

CORDRY-SWEETWATER CONSERVANCY DISTRICT

RESOLUTION NO. 2023- 3

2023000466 RES \$0.00
02/24/2023 02:16:32P 2 P
Mary E Smith
Brown County Recorder IN
Recorded as Presented



**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 \$11,000.00; 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 \$13,000.00.

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 \$13,000.00.

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, 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).



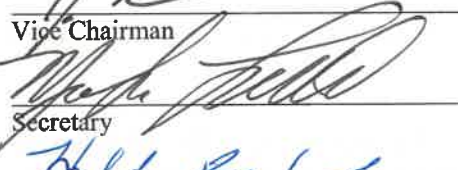



5. If within 10 days after the date of publication of the notice required pursuant to I.C. 36-1-11-5(e), CSCD does not receive from any person other than an abutting land owner an eligible offer to purchase the tract at or in excess of the offering price, CSCD shall conduct the negotiation and sale of the tract in accordance with I.C. 36-1-11(h)(1)(2).

6. 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.

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

Adopted this 21 day of February, 2023.

CORDRY-SWEETWATER CONSERVANCY
DISTRICT BOARD OF DIRECTORS

	<u>Aye</u>	<u>Nay</u>
 Chairman	<u>✓</u>	—
 Vice Chairman	<u>✓</u>	—
 Secretary	<u>✓</u>	—
 Member	—	—
 Member	<u>X</u>	—
 Member	<u>✓</u>	—
_____ Member	—	—