

CITY OF WOODBURN

RESOLUTION 25-283

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF WOODBURN, INDIANA, RECOMMENDING THE SALE AND DISPOSAL OF REAL ESTATE BY THE CITY TO PROMOTE AN ECONOMIC DEVELOPMENT PROJECT

WHEREAS, the City of Woodburn, Indiana (the "City") owns certain real estate more commonly known as **22121 Main Street, Woodburn, Indiana**, and taxed as **Tax Parcel No. 02-10-20-460-002.000-053**, and more particularly described and/or depicted on Exhibit "A" and Exhibit "B" attached hereto and incorporated herein (the "Real Estate"); and

WHEREAS, pursuant to Indiana Code § 36-1-11-3, the sale or disposal of the Real Estate is subject to the approval of the Mayor of the City, as executive of the City, after a public hearing by a board or commission designated by the Mayor to give notice, conduct the hearing, and notify the Mayor of its recommendation; and

WHEREAS, the Mayor of the City has designated the Board of Public Works for the City to give notice, conduct the hearing, and notify the Mayor of its recommendation; and

WHEREAS, pursuant to Indiana Code § 36-1-11-4.2, after publishing a notice and stating the amount of the offer to be accepted, the City may dispose of real estate not acquired through eminent domain procedures for the purpose of promoting an economic development project or to facilitate compatible land use planning at a value that is not less than the average of two (2) appraisals; and

WHEREAS, the Real Estate was not acquired by the City through eminent domain procedures and the City desires to sell or transfer the Real Estate for the purpose of promoting an economic development project or to facilitate compatible land use planning; and

WHEREAS, the City has: (i) tentatively negotiated an offer, subject to compliance with Indiana Code § 36-1-11-4.2, from the neighboring adjacent property owner (or person with interest therein) for the purchase of the Real Estate for the purpose of expanding the business thereon and making the adjacent property more compatible with its use; and (ii) secured two (2) appraisals of the Real Estate; and

WHEREAS, the Board of Public Works of the City has published a notice as required by statute stating the amount of the offer to be accepted is not less than Thirty-one Thousand and 00/100 Dollars (\$31,000.00), which amount is not less than the average of the two (2) appraisals secured on the Real Estate; and

WHEREAS, the Board of Public Works for the City having given notice, and having conducted the public hearing regarding the sale or disposal of the Real, desires to give its

recommendation regarding the sale or disposal of the Real Estate and to authorize the disposal and sale of the Real Estate; and

WHEREAS, after considering this matter, the Board of Public Works finds that the sale of Real Estate is to promote and economic development project or to facilitate compatible land use planning and is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF WOODBURN, INDIANA, THAT:

1. That the Board of Public Works of the City does hereby recommend that the Real Estate be sold and disposed of for a value not less than Thirty-one Thousand and 00/100 Dollars (\$31,000.00), which amount is not less than the average of the two (2) appraisals secured on the Real Estate.

2. That the sale of the Real Estate is to promote an economic development project or to facilitate compatible land use planning and that the Mayor of the City, on behalf of the Board of Public Works and the City, is authorized to negotiate a sale or transfer of the Real Estate and to dispose of the Real Estate at a value not less than Thirty-one Thousand and 00/100 Dollars (\$31,000.00), which amount is the not less than the average of the two (2) appraisals secured on the Real Estate.

3. That the Mayor and Clerk-Treasurer are, authorized and directed to execute and deliver such documents and instruments, including any purchase agreement, deeds, closing affidavits, and closing statements, and to take such other actions which, based on the advice of the legal advisors of the City, the Mayor and Clerk-Treasurer deems necessary or desirable to effect the sale and transfer of the Real Estate and the resolutions herein, said execution, delivery and action being hereby authorized, ratified and approved.

RESOLVED AND ADOPTED by the Board of Public Works of the City of Woodburn, Indiana, on the 7<sup>th</sup> day of April, 2025.

BOARD OF PUBLIC WORKS OF THE CITY OF WOODBURN, INDIANA

By: 

By: 

By: \_\_\_\_\_

## EXHIBIT "A"

### REAL ESTATE DESCRIPTION

Beginning at a point on the South line of the Southeast quarter of Section 20, Township 31 North, Range 15 East, in Allen County, Indiana, said point being situate 70.5 feet East of the Southwest corner of the Southeast quarter of the said Section 20, Township 31 North, Range 15 East; thence North a distance of 156.0 feet to the South right-of-way line of the Wabash Railroad Company; thence in a Northeasterly direction along the said South right-of-way line of the Wabash Railroad Company, a distance of 188.0 feet; thence South a distance of 245.0 feet to the aforesaid South line of the Southeast quarter of Section 20, Township 31 North, Range 15 East; thence West along the said South line of the Southeast quarter of Section 20, Township 31 North, Range 15 East, a distance of 165.5 feet to the place of beginning, containing 0.77 acres of land, more or less.

EXCEPTING THEREFROM, that part conveyed to K.P.B.B., Inc. by Corporate Deed recorded August 10, 1999 as Document Number 990057471, being more particularly described as follows:

Part of the Southeast Quarter of Section 20, Township 31 North, Range 15 East, of the Second Principal Meridian, in Allen County, Indiana, more particularly described as follows:

COMMENCING at a PK nail in Main Street (Indiana Highway 101) marking the Southwest corner of said Southeast Quarter; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing and basis of bearings to follow), a distance of 236.00 feet along the South line of said Southeast Quarter; thence North 00 degrees 13 minutes 09 seconds West, a distance of 30.00 feet to the North right-of-way line of Main Street and the Point of Beginning of the herein described tract; thence South 90 degrees 00 minutes 00 seconds West, a distance of 30.00 feet along said North right-of-way line to a 5/8-inch steel rebar set; thence North 00 degrees 13 minutes 09 seconds West, a distance of 198.91 feet to a 5/8-inch steel rebar set on the Southerly right-of-way line of the Wabash Railroad; thence North 62 degrees 11 minutes 09 seconds East, a distance of 33.85 feet along said Southerly right-of-way line; thence South 00 degrees 13 minutes 09 seconds East, a distance of 214.70 feet along the East line of a 0.77 acre tract described in Transfer Book Y-210 in the Office of the Auditor of Allen County, Indiana, to said North right-of-way line of Main Street, being the Point of Beginning, containing 0.14 acres (6204.21 square feet), more or less.

[illegible]

EASEMENT EXHIBIT