

FLOYD COUNTY ORDINANCE

FCO No. 2019-20

(1) AUTHORIZING THE SALE OF REAL ESTATE TO AN ABUTTING LANDOWNERS, UNDER THE PROCEDURES SET FORTH IN INDIANA CODE 36-1-11-5;

(2) ACCEPTING THE OFFER OF THE ABUTTING LANDOWNERS OF THE PURCHASE PRICE FOR THE REAL ESTATE; AND

(3) DIRECTING THE ISSUANCE OF A DEED TO THE ABUTTING LANDOWNERS.

WHEREAS, Floyd County, Indiana (hereinafter the “County”), is the owner of certain real estate identified on the records of Floyd County, Indiana as:

Lot 24, Plat 493: Part of Parcel Number: 22-05-02-100-065.000-007

Lot 25 and Lot 26, Plat 493: Parcel Number: 22-05-02-100-066.000-007

Lot 27, Plat 493: Parcel Number: 22-05-02-100-067.000-007

Hereinafter collectively the “Real Estate” and individually by respective Lot Number; and

WHEREAS, the County acquired the Real Estate by the following Deeds:

Lot 24, by Tax Deed executed February 18, 1943 and recorded May 17, 1943 in Deed Book 110, at page 127.

Lot 25 and 26, by Tax Deed executed February 18, 1943 and recorded May 18, 1943 in Deed Book 110, at page 224.

Lot 27, by Tax Deed executed May 27, 1946 and recorded May 27, 1946 in Deed Book 110, at page 349; and

WHEREAS, Belinda Hancock, Anita Sharp, Norma Faith, Sharon Schroeder, Kathleen Hall, and Wanda Haming, all adults, who are the adult children of Norman C. Eve, deceased, (the “Norman Eve Children”) are the owners of certain real estate, identified on the records of Floyd County as Parcel Number 22-05-02-000-016.000-007 (“Norman Eve Children Tract I”) and Parcel Number 22-05-01-600-019.000-007 (“Norman Eve Children Tract II”); and

WHEREAS, the Norman Eve Children Tract I, abuts the Real Estate on the west and the Norman Eve Children Tract II, abuts Lot 27 on the north; and

WHEREAS, the Norman Eve Children have offered to purchase the Real Estate from the County at a price of \$100/Lot which is the assessed value of other similar sized lots in Plat 493 which are assessed and taxed by Floyd County, for a total purchase price of \$400, and to pay all of the cost incurred by the County in the sale of the Real Estate; and

WHEREAS, pursuant to and in accordance with Indiana Code 36-1-11-5, the County may sale property to abutting landowners provided that the assessed value of such property is less than \$15,000, and is not required to have such property appraised if the property is assessed at less than \$6,000;

NOW, THEREFORE, BE IT ORDAINED BY THESE COMMISSIONERS OF FLOYD COUNTY, INDIANA, AS FOLLOWS:

Section 1. Pursuant to the authority granted by Indiana Code 36-1-11-5, the Commissioners of Floyd County find that:

- a. the apparent assessed value of the Real Estate is, based on the assessed value of similar sized lots in Plat 493, \$100/lot for a total of \$400.00, consequently no appraisal of the Real Estate is required,
- b. the Real Estate offering price shall be the sum of \$400, plus the cost of title search (no title insurance to be provided), recording fees, and advertising costs,
- c. the Real Estate does not constitute a public easement or public right-of-way, and
- d. the highest and best use of the Real Estate is sale to the an abutting landowner.

Section 2. Pursuant to and in accordance with Indiana Code 36-1-11-5(e), notice of the offer of the sale of the Real Estate shall be published in accordance with Indiana Code 5-3-1.

Section 3. The Commissioners of Floyd County further find that:

- a. the Norman Eve Children are an abutting landowner, and
- b. the purchase price offered for the Real Estate by the Norman Eve Children being the sum of \$400, plus the cost of title search, recording fees and advertising costs is acceptable.

Section 4. If no other eligible offer is received by the County, within 10 days of the publication of the aforementioned notice, the County shall sell the Real Estate to the Norman


Eve Children at the purchase price they have offered and shall convey the Real Estate to the Norman Eve Children by Special Warranty Deed.

Section 5. If another eligible offer for the purchase of the Real Estate is received by the County, the County shall proceed with the sale of the Real Estate under the procedures set forth in Indiana Code 36-1-11-4(c) through 4(g).

This Ordinance shall be in full force and effect following its adoption by this Board of Commissioners.

Adopted and passed this 20 day of August, 2019.

BOARD OF COMMISSIONERS,
COUNTY OF FLOYD



Billy Stewart, President



John Schellenberger, Commissioner



Shawn Caruthers, Commissioner

Attest:



Scott Clark, Auditor