

BOARD OF PUBLIC WORKS AND SAFETY FOR THE CITY OF WABASH, INDIANA RESOLUTION No 12, 2023

FINDING WITH RESPECT TO CERTAIN PROPERTY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF WABASH, INDIANA LOT 13 AND A VACATED PORTION OF SCHULER AVENUE IN THE WABASH NORTHEAST BUSINESS PARK

WHEREAS, the City is currently the owner of the following described real estate situated in the City of Wabash, County of Wabash, State of Indiana, to-wit:

Lot number 13 and part of Schuler Avenue in the Amended Plat of the Wabash Business Complex as recorded on Document 2012R424624 on file in the office of the Wabash County, Indiana Recorder, being that 5.02 acre parcel surveyed by John H. Stephens, Indiana Professional Surveyor #LS80040428 and shown on the plat of an original boundary survey certified on August 04, 2023 as job number 23190, being more particularly described as follow:

Beginning at the southeast corner of Schuler Avenue; thence South 89 degrees 18 minutes 13 seconds West, grid bearing (North American Datum 1983, Indiana East Zone), along the south line of said Wabash Northeast Business Complex, 821.64 feet to an iron stake with JHSRLS #80040428 identification; thence North 07 degrees 57 minutes 26 seconds East, along the west boundary of said Lot number 13, a distance of 25.79 feet to an iron stake with JHSRLS #80040428 identification; thence North 21 degrees 43 minutes 26 seconds East, along the westerly boundary of said Lot number 13, a distance of 280.43 feet to an iron stake with JHSRLS #80040428 identification; thence North 89 degrees 18 minutes 13 seconds East, along the south line of the Lots numbered 12 and 11 and extension thereof, 709.48 feet to an iron stake with JHSRLS #80040428 identification on the west line of a 2.00 acre tract of land owned by McKillip Machinery, Inc. as recorded on Document 2021R470104; thence South 00 degrees 57 minutes 46 seconds East, along said west line, 284.85 feet to the POINT OF BEGINNING.

Containing 5.02 acres, more or less.

Subject to easements, rights of way, and restrictions of record.

Parcel Number: 85-10-36-100-027.000-008

Property Address: Schuler Avenue, Wabash, IN 46992

Which property includes a vacated portion of Schuler Avenue to be vacated by 2d reading of a Special Ordinance to be adopted by the Wabash City Council on November 13, 2023; and which vacated portion of Schuler Avenue located in the City of Wabash, Wabash County, Indiana is more particularly described as:

Part of Schuler Avenue in the Amended Plat of the Wabash Business Complex as recorded on Document 2012R424624 on file in the office of the Wabash County, Indiana Recorder, being that 0.88 acre parcel surveyed by John H. Stephens, Indiana Professional Surveyor #LS80040428 and shown on the plat of an original boundary survey certified on September 27, 2023 as job number 23239, being more particularly described as follows:

Beginning at the southeast corner of Schuler Avenue; thence South 89 degrees 18 minutes 13 seconds West, grid bearing (North American Datum 1983, Indiana East Zone), along the south line of said Wabash Northeast Business Complex, 171.98 feet to the southeast corner of Lot 13 in said subdivision; thence traversing the easterly boundary of said Lot 13, the following Four (4) courses: 1) North 00 degrees 57 minutes 46 seconds East, 74.13 feet to the point of curvature of a curve to the right; 2) northeasterly along a curve having a radius of 86.00 feet, an arc length of 112.26 feet and subtended by a chord bearing North 35 degrees 22 minutes 48 seconds East, a chord length of 104.46 feet to the point of compound curvature of a curve to the left; 3) northeasterly along a curve having a radius of 14.00 feet, an arc length of 18.02 feet and subtended by a chord bearing North 35 degrees 54 minutes 24 seconds East, a chord length of 16.80 feet; 4) North 00 degrees 57 minutes 46 seconds West, 112.80 feet to the northeast corner of said Lot 13; thence North 89 degrees 18 minutes 13 seconds East, 100.00 feet to an iron stake with JHSRLS #80040428 identification on the west line of a 2.00 acre tract of land owned by McKillip Machinery, Inc. as recorded on Document 2021R470104; thence South 00 degrees 57 minutes 46 seconds East, along said west line, 284.85 feet to the POINT OF BEGINNING.

Containing 0.88 of an acre, more or less.

Subject to easements, rights of way, and restrictions of record.

And which portion of Schuler Avenue is depicted on Exhibit A attached hereto.

WHEREAS, the above described property was originally acquired by the City of Wabash for the purpose of redeveloping said property; and

WHEREAS, the Board of Works has determined that the Wabash City Redevelopment Commission is the entity best suited to hold title to and to provide for the development of the above described real estate; and

WHEREAS, Indiana Code 36-1-11-8 allows for the transfer of real estate between governmental entities upon such terms and conditions as such entities can agree; and

WHEREAS, the City of Wabash, Indiana and the Wabash City Redevelopment Commission are both governmental bodies of the same municipality and therefore have no need for compensation for a transfer of real estate between them;

THEREFORE, it is hereby resolved that

1. The City of Wabash, Indiana convey the above described real estate to the Wabash City Redevelopment Commission, without the payment of

- compensation, for the purpose of redeveloping said property.
2. The Mayor has full authority to sign a deed and any other documents necessary to carry out the purposes of this Resolution.

Dated this 5th day of October 2023.

Scott A. Long, Mayor

Todd Titus, Member

James Reynolds, Member