

RESOLUTION NO.: 1 - 2019

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CLARK COUNTY, INDIANA, FOR TRANSFER OF REAL ESTATE TO TOWN OF UTICA, INDIANA (I.C. 36-1-11-8)

WHEREAS, the Board of Commissioners of Clark County, Indiana (“Board”) is the County Executive under the Indiana Code and also is the County legislative body under such Code;

WHEREAS, the Utica Town Council (“Council”) serves functions as the legislative and fiscal body of the Town of Utica, Indiana (“the Town”);

WHEREAS, this is a Resolution that is substantially identical with a similar Resolution to be enacted by the Council for the purposes set forth herein;

WHEREAS, in order to address and continue adjustments to the scope of prior annexations by the City of Jeffersonville (“City”) relative to land situated in Utica Township and near there, the Council approached the City Board of Public Works (“BPW”) on January 9, 2019 for disannexation of the below-described real estate (“the real estate”);

WHEREAS, the Council and the Board desire that the real estate described below and referenced herein as “the real estate,” be transferred from the unincorporated County to the incorporated boundaries of the Town.

WHEREAS, I.C. 36-1-11-8 provides that a transfer ... of property may be made with a government entity upon terms and conditions agreed upon by the entities as evidenced by the adoption of a substantially identical Resolution by each entity ...”. Further, the statute provides that a transfer may be made for any amount of real property or other forms of consideration.

WHEREAS, the amount of real property included in this Resolution is identified on the Disannexation Order (“the Order”) marked “A” (attached hereto) and Exhibits “A - 1”, “A -2” and “A - 3” which is comprised of 100 acres;

WHEREAS, as consideration for this transfer, the Town will undertake and assume supportive maintenance tasks for the real estate, and roadways herein, thereby relieving the Board of this obligation and responsibility. Further consideration is agreed to exist by mutual promises exchanged hereby, and herein, by which the Town and the Board promise and agree to aid each other, and consult with each other, in infrastructure planning for roadway improvements or changes and public use and development in the general area of the real estate and in proximity thereto;

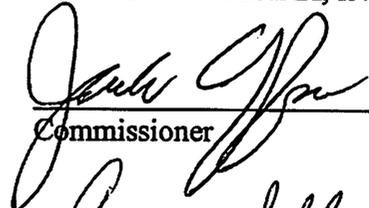
WHEREAS, Resolution 67-2018 of the River Ridge Development Authority, on December 17, 2018, authorized the transfer of the said real estate to the Town. A copy of that Resolution is attached as “Exhibit B” (with attachments thereto);

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. That each and every recital set forth herein is adopted into this Resolution, made a part hereof and made operable as a result of signatures below. The attached Order and all Exhibits (described above) are incorporated into the substantive provisions of this Resolution;
2. The Board hereby transfers any right, title and interest it may have, or may have heretofore had, in the real estate shown on the attached Order and in Exhibits A-1 thru A-3 (all pages that are appended to this Resolution) into the municipal boundaries of the Town of Utica, Indiana by and through its Town Council. The Board and Council agree that the real estate shall hereafter be zoned R-1. All future development and growth on the real estate shall be governed by, and subject to, provisions of the Zoning Ordinance of Utica, Indiana.
3. The Auditor of Clark County shall take necessary steps to facilitate this transfer on official records of the Town and Clark County, respectively.
4. This Resolution shall take effect immediately upon adoption.

ADOPTED THE 10th DAY OF JANUARY, 2019.

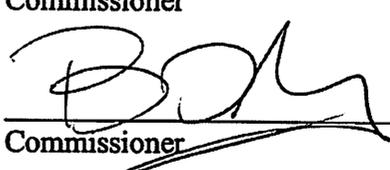
BOARD OF COMMISSIONERS OF THE
COUNTY OF CLARK, INDIANA



Commissioner



Commissioner



Commissioner

Attest:

Clark County Auditor

IN RE PETITION FOR
DISANNEXATION OF CLARK COUNTY
CASTING AND CONSTRUCTION CLUB

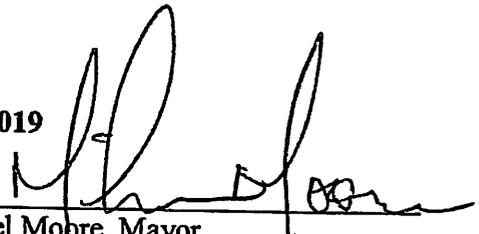
ORDER GRANTING DISANNEXATION PETITION

The Town of Utica Indiana ("Town") acting by its Town Council ("Council") petitioned the Jeffersonville Indiana Board of Public Works and Safety ("BPW") to disannex certain real estate near/at the boundaries of the Town and the River Ridge Commerce Center ("RRCC") described and shown on the attached "Exhibit A" (all parts) consisting of 100 acres ("the real estate.")

The real estate historically has been within the unincorporated county, but was annexed by the City at a prior time when the City expanded its municipal boundaries to include portions of what is now the RRCC. The BPW, finding that the Petition was duly advertised as required by law, conducted a public hearing on the Petition on January 9, 2019. No remonstrances or objections to the Petition have been filed. The governing Board of RRCC authorized transfer of the real estate to the Town by its Resolution 67-2018, attached hereto as "Exhibit B" (all parts.) The BPW voted to disannex the real estate effective this date;

IT IS THEREFORE ORDERED AND DECREED that the real estate illustrated and described on the attached Exhibits shall be, and hereby is, disannexed from the City of Jeffersonville, Indiana territory and municipal boundaries.

SO ORDERED THIS 9th DAY OF JANUARY, 2019



Michael Moore, Mayor
Board of Public Works
City of Jeffersonville, IN.


ATTEST

CITY CLERK

"A"

David R. Blankenkemper, P.L.S.

Howard R. Blankenkemper (1908-1974)
Rollyn H. Blankenkemper (1934-1994)

Blankenkemper & Son

Land Surveyors Inc., P.C.

Established 1945

618 E. Court Avenue
Jeffersonville, Indiana 47130

(812) 282-4183 phone
(812) 282-4197 fax

P.O. Box 157
Jeffersonville, Indiana
47131-0157

14 December 2018

DESCRIPTION OF 100 ACRES FOR RIVER RIDGE TO CONVEY TO THE TOWN OF UTICA

Being a part of Surveys 17, 26 and 27 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a stone on the common corner of said Surveys 17, 26 and 27; Thence S.54°22'50"W., along the line dividing said Surveys 17 and 26, 1029.59 feet to THE TRUE PLACE OF BEGINNING;

Thence N 35°29'37" W., 1530.28 feet;

Thence N 54°30'23" E., 1029.42 feet to the line dividing said Surveys 26 and 27;

Thence continuing N 54°30'23" E., 1791.02 feet to an Eastern Line of River Ridge Commerce Center;

Thence S 16°05'50" E., along a line of said River Ridge, 108.5 feet to a steel pin on a corner of said River Ridge;

Thence S 12°20'31" E., along a line of said River Ridge, 513.38 feet to a steel pin on a corner of said River Ridge;

Thence S 35°19'46" E., along a line of said River Ridge, 299.15 feet to a steel pin on a corner of said River Ridge;

Thence S 59°23'41" E., along a line of said River Ridge, 440.26 feet to a steel pin on a corner of said River Ridge;

Thence S 36°19'49" E., along a line of said River Ridge, 67.53 feet to a "MAG" nail on a corner of said River Ridge;

Thence S 23°50'00" W., along a line of said River Ridge, 45.95 feet to a "MAG" nail on a corner of said River Ridge;

Thence N 65°27'07" W., along a line of said River Ridge, 46.53 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 21°24'23" W., along a line of said River Ridge, 87.15 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence N 63°42'53" W., along a line of said River Ridge, 226.41 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 59°19'52" W., along a line of said River Ridge, 132.16 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 52°16'21" W., along a line of said River Ridge, 290.19 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 66°18'21" W., along a line of said River Ridge, 252.47 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 59°20'07" W., along a line of said River Ridge, 221.32 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 39°46'59" W., along a line of said River Ridge, 399.77 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 07°35'05" W., along a line of said River Ridge, 125.97 feet to a steel fence post on a corner of said River Ridge;

Ridge; Thence S 22°15'33" E., along a line of said River Ridge, 474.84 feet to a steel fence post on a corner of said River Ridge;

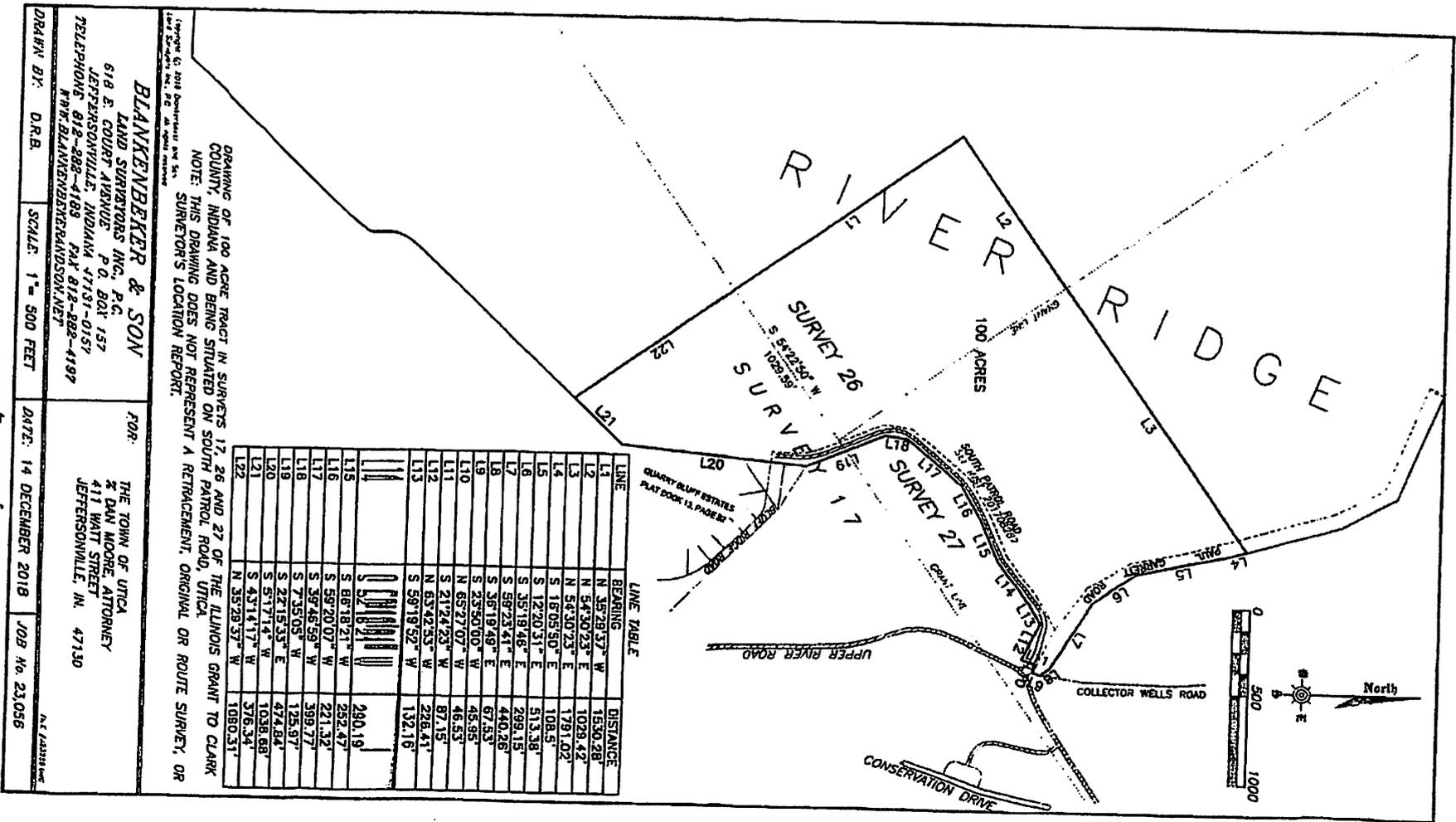
Thence S 05°17'14" W., along a line of said River Ridge, 1038.68 feet to a steel pin on a corner of said River Ridge;

Thence S 43°14'17" W., along a line of said River Ridge, 376.34 feet;

Thence N 35°29'37" W., 1090.31 feet to THE TRUE PLACE OF BEGINNING.

Containing 100 acres and being subject to all legal highways and easements of record.

A-1



LINE TABLE

LINE	BEARINGS	DISTANCE
L1	N 35°29'37" W	1530.28'
L2	N 54°30'23" E	1029.42'
L3	N 54°30'23" E	1791.02'
L4	S 18°05'50" E	108.5'
L5	S 12°20'31" E	513.38'
L6	S 35°19'48" E	299.15'
L7	S 39°23'41" E	440.28'
L8	S 36°18'49" E	67.53'
L9	S 23°50'00" W	45.95'
L10	N 65°27'07" W	46.53'
L11	S 21°24'23" W	87.15'
L12	N 83°42'53" W	228.41'
L13	S 59°19'52" W	132.16'
L14	S 52°16'21" W	290.19'
L15	S 88°18'21" W	252.47'
L16	S 59°20'07" W	221.32'
L17	S 39°45'59" W	399.77'
L18	S 7°35'05" W	125.97'
L19	S 24°15'33" E	474.84'
L20	S 5°17'14" W	1036.68'
L21	S 43°14'17" W	376.34'
L22	N 35°29'37" W	1080.31'

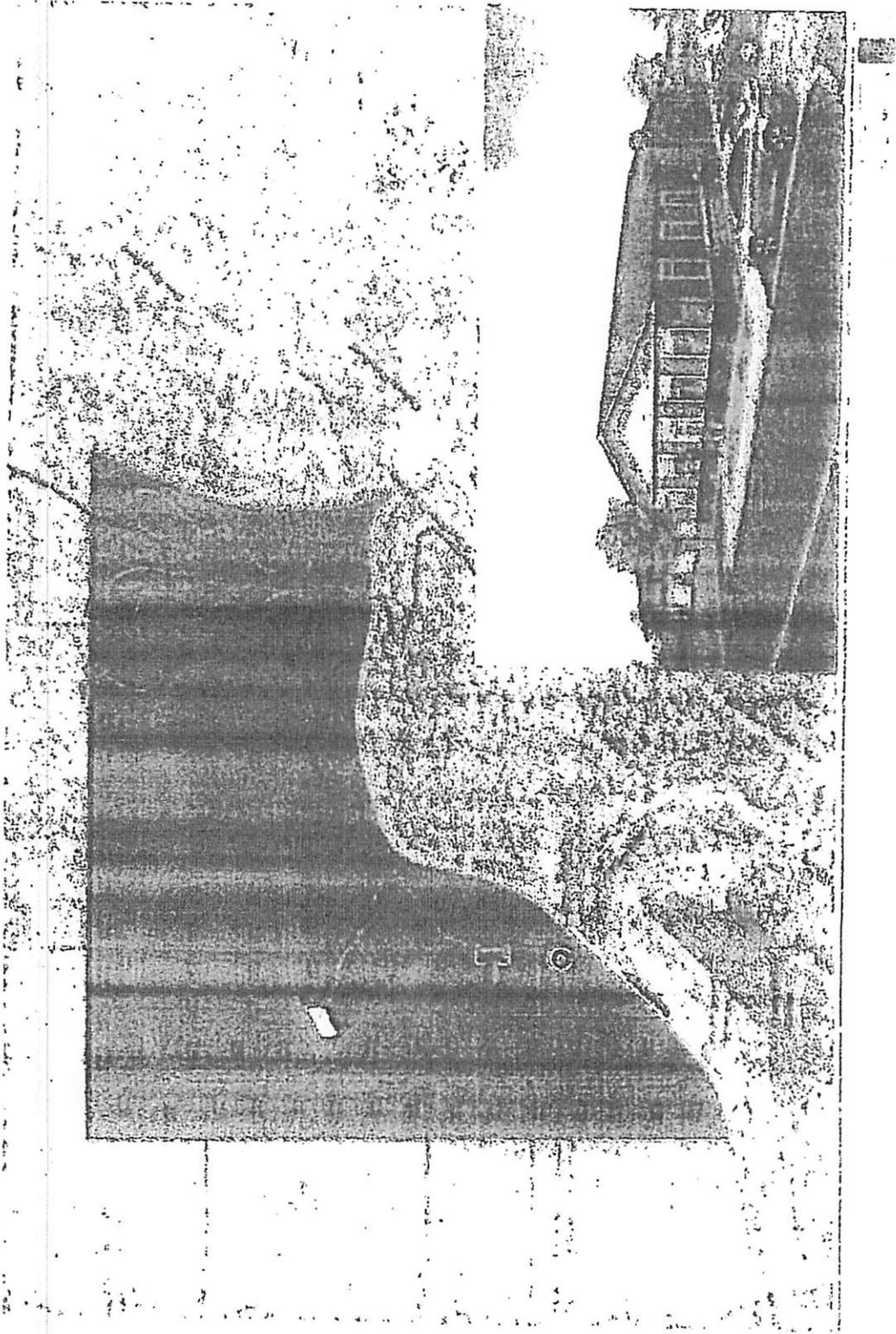
BLANKENBEKER & SON
 LAND SURVEYORS INC., P.C.
 618 E. COURT AVENUE P.O. BOX 157
 JEFFERSONVILLE, INDIANA 47131-0157
 TELEPHONE 812-888-4189 FAX 812-888-4197
 WWW.BLANKENBEKERANDSON.NET

FOR: THE TOWN OF UTICA
 & DAN MOORE, ATTORNEY
 411 HATT STREET
 JEFFERSONVILLE, IN. 47130

DRAWN BY: D.R.B. SCALE: 1" = 500 FEET DATE: 14 DECEMBER 2018 JOB NO. 23,098

A-2

EXHIBIT A



A-3

RESOLUTION NO. 67-2018

**A RESOLUTION AUTHORIZING THE
CONVEYANCE OF ACREAGE TO THE TOWN OF UTICA**

WHEREAS, on May 21, 2018 the Board of Directors for the River Ridge Development Authority ("RRDA") adopted Resolution No. 36-2018 stating its interest in donating up to 100 acres of land to the Town of Utica (the "Town"); and

WHEREAS, the Town intends to use the land for various purposes, including a public safety center, emergency temporary housing facility, and a residential development; and

WHEREAS, the creation of a public safety center, emergency temporary housing facility, and residential subdivision will benefit the public health and welfare; and

WHEREAS, Resolution No. 36-2018 conditioned the land conveyance upon RRDA's receipt of a development plan consistent and compatible with the RRDA's Covenants, Conditions and Restrictions ("CC&Rs") and 2018 Strategic Plan; and

WHEREAS, the Town has submitted its preliminary, conceptual plan, which appears to be consistent and compatible with the CC&Rs and Strategic Plan; and

WHEREAS, RRDA has the power under Ind. Code 36-7-30-9 to dispose of property to a local government under terms and conditions that RRDA considers best for its constituents; and

WHEREAS, RRDA believes it is best for its constituents that the approximate 100-acre parcel of land depicted in Exhibit A be conveyed to the Town for the creation and development of a public safety center, emergency temporary housing facility, and residential subdivision; and

WHEREAS, Utica will be required to submit a final development plan for RRDA approval; and

WHEREAS, the final development plan shall be subject to concurrence by RRDA's Master Developer to assure that Utica's development is compatible with the Gateway Office Park;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RIVER RIDGE DEVELOPMENT AUTHORITY AS FOLLOWS:

The Executive Director is authorized to execute a Quitclaim Deed conveying the approximate 100-acre parcel described in Exhibit A to the Town of Utica for the development and creation of a public safety center, emergency temporary housing facility, and residential subdivision consistent and compatible with RRDA's CC&Rs, 2018 Strategic Plan, and Gateway Office Park. Utica's final development plan must be approved by RRDA, any applicable zoning officials, and RRDA's Master Developer of the Gateway Office Park.

1
"EXHIBIT B"

RESOLVED BY VOTE OF THE BOARD AT A DULY CALLED REGULAR MEETING OF THE BOARD OF DIRECTORS FOR THE RIVER RIDGE DEVELOPMENT AUTHORITY ON DECEMBER 17, 2018.

Attest: J. Mark Robinson J. Mark Robinson, President

Attest: Philip W. McCauley II Philip W. McCauley, II, Sec.-Treas.

David R. Blankenkober, P.L.S.

Howard R. Blankenkober (1908-1974)
Rollyn H. Blankenkober (1934-1994)

Blankenkober & Son

Land Surveyors Inc., P.C.

Established 1945

618 E. Court Avenue
Jeffersonville, Indiana 47130

(812) 282-4183 phone
(812) 282-4197 fax

P.O. Box 157
Jeffersonville, Indiana
47131-0157

14 December 2018

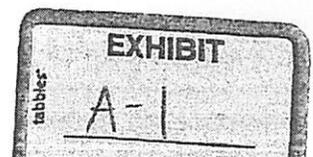
DESCRIPTION OF 100 ACRES FOR RIVER RIDGE TO CONVEY TO THE TOWN OF UTICA

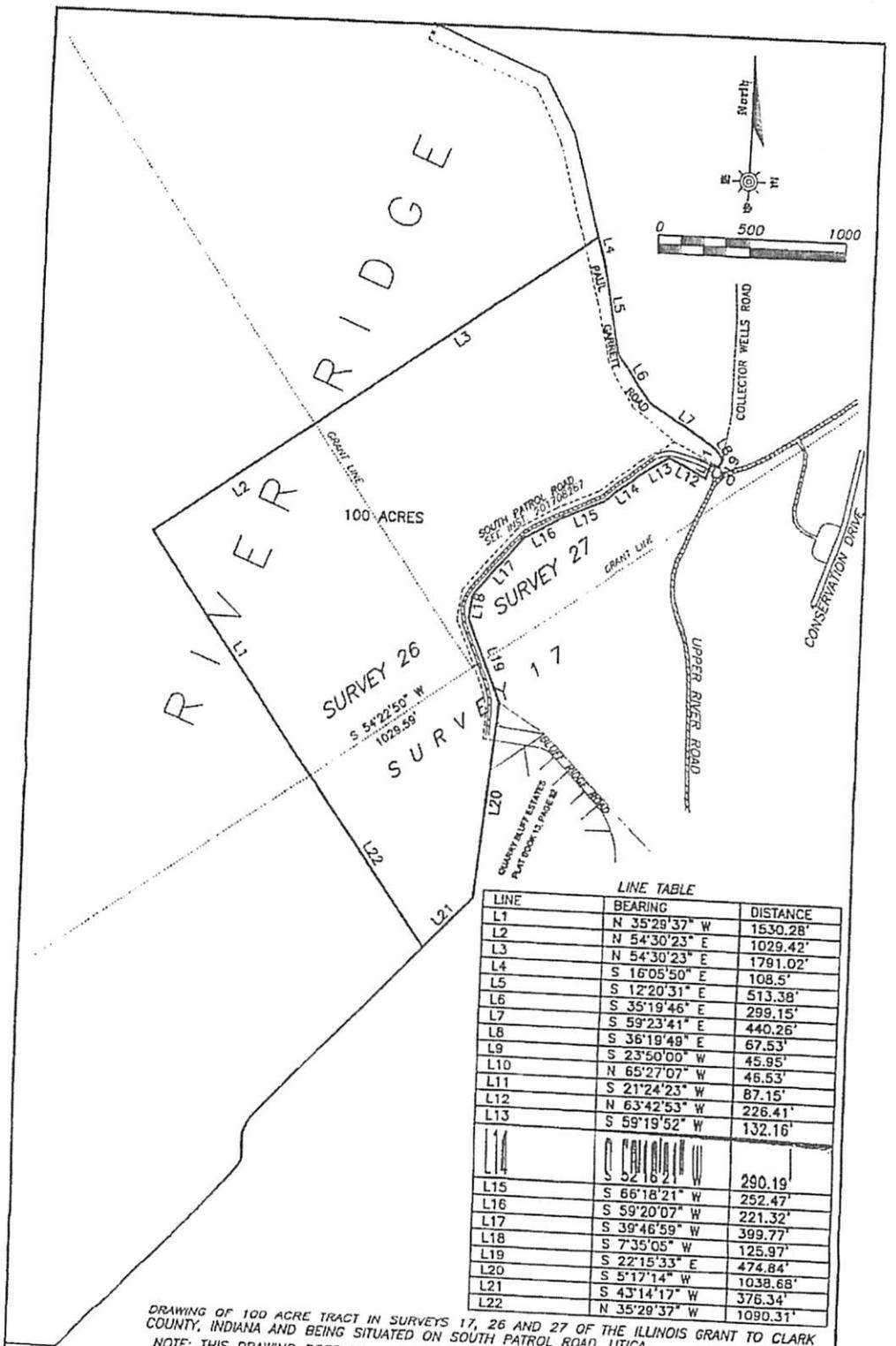
Being a part of Surveys 17, 26 and 27 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a stone on the common corner of said Surveys 17, 26 and 27; Thence S.54°22'50"W., along the line dividing said Surveys 17 and 26, 1029.59 feet to THE TRUE PLACE OF BEGINNING:
Thence N 35°29'37" W., 1530.28 feet;
Thence N 54°30'23" E., 1029.42 feet to the line dividing said Surveys 26 and 27;
Thence continuing N 54°30'23" E., 1791.02 feet to an Eastern Line of River Ridge Commerce Center;
Thence S 16°05'50" E., along a line of said River Ridge, 108.5 feet to a steel pin on a corner of said River Ridge;
Thence S 12°20'31" E., along a line of said River Ridge, 513.38 feet to a steel pin on a corner of said River Ridge;
Thence S 35°19'46" E., along a line of said River Ridge, 299.15 feet to a steel pin on a corner of said River Ridge;
Thence S 59°23'41" E., along a line of said River Ridge, 440.26 feet to a steel pin on a corner of said River Ridge;
Thence S 36°19'49" E., along a line of said River Ridge, 67.53 feet to a "MAG" nail on a corner of said River Ridge;
Thence S 23°50'00" W., along a line of said River Ridge, 45.95 feet to a "MAG" nail on a corner of said River Ridge;
Thence N 65°27'07" W., along a line of said River Ridge, 46.53 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 21°24'23" W., along a line of said River Ridge, 87.15 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence N 63°42'53" W., along a line of said River Ridge, 226.41 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 59°19'52" W., along a line of said River Ridge, 132.16 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 52°16'21" W., along a line of said River Ridge, 290.19 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 66°18'21" W., along a line of said River Ridge, 252.47 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 59°20'07" W., along a line of said River Ridge, 221.32 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 39°46'59" W., along a line of said River Ridge, 399.77 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 07°35'05" W., along a line of said River Ridge, 125.97 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 22°15'33" E., along a line of said River Ridge, 474.84 feet to a steel fence post on a corner of said River Ridge;
Ridge; Thence S 05°17'14" W., along a line of said River Ridge, 1038.68 feet to a steel pin on a corner of said River Ridge;
Thence S 43°14'17" W., along a line of said River Ridge, 376.34 feet;
Thence N 35°29'37" W., 1090.31 feet to THE TRUE PLACE OF BEGINNING.

Containing 100 acres and being subject to all legal highways and easements of record.

T:\DOCS\DESCRIPTIONS\23056.doc





LINE TABLE

LINE	BEARING	DISTANCE
L1	N 35°29'37" W	1530.28'
L2	N 54°30'23" E	1029.42'
L3	N 54°30'23" E	1791.02'
L4	S 16°05'50" E	108.5'
L5	S 12°20'31" E	513.38'
L6	S 35°19'46" E	299.15'
L7	S 59°23'41" E	440.26'
L8	S 36°18'49" E	67.53'
L9	S 23°50'00" W	45.95'
L10	N 65°27'07" W	46.53'
L11	S 21°24'23" W	87.15'
L12	N 63°42'53" W	226.41'
L13	S 59°19'52" W	132.16'
L14	S 52°16'21" W	290.19'
L15	S 66°18'21" W	252.47'
L16	S 59°20'07" W	221.32'
L17	S 39°46'59" W	399.77'
L18	S 7°35'05" W	125.97'
L19	S 22°15'33" E	474.84'
L20	S 5°17'14" W	1038.68'
L21	S 43°14'17" W	376.34'
L22	N 35°29'37" W	1090.31'

DRAWING OF 100 ACRE TRACT IN SURVEYS 17, 26 AND 27 OF THE ILLINOIS GRANT TO CLARK COUNTY, INDIANA AND BEING SITUATED ON SOUTH PATROL ROAD, UTICA.
 NOTE: THIS DRAWING DOES NOT REPRESENT A RETRACEMENT, ORIGINAL OR ROUTE SURVEY, OR SURVEYOR'S LOCATION REPORT.

Copyright © 2018 Blankenshiller and Son
 Land Surveyors Inc., P.C. All rights reserved.

BLANKENBEKER & SON
 LAND SURVEYORS INC., P.C.
 618 E. COURT AVENUE P.O. BOX 157
 JEFFERSONVILLE, INDIANA 47131-0157
 TELEPHONE 812-282-4183 FAX 812-282-4197
 WWW.BLANKENBEKERANDSON.NET

FOR
 THE TOWN OF UTICA
 % DAN MOORE, ATTORNEY
 411 WATT STREET
 JEFFERSONVILLE, IN. 47130

DRAWN BY: D.R.B. SCALE: 1" = 500 FEET DATE: 14 DECEMBER 2018 JOB No. 23,056

