

***CORDRY-SWEETWATER CONSERVANCY DISTRICT***

**RESOLUTION NO. 2022- 5**

**RESOLUTION AUTHORIZING SALE OF PROPERTY  
TO ABUTTING LAND OWNER**

**WHEREAS**, the Cordry-Sweetwater Conservancy District (“CSCD”) is a political subdivision as defined by I.C. 36-1-2-13; and,

**WHEREAS**, I.C. 36-1-2-11-5 permits a political subdivision to sell real property with an assessed value of less than \$15,000.00 to an abutting land owner in accordance with the requirements contained therein; and,

**WHEREAS**, CSCD is the owner of the tract of real property described in Exhibit “A” (“tract”); and,

**WHEREAS**, the tract described in Exhibit “A” has an assessed value of less than \$15,000.00; and,

**WHEREAS**, CSCD has determined that the tract is of no value to CSCD and has further determined that the highest and best use of the tract is sale to an abutting land owner and that the cost to the public of maintaining the tract equals or exceeds the estimated fair-market value of the tract; and,

**WHEREAS**, CSCD has caused the tract to be appraised by an appraiser licensed under I.C. 25-34.1; and,

**WHEREAS**, the appraiser has determined that the fair-market value of the tract is \$1,300.00; and.

**WHEREAS**, I.C. 36-1-11-5 requires the political subdivision to determine an offering price for the tract which must include the tract’ appraised value and other costs associated with the sale of the tract; and,

**WHEREAS**, CSCD has determined that the offering price for the tract should be \$2,715.00.

**NOW BE IT RESOLVED** by the Board of Directors of the Cordry-Sweetwater Conservancy District that:

1. The tract described in Exhibit “A” attached hereto shall be offered for sale to an abutting land owner. The offering price shall be \$2,715.00.
2. A notice shall be published in the Brown County Democrat as required by I.C. 36-1-11-5(e) which shall identify the tract to be sold, the offering price, and a statement that the tract may not be sold to a person who is ineligible under I.C. 36-1-11-16, and that an offer to

purchase the tract submitted by a trust must identify each beneficiary of the trust and settlor empowered to revoke or modify the trust.

3. At the time of publication of notice, CSCD shall send a notice by certified mail to all abutting land owners which shall contain the same information as the public notice.

4. If within 10 days after the date of publication of the notice, CSCD receives an eligible offer to purchase the tract listed in the notice at or in excess of the offering price, from an entity who is not an abutting land owner, CSCD shall conduct the negotiation and sale of the tract pursuant to I.C. 36-1-11-4(c) thru I.C. 36-1-11-4(g).

5. If within 10 days after the date of publication of the notice, CSCD receives an eligible offer to purchase the tract from more than 1 abutting land owner, the abutting land owners who have submitted offers shall be informed of the highest offer received and be given an opportunity to submit 1 additional offer. The tract shall be sold to the eligible abutting land owner who submits the highest offer for the tract.

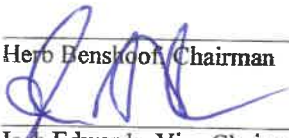
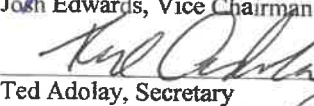


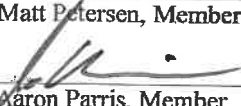
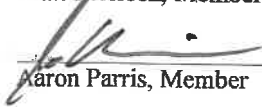

6. If only 1 abutting land owner submits an eligible offer to purchase the tract, then CSCD shall, without further appraisal or notice, negotiate with and sell the tract to that abutting land owner.

7. If an eligible offer is accepted, the Chairman of the Board of Directors of the Cordry-Sweetwater Conservancy District is hereby authorized to execute a deed of conveyance.

8. This Resolution shall be effective from and after its adoption.

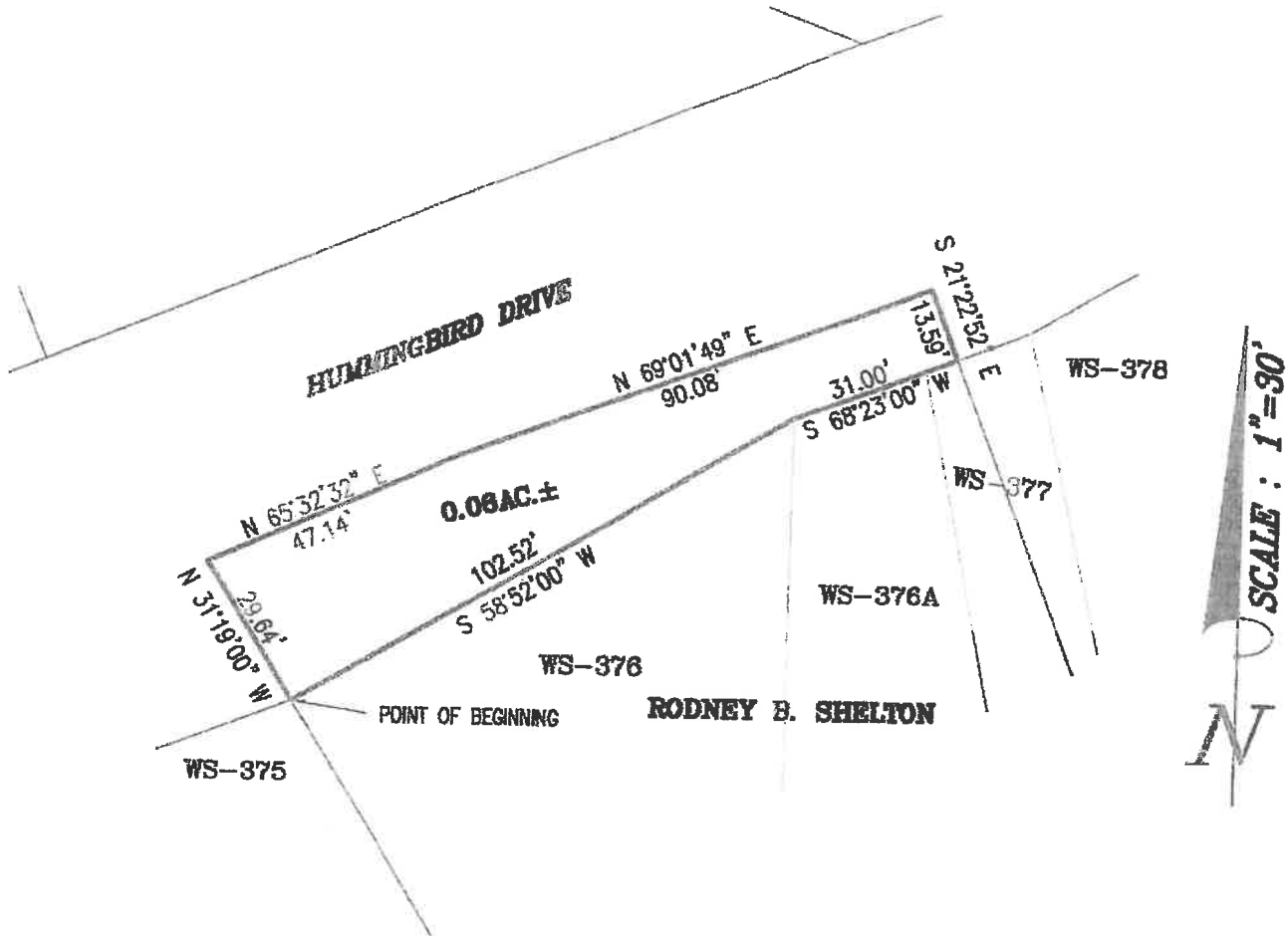
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CORDRY-SWEETWATER CONSERVANCY  
DISTRICT BOARD OF DIRECTORS

	<u>Aye</u>	<u>Nay</u>
 Herb Benshoof, Chairman	—	—
 Josh Edwards, Vice Chairman	<u>X</u>	—
 Ted Adolay, Secretary	<u>X</u>	—
 Patrick Sherman, Member	<u>X</u>	—
 Matt Petersen, Member	—	—
 Aaron Parris, Member	<u>X</u>	—
 Mark Rasdall, Member	—	—

# PARCEL EXHIBIT "A"

## SHELTON - HUMMINGBIRD DRIVE



### LEGAL DESCRIPTION

A part of Section 18, Township 10 North, Range 4 East of the Second Principal Meridian, Brown County, Indiana, being more particularly described as follows:

BEGINNING at the Northwestern corner of Lot WS-376 per the plat of Sweetwater Lake Addition, Plat Number 36, located in Hamblen Township, which plat is recorded in Miscellaneous Record 12, page 294, further refiled in Plat Cabinet 1, Slide 112A, in the Office of the Recorder of Brown County, Indiana; thence North 31 degrees 19 minutes 00 seconds West (Basis of Bearings is per said Sweetwater Lake Addition) 29.64 feet; thence North 65 degrees 32 minutes 32 seconds East 47.14 feet; thence North 69 degrees 01 minutes 49 seconds East 90.08 feet; thence South 21 degrees 22 minutes 52 seconds East 13.59 feet to a point on the North line of Lot WS-377 per said plat of Sweetwater Lake Addition; thence South 68 degrees 23 minutes 00 seconds West along said North line and the North line of Lot WS-376A per said plat of Sweetwater Lake Addition 31.00 feet to the Northeastern corner of said Lot WS-376; thence South 58 degrees 52 minutes 00 seconds West along the North line of said Lot WS-376, a distance of 102.52 feet to the Point of Beginning, containing 0.06 acres, more or less.