

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 21-2014

**AN ORDINANCE ACCEPTING THE DONATION OF PROPERTY
FOR A PUBLIC RIGHT-OF-WAY**

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

WHEREAS, this Board is also the legislative body of Clark County government pursuant to the provisions of Ind. Code § 36-1-2-9; and,

WHEREAS, pursuant to Indiana code this Board may accept donations of real property; and,

WHEREAS, this Board has been offered a deed of dedication for public right-of-way of specific property off of Percy King Rd., Border, Indiana. (*See Exhibit “A”*).

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

1. The deed of dedication for public right-of-way described in Exhibit “A” is hereby accepted into the County Road Inventory contingent upon the road being up to code and in compliance with the standards of the Clark County Engineer.
2. The Clark County Engineer shall inspect the road and upon satisfaction shall contact INDOT to add this section of Percy King Rd. into the County Road Inventory.
3. Once approved by the Clark County Engineer, this Board shall cause to have the deed of dedication of public right-of-way recorded.

4. This Ordinance 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 Ordained this 17th day of July, 2014.

Members voting "NO":

Jack Coffman, Commissioner

Rick Stephenson, Commissioner

John Perkins, Commissioner

Members voting "YES":



Jack Coffman, Commissioner

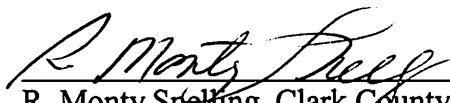


Rick Stephenson, Commissioner



John Perkins, Commissioner

Attested by:



R. Monty Stelling, Clark County Auditor

DEED OF DEDICATION FOR PUBLIC RIGHT-OF-WAY

THIS INDENTURE WITNESSETH that: (i) **WAYNE K. TRINKLE and DORIS A. TRINKLE**, husband and wife (hereinafter collectively referred to as the "Trinkles"), as the owners of real property located at the commonly known address of 620 Percy King Road, Borden, Clark County, Indiana, pursuant to warranty deed recorded in Deed Drawer 28, Instrument No. 11707 in the office of the Recorder of Clark County, Indiana (Parcel No. 10-02-23-400-008.000-026); (ii) **MICHAEL COZZIN and CARMON COZZIN**, husband and wife, as the owners of real property located at the commonly known address of 619 Percy King Road, Borden, Clark County, Indiana, pursuant to quitclaim deed recorded as Instrument 201015002 in the office of the Recorder of Clark County, Indiana (Parcel No. 10-02-23-400-018.000-026); and, (iii) **JANICE ANNETTE (MARCEE) JONES**, as the owner of real property located at the commonly known address of 615 Percy King Road, Borden, Clark County, Indiana, pursuant to deed recorded in Deed Drawer 19, Instrument No. 14016 in the office of the Recorder of Clark County, Indiana (Parcel No. 10-02-23-400-007.000-026), each of Clark County, State of Indiana (hereinafter collectively also referred to as the "Grantors"), for no consideration and as a donation, jointly hereby,

CONVEY AND DEDICATE

unto **CLARK COUNTY, INDIANA**, by and through the Board of Clark County Commissioners ("Clark County"), the real property described in Exhibit "A" attached hereto and incorporated herein for purposes of establishing an additional public right-of-way to be improved and used as an extension of Percy King Road.

The real estate conveyed by this instrument is subject to any and all applicable easements and/or restrictions of public record.

The real estate conveyed by this instrument is more particularly depicted in the survey drawing attached hereto and incorporated herein as Exhibit "B."

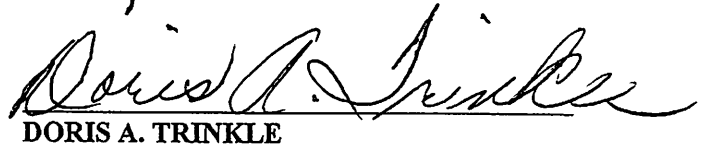
EXHIBIT "A"

Grantors acknowledge that Clark County's obligation to subsequently improve and maintain the proposed extension of Percy King Road as a public right-of-way is expressly conditioned upon payment by the Trinkles to Clark County of the costs for the asphalt materials required to construct such improvements.

This instrument prepared without benefit of title work.

IN WITNESS WHEREOF, Grantors, Wayne K. Trinkle and Doris A. Trinkle, have hereunto set their hands and seals, this 3 day of June, 2014.


WAYNE K. TRINKLE


DORIS A. TRINKLE

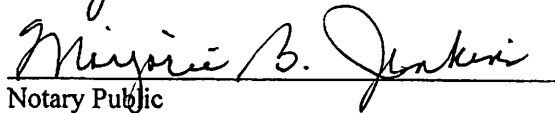
STATE OF INDIANA)
) SS:
COUNTY OF CLARK)

Before me, a Notary Public in and for said County and State, personally appeared Wayne K. Trinkle and Doris A. Trinkle, and acknowledged the execution of the foregoing *Deed of Dedication for Public Right-of-Way* as their free and voluntary act and deed for the use and purposes set forth therein.

WITNESS my hand and seal, this 3 day of June, 2014.

My Commission expires:
6-30 - 2016

Resident of Clark County


Notary Public

MARJORIE B. JENKINS
Printed Signature

IN WITNESS WHEREOF, Grantors, Michael Cozzin and Carmon Cozzin, have hereunto set their hands and seals, this 3 day of June, 2014.


MICHAEL COZZIN


CARMON COZZIN

STATE OF INDIANA)
) SS:
COUNTY OF CLARK)

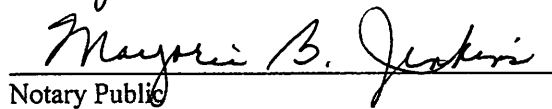
Before me, a Notary Public in and for said County and State, personally appeared Michael Cozzin and Carmon Cozzin, and acknowledged the execution of the foregoing *Deed of Dedication for Public Right-of-Way* as their free and voluntary act and deed for the use and purposes set forth therein.

WITNESS my hand and seal, this 3 day of June, 2014.

My Commission expires:

6-30-2016

Resident of Clark County


Notary Public

MARYSUE B. JENKINS
Printed Signature

IN WITNESS WHEREOF, Grantor, Janice Annette (Marcee) Jones, has hereunto set her hand and seal, this 3 day of June, 2014.

Janice A Jones
JANICE ANNETTE (MARCEE) JONES

STATE OF INDIANA)
) SS:
COUNTY OF CLARK)

Before me, a Notary Public in and for said County and State, personally appeared Janette Annette (Marcee) Jones, and acknowledged the execution of the foregoing *Deed of Dedication for Public Right-of-Way* as her free and voluntary act and deed for the use and purposes set forth therein.

WITNESS my hand and seal, this 3 day of June, 2014.

My Commission expires:
6-30-2014


Resident of Clare County

Marjorie B. Jenkins
Notary Public
MARJORIE B. JENKINS
Printed Signature

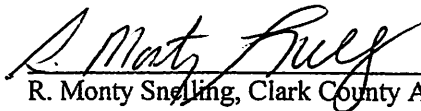
ACKNOWLEDGEMENT OF ACCEPTANCE OF DEDICATION

WHEREFORE, the dedication and conveyance of the herein described real estate is hereby accepted in order to establish an extension of the public right-of-way commonly known as Percy King Road thereon, subject only to the condition precedent to Clark County's obligation to construct and maintain improvements within such right-of-way as expressly established therein, by the undersigned as the duly appointed and authorized officer of the Board of Commissioners of Clark County, Indiana.

**BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**

By: 
Jack Coffman, President

Attested by:


R. Monty Snelling, Clark County Auditor

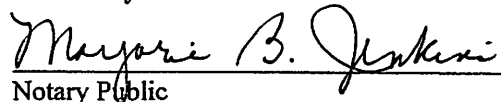
STATE OF INDIANA)
) SS:
COUNTY OF CLARK)

Before me, a Notary Public in and for said County and State, personally appeared Jack Coffman, as the duly elected, appointed, and serving president of the Board of Clark County Commissioners, and R. Monty Snelling, as the duly elected and serving Clark County Auditor, each of whom acknowledged the acceptance of the foregoing *Deed of Dedication for Public Right-of-Way* on behalf of Clark County as its free and voluntary act and deed for the uses and purposes expressed therein.

WITNESS my hand and seal, this 3 day of June, 2014.

My Commission expires:
6-30-2016

Resident of Clark County


Notary Public

MARJORIE B. JEWKINS
Printed Signature

DECLARATION

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, and that this instrument was prepared by:

C. Gregory Fifer, Attorney
APLEGATE FIFER PULLIAM LLC
428 Meigs Avenue
Jeffersonville, Indiana 47131-1418
(812) 284-9499

Grantee and Tax Mailing Address:

Board of Clark County Commissioners
Clark County Government Building, Room 404
501 E. Court Avenue
Jeffersonville, IN 47130

David R. Blankenbeker, P.L.S.

Clark County Surveyor

Rm . 421 Clark County Government Building
501 East Court Avenue
Jeffersonville, Indiana 47130

(812) 285-6281 phone

(812) 285-6349 fax

March 28, 2014

DESCRIPTION OF A ROADWAY EASEMENT FOR THE PERCY KING ROAD EXTENTION

Being a 33 feet wide roadway easement in Survey #234 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at the east corner of said Survey #234; Thence N.38°10'W. along the line dividing Surveys #234 and #235, 2,370.5 feet to the north corner of the first tract of land described in Deed Drawer 28, Instrument 11707 of the Clark County Records; Thence S51°53'W. along the northwest line of said first tract and along the northwest line of the second tract described in said Instrument, 1537.5 feet more or less, to a point 16.5 feet northeasterly and measured at a right angle to the centerline of Percy King Road (A.K.A. Flower Gap Road), the True Place Of Beginning:

Thence S.58°27'35"E. parallel to said centerline, 286.43 feet;

Thence S.63°39' E. parallel to said centerline, 36 feet more or less, to the end of the Clark County maintained Percy King Road;

Thence S.26°21'W., 33 feet;

Thence N.63°39'W. parallel to said centerline, 37.5 feet;

Thence N.58°27'35"W. parallel to said centerline, 6.87 feet to the northwest line of the Tract of Land described in Deed Drawer 19, Instrument 14016 of said County Records;

Thence continuing N.58°27'35"W. parallel to said centerline, 293.29 feet to the northwest line of the Tract of land described in Instrument 201015002 of said County Records;

Thence N.51°53'E. along said northwest line and the northwest line of said second tract described in said Deed Drawer 28, Instrument 11707, 35.2 feet to the True Place of Beginning.

Containing 0.25 acre of land and being subject to all easements of record.

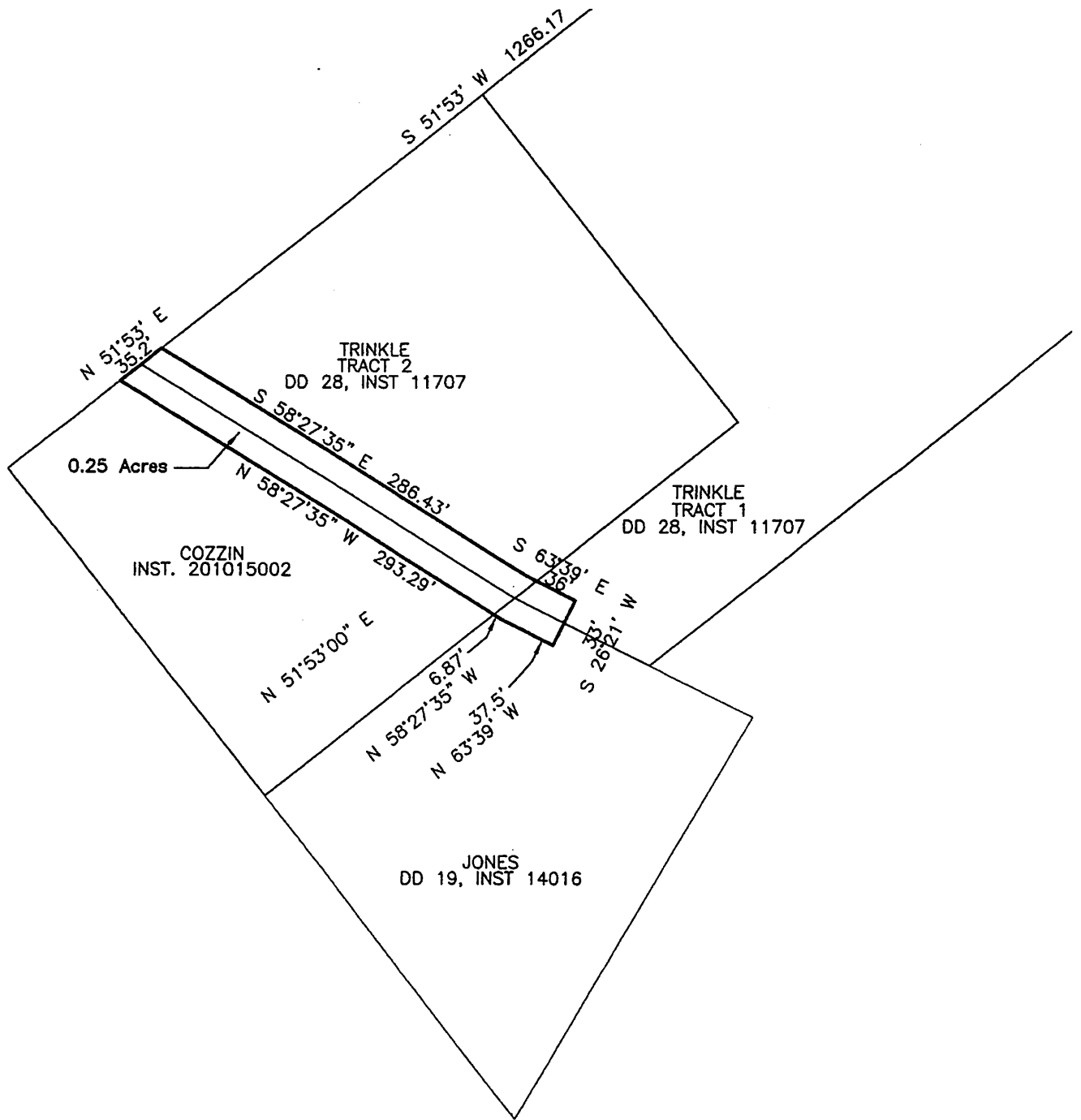


EXHIBIT
"B"