

ORIGINAL

A RESOLUTION AUTHORIZING THE
SALE OF CERTAIN LAND

WHEREAS, The Board of Works and Public Safety owns certain real estate, the legal description of which is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the described real estate is part and parcel of real estate which shall be transferred to the State of Indiana in connection with the State Road 32 West expansion and improvement project; and

WHEREAS, the State of Indiana has made an acquisition offer to the Lebanon Board of Works and Public Safety, which should be accepted on behalf of the Lebanon Board of Works and Public Safety; and

WHEREAS, the Lebanon Board of Works and Public Safety has determined that said land should be sold to the State of Indiana in connection with the project for an agreed sum of Thirty-five Thousand Four Hundred Ninety-seven Dollars (\$35,497.00); and

WHEREAS, the Mayor of the City of Lebanon should be authorized to transact the sale and purchase of said real estate to sign the Warranty Deed on behalf of the Board of Works and Public Safety.

NOW, THEREFORE BE IT RESOLVED by the Board of Works and Public Safety that:

1. The Mayor of the City of Lebanon, Honorable James H. Acton, is hereby authorized to execute any and all documents necessary in order to transfer title to said real estate as described herein to the State of Indiana in connection with the improvement of State Road 32 West project, now scheduled for work in the year 2002.

2. That the Mayor of the City of Lebanon shall be authorized to sign any and all documents and to accept payment of any and all funds in connection with the closing on said real estate transaction and to further represent the Board of Works and Public Safety in any further negotiations with the State of Indiana in


ORIGINAL

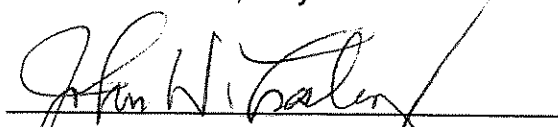
connection with the acceptance of the offer purchase and/or in the amendment of any plans or documents in connection with said project.

3. The Mayor is further authorized to accept payment for the project on behalf of the City of Lebanon and on behalf of the Board of Works and Public Safety and to deposit any funds from the sale thereof to and for the benefit of the City of Lebanon in designated depository accounts.

CONSIDERED AND PASSED by the Board of Works and Public Safety of the City of Lebanon this 11th day of February 2002.

Board of Works and Public Safety


James H. Acton, Mayor


John W. Lasley, Board of Works Member


Jim Urban, Board of Works Member

INDIANA DEPARTMENT OF TRANSPORTATION
LAND ACQUISITION DIVISION

RECEIPT OF CONVEYANCE INSTRUMENT

The undersigned being a Land Agent for the Department of Transportation of the State of Indiana, does hereby acknowledge receipt this date of one Warranty Deed,
(Conveyance Instrument)

signed by City of Lebanon by James H. Acton, Mayor

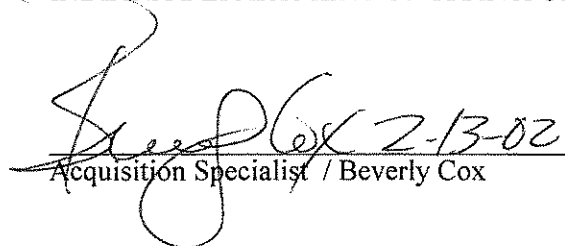
and conveying certain rights, title and/or interest in real estate located in Boone County
to the State of Indiana for transportation purposes and which is identified as Parcel # 55 on Transportation
Project # STP-088-3(002).

I further acknowledge that said instrument has been executed and acknowledged by the grantors without payment by me of any consideration and that I am transmitting such instrument to the appropriate transportation authority for review subject to approval.

It is understood and agreed that this conveyance instrument will either be returned to the grantor not approved or the State of Indiana through its proper agencies will cause such instrument to be processed for payment in the amount of \$35,497.00.

You may expect payment in full within ninety (90) days after signing the documents accepting this offer and executing the deed, grant or easement, and provided there are no difficulties in clearing liens or other problems with title to the land.

INDIANA DEPARTMENT OF TRANSPORTATION


Acquisition Specialist / Beverly Cox Date 2-13-02

WARRANTY DEED

Project: STP-088-3(002)
Code: 3837
Parcel: 55
Page: 1 of 2

THIS INDENTURE WITNESSETH, That the City of Lebanon

the Grantor(s), of Boone County, State of Indiana Convey(s) and Warrant(s) to the **STATE OF INDIANA**, the Grantee, for and in consideration of the sum of Thirty Five Thousand Four Hundred Ninety Seven and no/100----- Dollars (\$ 35,497.00) (of which said sum \$ 35,497.00 represents land and improvements acquired and \$ 0 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Boone, 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.

"For Highway Purposes"

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

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), 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(s) and all successors and assigns.

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

This Instrument Prepared By _____
Attorney at Law

Project: STP-088-3(002)
Code: 3837
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Page: 2 of 2

IN WITNESS WHEREOF, the said Grantor(s) has _____ executed this instrument this 13th day of February, 2002.

James H. Acton (Seal) _____ (Seal)
Signature James H. Acton, Mayor Signature

Printed Name Printed Name

Signature (Seal) Signature (Seal)

Printed Name Printed Name

STATE OF Indiana :
COUNTY OF Boone :

SS:

Before me, a Notary Public in and for said State and County, personally appeared City of Lebanon
James H. Acton, Mayor

_____, the Grantor(s)
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 13th day of February, 2002.

Beverly Cox
Signature _____
Beverly Cox

Printed Name

My Commission expires January 14, 2010.

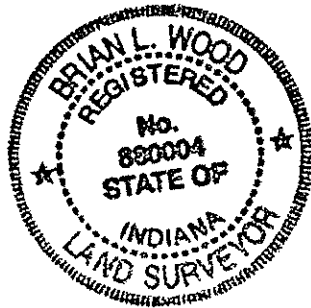
I am a resident of Hamilton County.

EXHIBIT "A"

Project STP-088-3(002)
Code 3837
Parcel 55 Fee

Sheet 1 of 1

A part of the Southwest Quarter of Section 35, Township 19 North, Range 1 West, Boone County, Indiana, and being that 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 northwest corner of said quarter section; thence North 89 degrees 32 minutes 00 seconds East 484.312 meters (1588.95 feet) along the north line of said quarter section to the prolonged west line of the grantor's land; thence South 0 degrees 21 minutes 21 seconds East 12.192 meters (40.00 feet) along said prolonged west line to the south boundary of S.R. 32 and the point of beginning of this description: thence North 89 degrees 32 minutes 00 seconds East 18.418 meters (60.43 feet) to the northeast corner of said grantor's land; thence South 0 degrees 53 minutes 42 seconds East 53.206 meters (174.56 feet) along the east line of said grantor's land; thence South 12 degrees 22 minutes 52 seconds West 9.850 meters (32.32 feet) to point "142" designated on said plat; thence South 89 degrees 31 minutes 59 seconds West 16.747 meters (54.94 feet) to point "432" designated on said plat and the west line of said grantor's land; thence North 0 degrees 21 minutes 21 seconds West 62.808 meters (206.06 feet) along said west line to the south boundary of S.R 32 and the point of beginning having an area of 0.1165 hectares (0.288 acres), more or less.



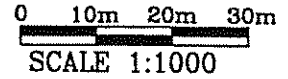
This description was prepared for the
Indiana Department of Transportation
on the 9th day of May, 2000

by Brian L. Wood
Brian L. Wood
Indiana Registered Land Surveyor
License Number 880004

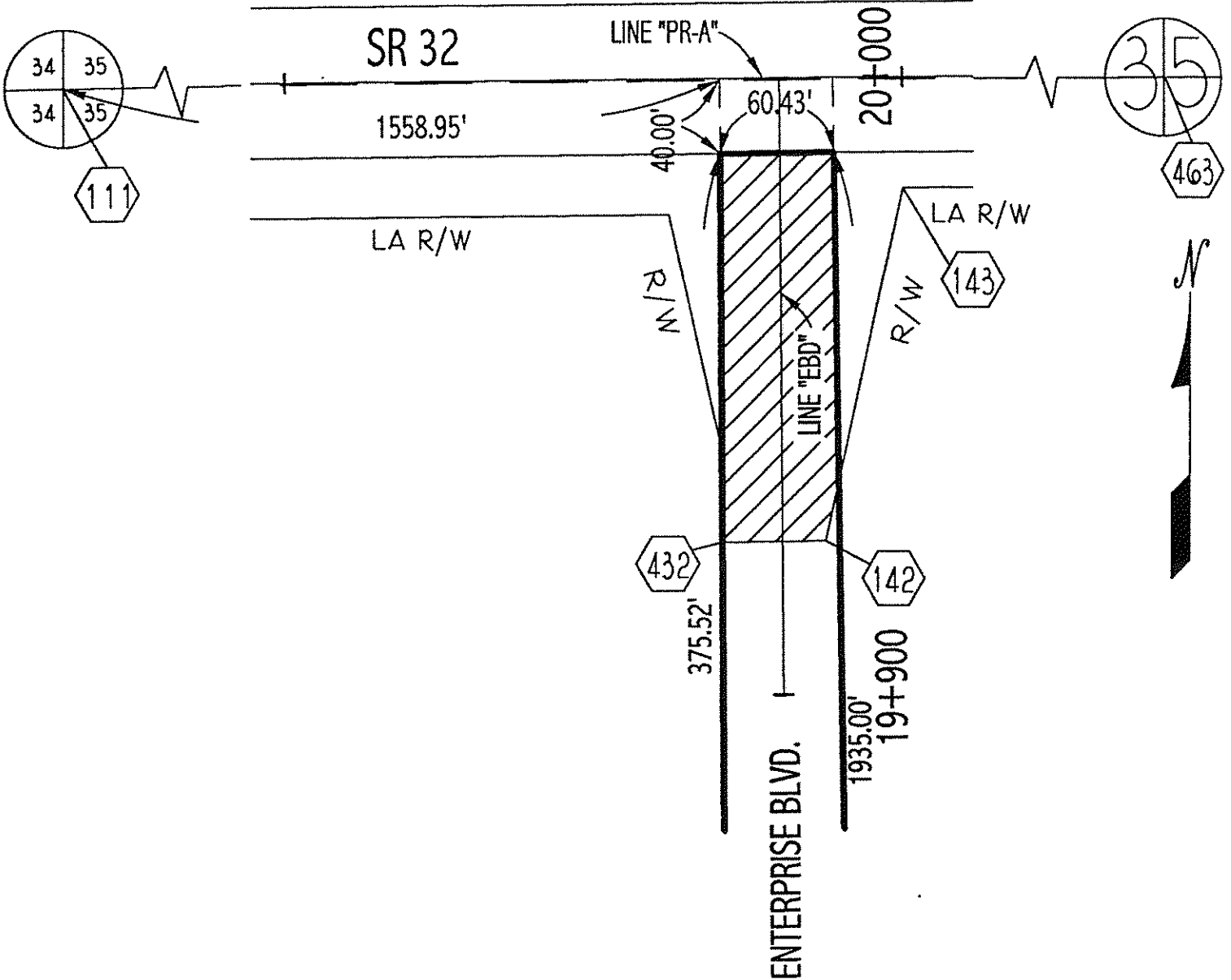
COPY

RIGHT-OF-WAY PARCEL PLAT


Prepared for Indiana Department of Transportation
by Paul I. Cripe, Inc. (Job No. 980533-30021)



10+700 LA R/W 10+800



COPY

PARCEL: 55	OWNER: LEBANON REDEVELOPMENT AUTHORITY	DRAWN BY: C.M. QUILLEN 4/28/2000
CODE: 3837		CHECKED BY: R.J. COYLE 5/5/2000
PROJECT: STP-088-3(002)		DES. NO.: 8574050
ROAD: SR 32	 HATCHED AREA IS THE APPROXIMATE TAKING	DEED BOOK 253 ,PAGE 50-51,DATED 12/20/1994
COUNTY: BOONE		
SECTION: 35		
TOWNSHIP: 19 N.		
RANGE: 1 W.		

NOTE: PROPERTY LINE DIMENSIONS ARE SHOWN IN ENGLISH

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

PARCEL COORDINATE CHART (shown in meters)

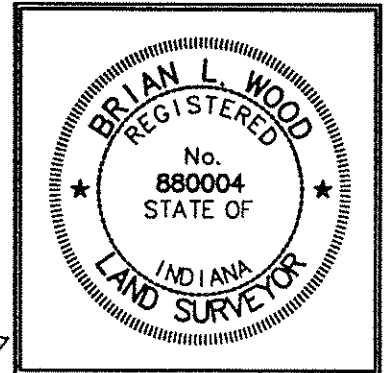
Point	Centerline	Station	Offset	Northing	Easting
111*					
142	"EBD"	19+925	7m Rt.	4979.2832	5526.5657
143	"PR-A"	10+800	18m Rt.	5036.3872	5539.1010
432	"EBD"	19+925	9.747m Lt.	4979.1467	5509.8191
463	"PR-A"	11+096.460	0.451m Lt.	5056.3342	5835.4079

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

* SEE LOCATION CONTROL ROUTE SURVEY PLAT.

SURVEYOR'S STATEMENT

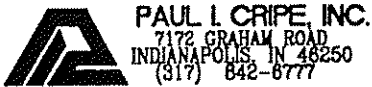
To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded in Instrument No. 98-9934 in the Office of the Recorder of Boone County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").



Brian L. Wood 5/12/2000
 Brian L. Wood Date

Reg. Land Surveyor No. 880004
 State of Indiana

COPY



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