



January 29, 1999

HOUSE BILL No. 1322

DIGEST OF HB 1322 (Updated January 27, 1999 7:33 pm - DI 92)

Citations Affected: Noncode.

Synopsis: Evansville State Hospital property. Authorizes and directs the state to convey a certain parcel of real estate under the control of Evansville State Hospital to the American Red Cross, Southwest Indiana Chapter. Requires the real estate to be used for office space by a nonprofit organization. Requires construction of the office building to begin before July 1, 2004. Restricts the ownership of the property to the American Red Cross, Southwest Indiana Chapter.

Effective: July 1, 1999.

Avery, Hasler, Becker, Weinzapfel

January 12, 1999, read first time and referred to Committee on Ways and Means.
January 28, 1999, amended, reported — Do Pass.

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HB 1322—LS 7634/DI 75+



January 29, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1322

A BILL FOR AN ACT concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. [EFFECTIVE JULY 1, 1999] (a) As used in this
2 SECTION, "commissioner" refers to the commissioner of the
3 Indiana department of administration.
4 (b) As used in this SECTION, "department" refers to the
5 Indiana department of administration created by IC 4-13-1-2.
6 (c) As used in this SECTION, "grantee" refers to the American
7 Red Cross, Southwest Indiana Chapter.
8 (d) As used in this SECTION, "property" refers to the following
9 real property:
10 Part of the Northwest Quarter of Section 26, Township 6
11 South, Range 10 West, Vanderburgh County, Indiana, more
12 particularly described as follows:
13 Commencing at the Northeast corner of the Northwest
14 Quarter Section, then South 00 degrees, 53 minutes, 06
15 seconds West along the east line of the Quarter Section a
16 distance of 256.36 feet; then North 88 degrees, 51 minutes, 14
17 seconds West and parallel with the north line of the Quarter
18 Section a distance of 33.10 feet to a point on the southwesterly

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1 right-of-way of John Street, being the Point of Beginning;
 2 then South 03 degrees, 00 minutes, 18 seconds West a distance
 3 of 261.94 feet; then South 60 degrees, 24 minutes, 59 seconds
 4 West a distance of 135.34 feet; then South 55 degrees, 51
 5 minutes, 43 seconds West a distance of 146.67 feet; then South
 6 68 degrees, 36 minutes, 40 seconds West a distance of 100.95
 7 feet; then North 81 degrees, 13 minutes, 13 seconds West, a
 8 distance of 73.28 feet; then North 45 degrees, 03 minutes, 20
 9 seconds West, a distance of 148.71 feet; then North 52
 10 degrees, 27 minutes, 22 seconds West a distance of 224.05 feet;
 11 then North 77 degrees, 24 minutes, 43 seconds West a distance
 12 of 186.33 feet; then North 01 degree, 26 minutes, 01 second
 13 East a distance of 255.83 feet to a point on the south
 14 right-of-way of the Lloyd expressway; then South 88 degrees,
 15 38 minutes, 25 seconds East along the right-of-way a distance
 16 of 604.33 feet; then South 32 degrees, 31 minutes, 50 seconds
 17 East a distance of 144.22 feet; then South 88 degrees, 04
 18 minutes, 01 second East a distance of 80 feet; then North 72
 19 degrees, 17 minutes, 09 seconds East a distance of 121.70 feet
 20 to the Point of Beginning. Containing 7.496 acres, more or
 21 less.

22 (e) The governor and the commissioner are authorized and
 23 directed on behalf of and in the name of the state of Indiana to
 24 convey the property to the grantee. The conveyance of the property
 25 shall be made without consideration.

26 (f) Conveyance of the property is subject to the following:

- 27 (1) Highways, easements, and restrictions of record.
- 28 (2) Use of the parcel by a nonprofit organization for office
 29 purposes.
- 30 (3) The beginning of construction of an office building for a
 31 nonprofit organization for office purposes not later than July
 32 1, 2004.

33 (g) If any of the following applies, title to the property reverts
 34 to the state of Indiana:

- 35 (1) Use of the property by a person other than a nonprofit
 36 organization.
- 37 (2) Use of the property for other than office purposes.
- 38 (3) Ownership of the property by a person other than the
 39 grantee.
- 40 (4) If construction of an office building for a nonprofit
 41 organization is not begun before July 1, 2004.

42 (h) The conveyance under this SECTION must comply with



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1 **IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with this**
2 **SECTION. The department shall have a quitclaim deed prepared**
3 **to convey the property to the grantee. The deed must state the**
4 **restrictions and conditions contained in subsections (f) and (g). The**
5 **commissioner and the governor shall sign the deed, and the seal of**
6 **the state shall be affixed to the deed.**

7 (i) **The grantee shall have the deed to the property recorded in**
8 **Vanderburgh County, Indiana.**

9 (j) **The department shall inform the superintendent of**
10 **Evansville State Hospital and the director of the division of mental**
11 **health when the conveyance is completed.**

12 (k) **This SECTION expires July 1, 2004.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1322, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "not more" and insert "**the following real property:**

Part of the Northwest Quarter of Section 26, Township 6 South, Range 10 West, Vanderburgh County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter Section, then South 00 degrees, 53 minutes, 06 seconds West along the east line of the Quarter Section a distance of 256.36 feet; then North 88 degrees, 51 minutes, 14 seconds West and parallel with the north line of the Quarter Section a distance of 33.10 feet to a point on the southwesterly right-of-way of John Street, being the Point of Beginning; then South 03 degrees, 00 minutes, 18 seconds West a distance of 261.94 feet; then South 60 degrees, 24 minutes, 59 seconds West a distance of 135.34 feet; then South 55 degrees, 51 minutes, 43 seconds West a distance of 146.67 feet; then South 68 degrees, 36 minutes, 40 seconds West a distance of 100.95 feet; then North 81 degrees, 13 minutes, 13 seconds West, a distance of 73.28 feet; then North 45 degrees, 03 minutes, 20 seconds West, a distance of 148.71 feet; then North 52 degrees, 27 minutes, 22 seconds West a distance of 224.05 feet; then North 77 degrees, 24 minutes, 43 seconds West a distance of 186.33 feet; then North 01 degree, 26 minutes, 01 second East a distance of 255.83 feet to a point on the south right-of-way of the Lloyd expressway; then South 88 degrees, 38 minutes, 25 seconds East along the right-of-way a distance of 604.33 feet; then South 32 degrees, 31 minutes, 50 seconds East a distance of 144.22 feet; then South 88 degrees, 04 minutes, 01 second East a distance of 80 feet; then North 72 degrees, 17 minutes, 09 seconds East a distance of 121.70 feet to the Point of Beginning. Containing 7.496 acres, more or less. "

Page 1, delete lines 9 through 11.

Page 2, between lines 9 and 10, begin a new line block indented and insert:

"(3) Ownership of the property by a person other than the grantee."

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Page 2, line 10, delete "(3)" and insert "(4)".

Page 2, line 23, delete "each" and insert "the".

and when so amended that said bill do pass.

(Reference is to HB 1322 as introduced.)

BAUER, Chair

Committee Vote: yeas 20, nays 0.

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