

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION NO. 7 2016

**A RESOLUTION AUTHORIZING THE TRANSFER OF REAL
PROPERTY LOCATED AT 9208 HIGHWAY 62, CHARLESTOWN,
INDIANA TO THE CLARK COUNTY SOLID WASTE MANAGEMENT
DISTRICT**

WHEREAS, this Board of Commissioners of Clark County, Indiana (this “Board”), is the county executive body pursuant to the provisions of Indiana Code § 36-2-2-2; and,

WHEREAS, this Board is the executive body of the Clark County government pursuant to Indiana Code §36-1-2-9, and;

WHEREAS, the Clark County Solid Waste Management District (“Solid Waste”) is a governmental entity established pursuant to Ordinance 7-1991; and,

WHEREAS, this Board acquired property at 9208 Highway 62, Charlestown, Indiana (the “Property”) on or about December 23, 1999, by Quit Claim Deed, attached hereto as Exhibit “A”, which was duly recorded in the office of the Clark County Recorder as Instrument Number 3203148; and,

WHEREAS, Solid Waste owns a structure/improvement on the Property, to which it has incurred debt and does lease the Property from Clark County; and,

WHEREAS, Solid Waste has acquired additional real property in its own name and intends to move its operations to the newly acquired location; and

WHEREAS, neither Solid Waste nor Clark County has a need for the Property, both entities desire to sell the property; and

WHEREAS, Solid Waste and this Board desire and intend to use the proceeds from the sale of the property to relinquish the Solid Waste indebtedness attached to the property's structure and improvements and also to alleviate the debt on Solid Waste's recently acquired real property; and

WHEREAS, to effectuate the intent of both parties, this Board desires to Quit Claim Deed it's interest in the property to Solid Waste; and

WHEREAS, Indiana Code §36-1-11-8 contemplates the transfer of interests in real property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by the adoption of a substantially identical resolution by each entity.

NOW, THEREFORE, BE IT RESOLVED by this Board of Clark County Commissioners as follows:

1. Following the approval and execution of substantially identical Resolutions by this Board and Solid Waste, this Board agrees to Quit Claim Deed its interests in the property located at 9208 Highway 62, Charlestown, Indiana (the "Property").

2. The Deed shall be recorded in the Office of the Clark County Recorder.

3. The President of the Clark County Commissioners is hereby authorized to take all such actions necessary to execute any documents, including the Deed, necessary to effectuate the transfer of the Property to Solid Waste.

4. This Resolution shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

SO RESOLVED this _____ day of June, 2016

Members voting "NO":

Jack Coffman, Commissioner

Rick Stephenson, Commissioner

Bryan Glover, Commissioner

Members voting "YES":



Jack Coffman, Commissioner



Rick Stephenson, Commissioner



Bryan Glover, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor