

FLOYD COUNTY RESOLUTION NO. 79- 13

A RESOLUTION ADOPTED PURSUANT TO THE PROVISIONS
OF I.C. 16-12-20-16 AUTHORIZING THE SALE AND CONVEYANCE
OF REAL ESTATE TO THE FLOYD COUNTY HOSPITAL ASSOCIATION

WHEREAS, by Resolution of the Board of Commissioners of the County of Floyd dated the 5th day of February, 1979, said Resolution being adopted pursuant to the provisions of I.C. 16-12-20, et. seq., the Floyd County Hospital Association, a Body Corporate and Politic, was created for the purpose of financing, acquiring, constructing, equipping and leasing to Floyd County, Indiana, land and improvements to be constructed thereon, the same to be utilized as an addition to Memorial Hospital of Floyd County; and

WHEREAS, the real estate upon which said hospital addition is to be constructed is presently owned by Floyd County, Indiana, and for purposes of financing the construction of said hospital addition, it will be necessary that the real estate more particularly described in Exhibit "A", hereto, be conveyed to the Floyd County Hospital Association; and

WHEREAS, on the 5th day of November, 1979, and pursuant to the provisions of I.C. 16-12-20-16, this Board, acting by and through its attorney, Max C. Mason, Jr., petitioned the Floyd Circuit for the appointment of appraisers to determine the fair market value of the real estate to be conveyed to the Floyd County Hospital Association, which Petition was duly granted by the Judge of the Floyd Circuit Court, and pursuant thereto appraisers were appointed on the 16th day of November, 1979; and

WHEREAS, pursuant to such appointment and Petition, the fair market value of the real estate to be conveyed to the Floyd County Hospital Association has been determined to be the sum of \$ 16,500.00; and

WHEREAS, the Board of Commissioners of the County of Floyd is presently desirous of conveying the real estate described herein to the Floyd County Hospital Association for a sum not less than the fair market value thereof, which said sum shall be paid in cash contemporaneously with the delivery of a Warranty Deed.

NOW THEREFORE, BE IT RESOLVED, that pursuant to the provisions of I.C. 16-12-20-16, the real estate more particularly described in Exhibit "A", hereto, which Exhibit is incorporated herein and made a part of this Resolution with the same force and effect as if copied in full herein, be conveyed by deed of general warranty to the Floyd County Hospital Association, a Body Corporate and Politic, for the sum of \$ 16,500.00, being the fair market value of such real estate, with such sum to be paid by said Association contemporaneously with the tender and delivery of such Warranty Deed.

BE IT FURTHER RESOLVED, that the Warranty Deed to be tendered to the Floyd County Hospital Association pursuant to this Resolution to be executed by each of the members of the Board of Commissioners of the County of Floyd and attested by the Auditor of Floyd County, with a copy of said Warranty Deed to be made a part of the record of this Board.

BE IT FURTHER RESOLVED, that Vincent Freiburger, as President and Chairman of the Board of Commissioners of the County of Floyd be, and hereby is, authorized to execute, for and on behalf of the Board of Commissioners of the County of Floyd, such other documents as may be reasonably necessary to accomplish this transfer, to include, but not necessarily limited to, a party-wall agreement to be concluded with the Floyd County Hospital Association.

DATED this 3rd day of December, 1979.

BOARD OF COMMISSIONERS OF THE
COUNTY OF FLOYD

Vincent H. Freiburger
Vincent Freiburger, President

Raymond Libs
Raymond Libs, Member

Gary Loftus
Gary Loftus, Member

ATTEST:

Betty Jo Hammond
AUDITOR OF FLOYD COUNTY

Tract I

Being a parcel of land being parts of Lots No. 40, 41, and 42 of Plat No. 159 of the Floyd County, Indiana Records, situated in the City of New Albany, Floyd County, Indiana, and being more fully described as follows, to-wit:

Commencing at the intersection of the north line of Dunbar Avenue (60 feet wide) with the easterly line of State Street (80 feet wide) which is also the most southerly corner of Block No. 2 of Plat No. 488 (now vacated) of said Record of Plats; thence north 38 deg. 45' west along the north-easterly line of State Street 175.00 feet to a stone at the most westerly corner of Plat No. 625 of said Record of Plats; thence north 51 deg. 26' east along the northwesterly line of Plat No. 625, a distance of 127.50 feet to a point; thence south 38 deg. 45' east along the northeasterly line of a 10 foot alley and the northeasterly line of said Plat No. 625, a distance of 25.00 feet to a point at a southerly corner of the Floyd County Memorial Hospital land; thence north 51 deg. 26' east along the southeasterly line of the hospital land and the northwesterly line of a 10 foot alley of said Plat No. 625, a distance of 302.75 feet to a point; thence north 38 deg. 45' west, 96.98 feet to the most easterly corner of the Floyd County Memorial Hospital building, the true place of beginning of land to be herein described; thence along the lines of the hospital building the following courses and distances: North 38 deg. 45' west, 38.92 feet to a corner; south 51 deg. 15' west, 8.18 feet to a corner; north 38 deg. 45' west, 40.92 feet to a corner; north 51 deg. 15' east, 17.50 feet to a corner; north 38 deg. 45' west, 97.85 feet to a point on the building line; thence leaving the line of said building and running the following courses and distances; north 51 deg. 15' east, 20.33 feet; south 38 deg. 45' east, 7.33 feet; north 51 deg. 15' east, 14.12 feet; south 38 deg. 45' east, 8.17 feet; north 51 deg. 15' east, 46.79 feet; south 38 deg. 45' east, 67.92 feet; north 51 deg. 15' east, 11.00 feet; south 38 deg. 45' east, 20.77 feet; north 51 deg. 15' east, 16.08 feet; south 38 deg. 45' east, 78.50 feet; south 51 deg. 15' west, 27.08 feet; south 38 deg. 45' east, 22.79 feet; south 51 deg. 15' west, 1.33 feet; south 38 deg. 45' east, 10.96 feet; south 51 deg. 15' west, 33.04 feet; north 38 deg. 45' west, 8.17 feet; south 51 deg. 15' west, 46.79 feet; north 38 deg. 45' west, 30.58 feet; and south 51 deg. 15' west, 9.41 feet to the place of beginning and containing 19,788.77 square feet of land.

Tract II

Being a 0.9337 of an acre parcel of land and being parts of Lots No. 40, 41 and 42 of Plat No. 159 of the Floyd County Records, situated in the City of New Albany, Floyd County, Indiana and being more fully described as follows, to-wit:

Commencing at the intersection of the north line of Dunbar

Avenue (60 feet wide) with the easterly line of State Street (80 feet wide), which is also the most southerly corner of Block No. 2 of Plat No. 488 (now vacated) of said record of plats; thence north 38 deg. 45' west along the northeasterly line of State Street 175.00 feet to a stone at the most westerly corner of Plat No. 625 of said Record of Plats; thence north 51 deg. 26' east along the northwesterly line of Plat No. 625, a distance of 127.50 feet to a point; thence south 38 deg. 45' east along the northeasterly line of a 10 foot alley and the northeasterly line of said Plat No. 625, a distance of 25.00 feet to a point at a southerly corner of the Floyd County Memorial Hospital land; thence north 51 deg. 26' east along the southeasterly line of the hospital land and the northwesterly line of a 10 foot alley of said Plat No. 625, a distance of 302.75 feet to a point; thence north 38 deg. 45' west, 53.23 feet to a point, the true place of beginning of land to be herein described; thence continuing north 38 deg. 45' west, 43.75 feet to the most easterly corner of the Floyd County Memorial Hospital building; thence north 51 deg. 15' east, 9.41 feet; thence south 38 deg. 45' east, 30.58 feet; thence north 51 deg. 15' east, 46.79 feet; thence south 38 deg. 45' east, 8.17 feet; thence north 51 deg. 17' east, 33.04 feet; thence north 38 deg. 45' west, 10.96 feet; thence north 51 deg. 15' east, 1.33 feet; thence north 38 deg. 45' west, 22.79 feet; thence north 51 deg. 15' east, 27.08 feet; thence north 38 deg. 45' west, 78.50 feet; thence south 51 deg. 15' west, 16.08 feet; thence north 38 deg. 45' west, 20.77 feet; thence south 51 deg. 15' west, 11.00 feet; thence north 38 deg. 45' west, 67.92 feet; thence south 51 deg. 15' west, 46.79 feet; thence north 38 deg. 45' west, 8.17 feet; thence south 51 deg. 15' west, 14.12 feet; thence north 38 deg. 45' west, 7.33 feet; thence north 51 deg. 15' east, 14.12 feet; thence north 38 deg. 45' west, 106.00 feet; thence north 51 deg. 15' east, 66.00 feet; thence north 38 deg. 45' west, 15.00 feet; thence north 68 deg. 04' 56" east, 73.36 feet; thence south 38 deg. 45' east, 375.00 feet to a point on the northwesterly line of said 10 foot alley and said northwesterly line of Plat No. 625; thence south 51 deg. 26' west along said northwesterly line 120.00 feet; thence north 38 deg. 45' west, 53.42 feet; thence south 51 deg. 15' west, 60.00 feet to the place of beginning and containing 0.9337 of an acre of land.

Tract III

Also, a 40 foot roadway easement, being a part of Lot No. 40 of Plat No. 159 of the Floyd County Record of Plats, situated in the City of New Albany, Floyd County, Indiana, and being more fully described as follows, to-wit:

Commencing at the intersection of the north line of Dunbar Avenue (60 feet wide) with the easterly line of State Street (80 feet wide), which is also the most southerly corner of Block No. 2 of Plat No. 488 (now vacated) of said Record of Plats;

thence north 38 deg. 45' west along the northeasterly line of State Street 175.00 feet to a stone at the most westerly corner of Plat No. 625 of said Record of Plats; thence north 51 deg. 26' east along the northwesterly line of Plat No. 625, a distance of 127.50 feet to a point; thence south 38 deg. 45' east along the northeasterly line of a 10 foot alley and the northeasterly line of said Plat No. 625, a distance of 25.00 feet to a point at a southerly corner of the Floyd County Memorial Hospital land; thence north 51 deg. 26' east along the southeasterly line of the Hospital land and the northwesterly line of a 10 foot alley of said Plat No. 625 a distance of 482.75 feet to a point, the true place of beginning of land to be herein described; thence north 38 deg. 45' west, 40.00 feet; thence north 51 deg. 15' east, 530.13 feet to a point on the southwesterly line of Bono Road (50 foot R/W); thence south 40 deg. 39' east along said southwesterly line, 40.03 feet; thence south 51 deg. 26' west, 139.21 feet to the northeast corner of said 10 foot alley of said Plat No. 625; thence continuing south 51 deg. 26' west along the northwesterly line of said 10 foot alley, 392.25 feet to the place of beginning and containing 0.4874 of an acre of land.