

**RESOLUTION NO. 2016 - 11**

The Board of Commissioners of the County of Huntington, Indiana ("Commissioners"),  
in duly assembled meeting finds:

WHEREAS, the Commissioners own real property which it finds to be surplus and no longer needed consisting of a single parcel which forms a portion of the western boundary of Yeoman Park more particularly described and depicted in the legal description and detailed map attached hereto and incorporated herein by reference as Exhibit "A" (collectively "Real Property");

WHEREAS, pursuant to I.C. § 36-1-11-8, the Commissioners may transfer the Real Property to another governmental body upon any agreeable terms evidenced by the adoption of a substantially identical resolution;

WHEREAS, the City of Huntington, by and through its Board of Public Works and Safety ("City") is willing to accept the Real Property.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners shall transfer the Real Property to the City by quitclaim deed and the Commissioners' President is authorized to execute such deed and documents necessary and appropriate to make this resolution effective.

*[Signature Block Next Page]*

SO RESOLVED this 17<sup>th</sup> day of October, 2016.

BOARD OF COMMISSIONERS  
OF THE COUNTY OF HUNTINGTON, INDIANA

By Tom Wall as  
(Tom Wall) President

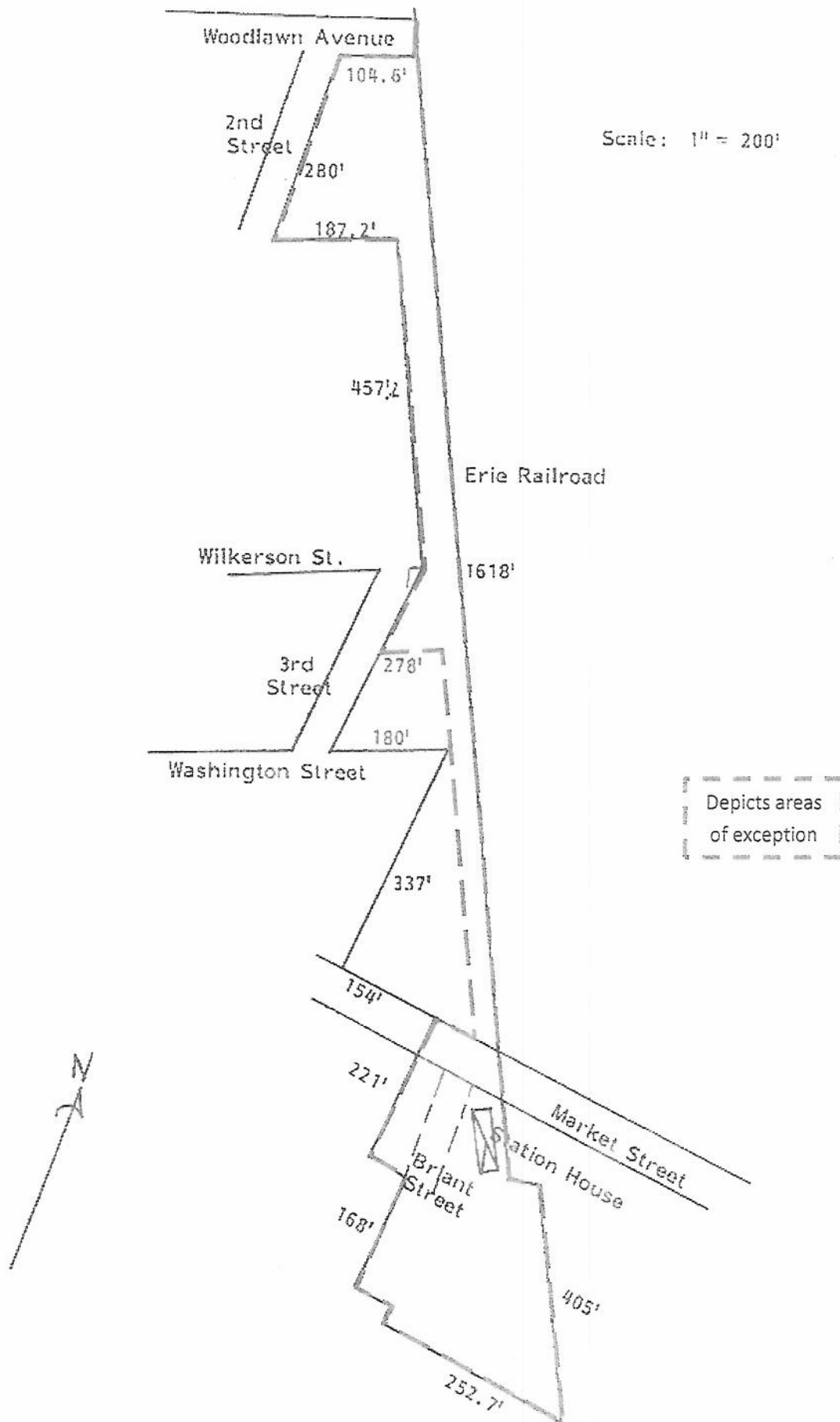
By Larry Buzzard as  
(Larry Buzzard) Member

By Rob Miller as  
(Rob Miller) Member

ATTEST:

By Cindy Yeiter as  
(Cindy Yeiter) Auditor

Exhibit "A"



All of Lots 121, 136, 137, 122, 135, 102, 107, and 118 of Foust Addition to the City of Huntington and all of those portions of Lots 123, 138, and 139 of Foust Addition to the City of Huntington contained in the following:

Part of Section 11, together with part of Section 14, all in Township 28 North, Range 9 East, in the City of Huntington, Huntington County, Indiana, and being more particularly described as follows, to wit:

Beginning at the point of intersection of the South right-of-way line of Woodlawn Avenue with the East right-of-way line of Second Street in the City of Huntington, Indiana, said point being the Northwest corner of Lot #49 in Foust's Addition to the City of Huntington, Indiana as recorded in Plat Book A, page 99 in the Office of the Recorder of Huntington County, Indiana; thence S 01°-03'-30" E, on and along the East right-of-way line of said Second Street, a distance of 280.0 feet to the point of intersection with the North right-of-way line of Leopold Street in the City of Huntington, Indiana, said point being the Southwest corner of Lot #50 in said Foust's addition; thence N 88°-33'-30" E, on and along the North right-of-way line of said Leopold Street, a distance of 187.2 feet to the point of intersection with the Westerly right-of-way line of the Erie-Lackawanna Railroad Grounds; thence S 31°-10'-30" E, on and along said Westerly right-of-way line, a distance of 457.2 feet to the point of intersection with the South right-of-way line of Wilkerson Street in the City of Huntington, Indiana; thence S 88°-27' W, on and along the South right-of-way line of said Wilkerson Street, a distance of 4.2 feet to the point of intersection with the East right-of-way line of Third Street in the City of Huntington, Indiana, said point being the Northwest corner of Lot #101 in said Foust's Addition; thence S 01°-18' E, on and along the East right-of-way line of said Third Street, a distance of 278.1 feet to the point of intersection with the North right-of-way line of Washington Street in the City of Huntington, Indiana, said point being the Southwest corner of Lot #102 in said Foust's Addition; thence N 88°-34' E, on and along the North right-of-way line of said Washington Street, a distance of 180.0 feet to the Southeast corner of Lot #118 in said Foust's Addition; thence S 01°-15' E, a distance of 337.0 feet to the Southwest corner of lot #121 in said Foust's Addition, said Southwest corner being on the North right-of-way line of Market Street in the City of Huntington, Indiana; thence N 88°-34' E, on and along the North right-of-way line of said Market Street, a distance of 154.2 feet to the point of intersection with the Northerly projection of the West line of Lot #18 in Hitzfield Addition to the City of Huntington, Indiana, as recorded in Plat Book B, page 61 in the Office of said Recorder; thence S 01°-15' E, on and along said Northerly projection and the West line of said Lot #18, a distance of 221.0 feet to the Southwest corner of said Lot #18; thence N 88°-34' E, on and along the South line of said lot #18, a distance of 60.0 feet to the Southeast corner of said Lot #18; thence S 01°-15' E, on and along the Northerly projection of the East line and the East line of Lot #21 in said Hitzfield Addition, a distance of 168.0 feet to the Southeast corner of said Lot #21; thence N 88°-34' E, on and along the Easterly projection of the South line of said Lot #21, a distance of 37.0 feet to the East right-of-way line of Briant Street in the City of Huntington, Indiana; thence S 01°-15' E, on and along the East right-of-way line of said Briant Street, a distance of 26.0 feet; thence N 88°-39' E, a distance of 252.7 feet to a point situated 12.0 feet (measured at right angles) Southwesterly of the centerline of the Erie-Lackawanna Railroad, said centerline being defined by a line situated between the former East bound and West bound main tracks of said Railroad and equidistance from each track centerline; thence N 31°-49' W, and parallel to and 12.0 feet (measured at right angles) Southwesterly of said Railroad centerline, a distance of 405.0 feet to the point of intersection with the South right-of-way line of said Market Street; thence S 88°-34' W, on and along the South right-of-way line of said Market Street, a distance of 43.47 feet to a point situated 49.5 feet (measured at right angles) Southwesterly of said Railroad centerline; thence N 31°-49' W and parallel to and 49.5 feet (measured at right angles) Southwesterly of said Railroad centerline, a distance of 882.27 feet to the point of curvature of a regular curve to the right having a radius of 5428.7 feet; thence Northerly, on and along the arc of said curve, being concentric to and 49.5 feet (measured radially) Southwesterly of said Railroad centerline, an arc distance of 733.40 feet (the chord of which bears N 27°-57'-30" W for a length of 732.84 feet) to the point of intersection with the North right-of-way line of said Woodlawn Avenue; thence S 17°-35' E, on and along the Westerly right-of-way line of the Erie-Lackawanna Railroad Grounds, a distance of 62.39 feet to the point of intersection with the South right-of-way line of said Woodlawn Avenue; thence S 89°-12'-30" W, on and along the South right-of-way line of said Woodlawn Avenue, a distance of 104.6 feet to the point of beginning, containing 5.501 acres of land, subject to an ingress and egress easement being more particularly described as follows, to wit:

Commencing at the point of intersection of the South right-of-way line of said Wilkerson street with the East right-of-way line of said Third Street; thence N 88°-27' E, on and along the South right-of-way line of said Wilkerson Street, a

distance of 4.2 feet to the true point of beginning; thence continuing north  $88^{\circ}-27'$  E, on and along the Easterly projection of the South right-of-way line of said Wilkerson Street, a distance of 49.17 feet to a point situated 49.5 feet (measured at right angles) Westerly of said Erie-Lackawanna Railroad centerline; thence N  $31^{\circ}-49'$  W and parallel to and 49.5 feet (measured at right angles) Southwesterly of said railroad centerline, a distance of 69.47 feet to the point of intersection with the Easterly projection of the North right-of-way line of said Wilkerson Street; thence S  $88^{\circ}-27'$  W, on and along said Easterly projection, a distance of 48.28 feet to the point of intersection with the Westerly right-of-way line of the Erie-Lackawanna Railroad grounds; thence S  $31^{\circ}-10'-30''$  E, on and along said Westerly right-of-way line, a distance of 69.02 feet to the true point of beginning, subject to all easements of record.

MAIL TAX BILLS TO GRANTEE'S ADDRESS:

City of Huntington

300 Cherry Street

Huntington, IN 46750

## **QUITCLAIM DEED**

**This indenture witnesseth** that the **Board of Commissioners of the County of Huntington**, in the State of Indiana ("Grantor"), releases and quit claims to **the City of Huntington, Indiana**, of Huntington County in the State of Indiana ("Grantee"), for and in consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the following real estate in Huntington County in the State of Indiana, to-wit:

All of Lots 121, 136, 137, 122, 135, 102, 107, and 118 of Foust Addition to the City of Huntington and all of those portions of Lots 123, 138, and 139 of Foust Addition to the City of Huntington contained in the following:

Part of Section 11, together with part of Section 14, all in Township 28 North, Range 9 East, in the City of Huntington, Huntington County, Indiana, and being more particularly described as follows, to wit:

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City of Huntington, Indiana; thence N 88°-34' E, on and along the North right-of-way line of said Market Street, a distance of 154.2 feet to the point of intersection with the Northerly projection of the West line of Lot #18 in Hitzfield Addition to the City of Huntington, Indiana, as recorded in Plat Book B, page 61 in the Office of said Recorder; thence S 01°-15' E, on and along said Northerly projection and the West line of said Lot #18, a distance of 221.0 feet to the Southwest corner of said Lot #18; thence N 88°-34' E, on and along the South line of said lot #18, a distance of 60.0 feet to the Southeast corner of said Lot #18; thence S 01°-15' E, on and along the Northerly projection of the East line and the East line of Lot #21 in said Hitzfield Addition, a distance of 168.0 feet to the Southeast corner of said Lot #21; thence N 88°-34' E, on and along the Easterly projection of the South line of said Lot #21, a distance of 37.0 feet to the East right-of-way line of Briant Street in the City of Huntington, Indiana; thence S 01°-15' E, on and along the East right-of-way line of said Briant Street, a distance of 26.0 feet; thence N 88°-39' E, a distance of 252.7 feet to a point situated 12.0 feet (measured at right angles) Southwesterly of the centerline of the Erie-Lackawanna Railroad, said centerline being defined by a line situated between the former East bound and West bound main tracks of said Railroad and equidistance from each track centerline; thence N 31°-49' W, and parallel to and 12.0 feet (measured at right angles) Southwesterly of said Railroad centerline, a distance of 405.0 feet to the point of intersection with the South right-of-way line of said Market Street; thence S 88°-34' W, on and along the South right-of-way line of said Market Street, a distance of 43.47 feet to a point situated 49.5 feet (measured at right angles) Southwesterly of said Railroad centerline; thence N 31°-49' W and parallel to and 49.5 feet (measured at right angles) Southwesterly of said Railroad centerline, a distance of 882.27 feet to the point of curvature of a regular curve to the right having a radius of 5428.7 feet; thence Northerly, on and along the arc of said curve, being concentric to and 49.5 feet (measured radially) Southwesterly of said Railroad centerline, an arc distance of 733.40 feet (the chord of which bears N 27°-57'-30" W for a length of 732.84 feet) to the point of intersection with the North right-of-way line of said Woodlawn Avenue; thence S 17°-35' E, on and along the Westerly right-of-way line of the Erie-Lackawanna Railroad Grounds, a distance of 62.39 feet to the point of intersection with the South right-of-way line of said Woodlawn Avenue; thence S 89°-12'-30" W, on and along the South right-of-way line of said Woodlawn Avenue, a distance of 104.6 feet to the point of beginning, containing 5.501 acres of land, subject to an ingress and egress easement being more particularly described as follows, to wit:

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distance of 48.28 feet to the point of intersection with the Westerly right-of-way line of the Erie-Lackawanna Railroad grounds; thence S 31°-10'-30" E, on and along said Westerly right-of-way line, a distance of 69.02 feet to the true point of beginning, subject to all easements of record.

Undersigned, executing this deed on behalf of Grantor, represents and certifies that:

1. He is the duly authorized representative of Grantor and has been fully empowered to execute and deliver this deed;
2. All necessary action for the making of this conveyance has been accomplished.

Dated this 17 day of October, 2016.

THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF HUNTINGTON, INDIANA

By Tom Wall as its  
(Tom Wall) President

STATE OF INDIANA

SS:

COUNTY OF HUNTINGTON

Before me, the undersigned, a Notary Public in and for that County and State, this 17<sup>th</sup> day of October 2016, appeared **County of Huntington by Tom Wall**, President and duly authorized representative of the Board of Commissioners and having been duly sworn stated that the representations contained in the foregoing Deed are true and acknowledged the execution of the foregoing Deed for and on behalf of the County of Huntington, Indiana.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: December 15, 2022  
My County of Residence is: Huntington

Robert L. Garrett  
( ) Notary Public

This instrument was prepared by Michael Hartburg, Attorney at Law, City Attorney  
DeLANEY HARTBURG ROTH & GARROTT LLP  
533 Warren Street, P.O. Box 269  
Huntington, Indiana 46750-0269  
Telephone (260)356-4100

I, Michael Hartburg, 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.