

RESOLUTION NO. BW-2014-2

**RESOLUTION AUTHORIZING
SALE OF SURPLUS REAL ESTATE**

WHEREAS, the City of West Lafayette, Indiana owns certain property located at SR 26 and Tapawingo Drive in West Lafayette, Indiana, Key No. 164-03100-0243, which property is described as follows:

Land being a part of Lot 17 in Chauncey's Plat of Bottom Lands adjoining the Town of Chauncey, now the City of West Lafayette, as per plat thereof recorded in Deed Record 48, pages 277-279 in the Office of the Recorder of Tippecanoe County, Indiana, said Plat being laid out on part of the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, both in Township 23 North, Range 4 West of the Second Principal Meridian in Wabash Township, County and State aforesaid being depicted on an ALTA/ACSM Land Title Survey by John E. Fisher & Associates, P.C., Commission No. 91.59.9, recorded as Document No. 08-021689 on November 12, 2008 in said Recorder's Office, and being more particularly described as follows:

Commencing at the intersection of the south line of Wood Street as per said Plat of Bottom Lands with the southwest right-of-way line of State Road 26 (State Street), as per Warranty Deed to the State of Indiana recorded as Document No. 97-02524 in said Recorder's Office, said corner being marked by a concrete INDOT Right-of-Way marker found; thence South $26^{\circ}52'21''$ East along said southwest right-of-way line of State Street 185.62 feet to the north right-of-way line of Tapawingo Drive as described in a Warranty Deed to the City of West Lafayette, Instrument Number 05010450, recorded May 11, 2005, in said Recorder's Office, said point being the Point of Beginning of the herein-described tract; thence continuing South $26^{\circ}52'21''$ East along the southeasterly prolongation of said southwest right-of-way line 58.72 feet to a non-tangent curve concave northerly, having a radius of 860.33 feet and a central angle of $14^{\circ}35'27''$; thence westerly along said curve an arc distance of 219.09 feet (said arc being subtended by a chord having a bearing of South $59^{\circ}53'08''$ West and a length of 218.50 feet) to the aforesaid north right-of-way line of Tapawingo Drive; thence North $48^{\circ}25'15''$ West along said north right-of-way line 166.28 feet; thence North $36^{\circ}23'57''$ West along said north right-of-way line 64.17 feet to the Point of Beginning, containing 6,309 square feet (0.145 acres), more or less.

Subject to all easements, rights-of-way, restrictions, and covenants of record.

And WHEREAS, City of West Lafayette Board of Public Works and Safety ("Disposing Agent") now makes the following findings:

1. The assessed and actual market value of the property is less than Six Thousand dollars (\$6000); and
2. The highest and best use of the property is sale to an abutting landowner; and
3. The future cost of maintaining the property equals or exceeds the estimated fair market value and the property is not needed now or in the future for City related purposes;
4. It is economically unjustifiable to sell the tract under Section 4 of the disposal chapter which involves extraneous and unnecessary procedural requirements inapplicable to this sale.

NOW THEREFORE, be it resolved by the disposing agent that a Notice pursuant to IC § 36-1-11-5 shall be published and mailed certified to all abutting landowners in substantially the form as attached as Exhibit “A” in order to effectuate the sale of property.

Dated: May 27, 2014

CITY OF WEST LAFAYETTE
BOARD OF PUBLIC WORKS AND SAFETY

John R. Dennis, Mayor

Sana G. Booker, Member

Shawn R. Little, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Attest:

Clerk-Treasurer Judith C. Rhodes

EXHIBIT "A"

NOTICE OF SALE OF REAL ESTATE

Notice is hereby given that starting on the date this Notice is first published, the West Lafayette Board of Public Works and Safety, as disposing agent, will consider offers on the following described real estate located at SR 26 and Tapawingo Drive in West Lafayette, Indiana, Key No. 164-03100-0243:

Land being a part of Lot 17 in Chauncey's Plat of Bottom Lands adjoining the Town of Chauncey, now the City of West Lafayette, as per plat thereof recorded in Deed Record 48, pages 277-279 in the Office of the Recorder of Tippecanoe County, Indiana, said Plat being laid out on part of the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, both in Township 23 North, Range 4 West of the Second Principal Meridian in Wabash Township, County and State aforesaid being depicted on an ALTA/ACSM Land Title Survey by John E. Fisher & Associates, P.C., Commission No. 91.59.9, recorded as Document No. 08-021689 on November 12, 2008 in said Recorder's Office, and being more particularly described as follows:

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Subject to all easements, rights-of-way, restrictions, and covenants of record.

The offering price for the real estate shall be the appraised value of the real estate plus all costs associated with the sale including appraisal fees; title insurance; recording fees and advertising costs. The offering price shall be at least \$4,641.50.

Please be advised the property may not be sold to a person who is ineligible under IC § 36-1-11-16. An offer to purchase submitted by a trust (as defined in IC § 30-4-1-1(a)) must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.

Offers to purchase shall be considered if received on or before June 10, 2014, at 8:30 a.m. at the following address:

City of West Lafayette
Attn: Clerk- Treasurer Judith Rhodes
711 W. Navajo Street
West Lafayette, IN 47906

The real estate shall be sold as is and transfer shall be by Quitclaim Deed.

Judith C. Rhodes, Clerk-Treasurer
City of West Lafayette, Indiana

Publish: May 30, 2014
June 6, 2014