Haywood Road; thence South 17 degrees 02 minutes 17 seconds East 48.39

EXHIBIT "A"

Star Hill Road
Clark County
Parcel 13 Disposition
Grantor: Clark County

Sheet 2 of 2

feet along said centerline of Haywood Road to said centerline of S.R. 60; thence South 72 degrees 47 minutes 17 seconds East 34.05 feet along said centerline of S.R. 60; thence South 8 degrees 33 minutes 03 seconds West 40.46 feet; thence North 72 degrees 47 minutes 17 seconds West 17.88 feet to point "533" as designated on said parcel plat; thence North 81 degrees 39 minutes 17 seconds West 161.94 feet to point "534" as designated on said parcel plat; thence North 72 degrees 46 minutes 31 seconds West 240.00 feet to point "535" as designated on said parcel plat; thence South 84 degrees 49 minutes 31 seconds West 56.00 feet to point "536" as designated on said parcel plat; thence North 68 degrees 58 minutes 27 seconds West 237.99 feet to point "527" as designated on said parcel plat; thence North 66 degrees 08 minutes 15 seconds West 262.52 feet to point "528" as designated on said parcel plat; thence North 17 degrees 13 minutes 29 seconds East 40.00 feet to the point of beginning and containing 2.657 acres, more or less, inclusive of the presently existing right-of-way which contains 0.520 acres, more or less, for S.R. 60, and contains 0.006 acres, more or less, for Haywood Road.

This description was prepared from information obtained from the Recorder's Office and other sources which were not necessarily checked by a field survey.



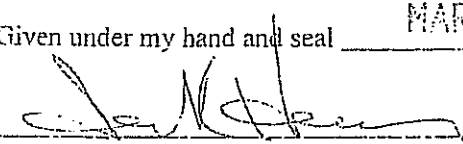
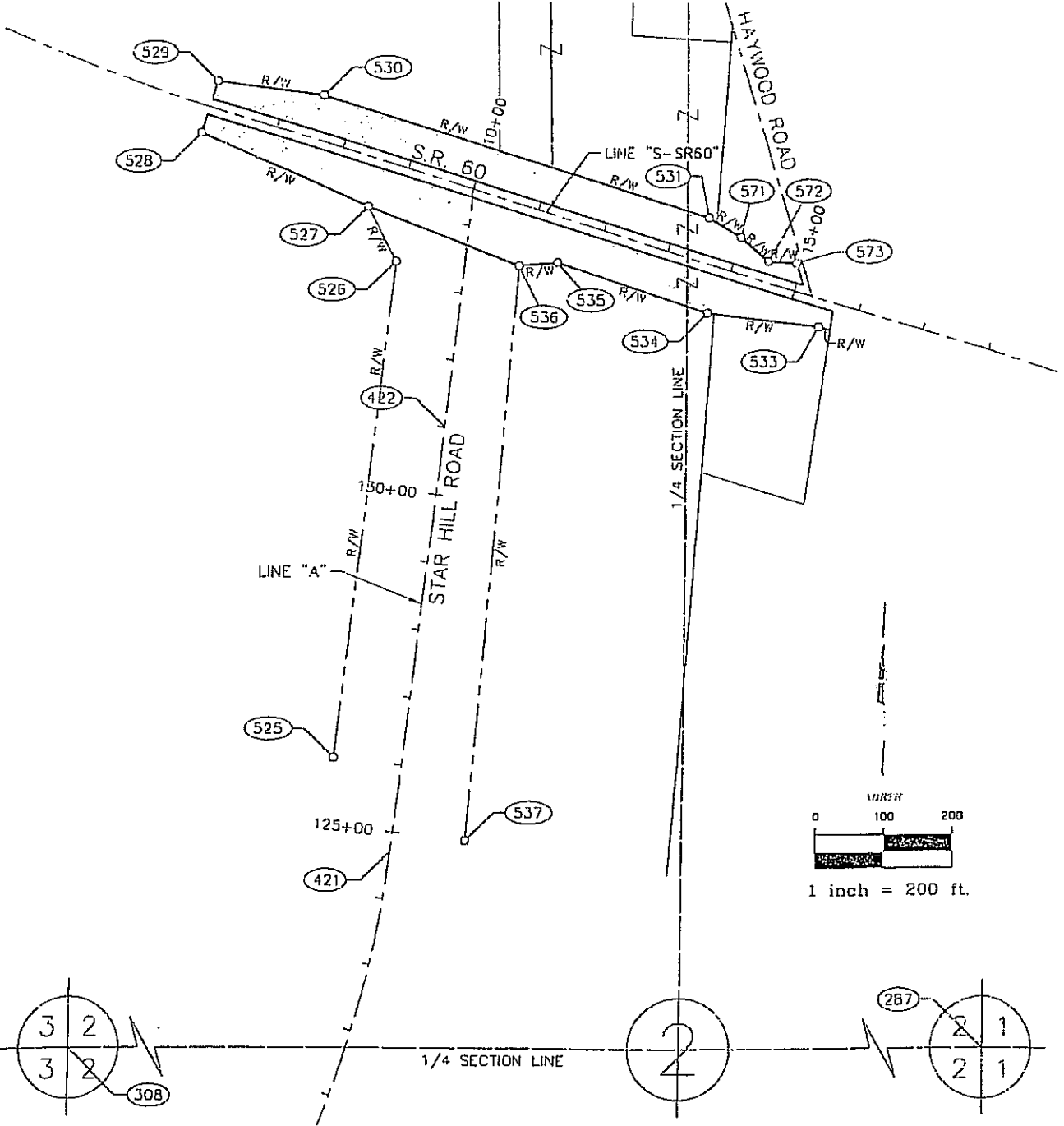
Given under my hand and seal MAR 05 2010

John R. Hoerner
Registered Land Surveyor No. S0233
State of Indiana

EXHIBIT "B"
RIGHT-OF-WAY-PARCEL-PLAT



PARCEL: 13	OWNER: CLARK COUNTY	DRAWN BY: J.E.FITZSIMMONS
PROJECT: STP-910(028)		CHECKED BY: J.R.HOERNER
ROAD: STAR HILL ROAD		
COUNTY: CLARK		
SECTION: 2		
TOWNSHIP: 1S		
RANGE: 5E		

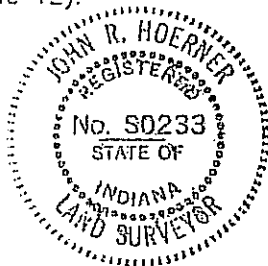
PARCEL COORDINATE CHART (Shown in Feet)

Point	Line	Station	Offset	Northing	Easting
525	"A"	126+00	100' Lt.	116833.7689	252124.8273
526	"A"	133+00	100' Lt.	1169164.1544	252207.0593
527	"A"	134+10	150' Lt.	1169244.2775	252165.7642
528	"S-SR60"	6+00	40' Rt.	1169350.4765	251925.6885
529	"S-SR60"	6+00	40' Lt.	1169426.8885	251949.3781
530	"S-SR60"	7+50	65' Lt.	1169406.5556	252100.1176
531	"S-SR60"	13+43	65' Lt.	1169230.3644	252668.4324
533	"S-SR60"	15+50	40' Rt.	1169069.3654	252833.1446
534	"S-SR60"	13+90	65' Rt.	1169092.8694	252672.9186
535	"S-SR60"	11+50	65' Rt.	1169163.9381	252443.6824
536	"A"	133+50	R(80.31') Rt.	1169158.8874	252387.9129
537	"A"	125+00	R(106.43') Rt.	1168311.3014	252318.7722
571	"S-SR60"	14+00	51.89' Lt.	1169201.5568	252717.0839
572	"S-SR60"	14+50	30' Lt.	1169165.8415	252758.3590
573	"S-SR60"	+R(14+90.81)	40' Lt.	1169163.2922	252800.2946
287	SEE LOCATION CONTROL ROUTE SURVEY				
308	SEE LOCATION CONTROL ROUTE SURVEY				
421	SEE LOCATION CONTROL ROUTE SURVEY				
422	SEE LOCATION CONTROL ROUTE SURVEY				

NOTE. STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded March 21, 2006, as Document No. 200605868, in the Office of the Recorder of Clark County, Indiana, (incorporated and made a part hereof by reference) comprise a Location Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, (Rule 12).



[Signature] Date
 John R. Hoerner
 Reg. Land Surveyor No. LS0233
 State of Indiana

MAR 05 2006

PARCEL: 2	OWNER: CLARK COUNTY	DRAWN BY: J.E.FITZSIMMONS
PROJECT: STP-910(028)		CHECKED BY: J.R.HOERNER
ROAD: STAR HILL ROAD		
COUNTY: CLARK		
SECTION: 2		
TOWNSHIP: 1S		
RANGE: 5E		