

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION NO. 22 -2012

**A RESOLUTION AUTHORIZING THE TRANSFER OF
REAL PROPERTY LOCATED AT 101 CRESTVIEW COURT,
CHARLESTOWN, INDIANA, TO THE CITY OF CHARLESTOWN**

WHEREAS, this Board of Commissioners of Clark County, Indiana (hereinafter this "Board"), is the executive body of Clark County government pursuant to the provisions of IND. CODE § 36-2-2-2, and also the legislative body pursuant to the provisions of IND. CODE § 36-1-2-9; and,

WHEREAS, by Tax Deed dated June 20, 2011, and recorded as Instrument 201109526, this Board acquired title to certain real property located at the commonly known address of 101 Crestview Court, Charlestown, Indiana (the "Real Estate"), a true and correct copy of which deed is attached hereto as Exhibit "A"; and,

WHEREAS, subsequent to obtaining title to the Real Estate this Board has publicly advertised the Real Estate for sale for the purpose of obtaining the highest possible purchase price for such property, but no qualified offer has been received from any potential buyer; and,

WHEREAS, the City of Charlestown, Indiana (the "City"), has offered to take ownership and possession of the Real Estate for the purpose of rehabilitating by performing any repairs reasonably necessary to place the Real Estate in a merchantable condition (or, in the event that further investigation reveals that the cost of such repairs will exceed the potential value of the property once repaired, the City shall instead

demolish and clear the structure(s) upon such property and render the Real Estate merchantable as unimproved real property); and,

WHEREAS, IND. CODE § 36-1-11-8 authorizes this Board to transfer property to another governmental entity upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity; and,

WHEREAS, this Board now adopts this Resolution for the purpose of authorizing the transfer of the Real Estate to the City in accordance with the City's offer and the requirements of such statute.

NOW, THEREFORE, BE IT RESOLVED by this Board as follows:

1. Acceptance of City's Offer. This Board hereby approves the donation and transfer of the Real Estate in its present condition and without warranty to the City without financial compensation.

2. City Responsible for Rehabilitation. Subsequent to the conveyance of the Real Estate, the City shall be solely responsible for the rehabilitation of the improvements on the property by performing any repairs reasonably necessary to place the Real Estate in a merchantable condition. In the event that further inspection reveals that the cost of such repairs will exceed the potential value of the property once repaired, the City shall be permitted to instead demolish and clear the structure(s) upon such property, thereby rendering the Real Estate merchantable as unimproved real property.

3. Closing. This Board agrees that its conveyance of the Real Estate to the City by special warranty deed shall occur within thirty (30) days after the later of (i) the adoption of this Resolution by this Board, and (ii) the adoption of a substantially similar

resolution by the City. This Board shall deliver the special warranty deed at its expense, but all other costs of closing shall be paid by the City (recording fees, etc.).

4. Effective Date of Resolution. This Resolution shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Resolved this _____ day of December, 2012.

Members voting "NO":

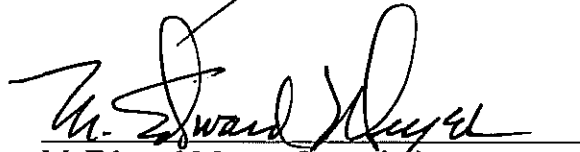
Members voting "YES":

Les Young, President



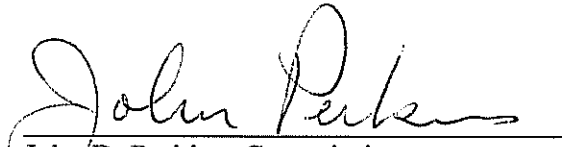
Les Young, President

M. Edward Meyer, Commissioner



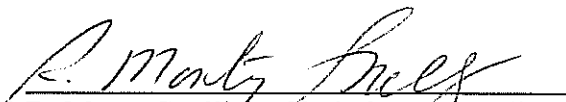
M. Edward Meyer, Commissioner

John D. Perkins, Commissioner



John D. Perkins, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor