

RESOLUTION 2006-11

WHEREAS, the Town of Fort Branch, Indiana heretofore adopted Resolution 2006-10 on October 23, 2006;

WHEREAS, the Town desires to amend said Resolution to modify the legal description and purchase price of the wastewater treatment expansion site purchased from Dean F. Perigo and Janice K. Perigo, husband and wife;

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF FORT BRANCH, INDIANAA, AS FOLLOWS:

AMEND SECTION 4 OF RESOLUTION 2006-10 TO READ AS FOLLOWS:

SECTION 4: The Town of Fort Branch, Indiana shall purchase real estate from Dean F. Perigo and Janice K. Perigo, husband and wife, more particularly described as follows:

Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-four (24), Township Three (3) South, Range Eleven (11) West, Union Township, Gibson County, Indiana, and more particularly described as follows:

Commencing at a railroad spike found 4 inches below grade marking the Northwest Corner of said quarter quarter section; thence along the north line of said quarter quarter section South 90 degrees 00 minutes 00 seconds East three hundred five and no hundredths (305.00) feet to a railroad spike found marking the Northeast Corner of a tract conveyed to the Town of Fort Branch in Document #99-4886 and being the initial point of beginning of the following described real estate; thence continue along said north line South 90 degrees 00 minutes 00 seconds East two hundred sixty-seven and fifty hundredths (267.50) feet to a railroad spike set flush; thence South 00 degrees 13 minutes 04 seconds East six hundred twenty-five and no hundredths (625.00) feet to a 5/8 inch iron pin with cap inscribed "Fred Kuester IN RLS S0137" (hereinafter referred to as an iron pin) set; thence North 90 degrees 00 minutes 00 seconds West five hundred seventy-three and eighty-one hundredths (573.81) feet to an iron pin set on the west line of said quarter quarter section; thence along said west line North 00 degrees 05 minutes 52 seconds West one hundred sixty-eight and sixty-five hundredths (168.65) feet to an iron pin found marking the Southwest Corner of a tract conveyed to the Town of Fort Branch in Document #99-4886; thence South 90 degrees 00 minutes 00 seconds East three hundred five and no hundredths (305.00) feet to an iron pin found marking the Southeast Corner of said Fort Branch tract; thence North 00 degrees 05 minutes 52 seconds West four hundred fifty-six and thirty-five hundredths (456.35) feet to the point of beginning. Containing 5.03 acres, more or less. Subject to existing easements, roadways, rights-of-way, restrictions, covenants, conditions, limitations and zoning ordinances and restrictions whether disclosed by the public record or not and subject also to all oil, gas, coal and other mineral deeds, leases, grants and reservations of record.

TEMPORARY CONSTRUCTION EASEMENT

Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-four (24), Township Three (3) South, Range Eleven (11) West, Union Township, Gibson County, Indiana, and more particularly described as follows:

Commencing at a railroad spike found 4 inches below grade marking the Northwest Corner of said quarter quarter section; thence along the north line of said quarter quarter section South 90 degrees 00 minutes 00 seconds East five hundred seventy-two and fifty hundredths (572.50) feet to a railroad spike set flush; thence South 00 degrees 13 minutes 04 seconds East fifteen and no hundredths (15.00) feet to the south right-of-way line of Coal Mine Road (CR 800 S) to the initial point of beginning of the following described temporary construction easement; thence along said right-of-way line South 90 degrees 00 minutes 00 seconds East thirty-five and eighty-four hundredths (35.84) feet; thence South 00 degrees 13 minutes 04 seconds East six hundred ten and no hundredths (610.00) feet; thence North 90 degrees 00 minutes 00 seconds West thirty-five and eighty-four hundredths (35.84) feet to a 5/8 inch iron pin with cap inscribed "Fred Kuester IN RLS S0137" set; thence North 00 degrees 13 minutes 04 seconds West six hundred ten and no hundredths (610.00) feet to the point of beginning. Subject to all legal rights-of-way and/or easements.

PERMANENT INGRESS/EGRESS EASEMENT

Part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-four (24), Township Three (3) South, Range Eleven (11) West, Union Township, Gibson County, Indiana, and more particularly described as follows:

Commencing at a railroad spike found 4 inches below grade marking the Northwest Corner of said quarter quarter section; thence along the north line of said quarter quarter section South 90 degrees 00 minutes 00 seconds East five hundred seventy-two and fifty hundredths (572.50) feet to a railroad spike set flush; thence South 00 degrees 13 minutes 04 seconds East fifteen and no hundredths (15.00) feet to the south right-of-way line of Coal Mine Road (CR 800S) to the initial point of beginning of the following described permanent ingress/egress easement; thence along said right-of-way line South 90 degrees 00 minutes 00 seconds East thirty-five and eighty-four hundredths (35.84) feet; thence South 00 degrees 13 minutes 04 seconds East forty-five and no hundredths (45.00) feet; thence North 90 degrees 00 minutes 00 seconds West thirty-five and eighty-four hundredths (35.84) feet; thence North 00 degrees 13 minutes 04 seconds West forty-five and no hundredths (45.00) feet to the point of beginning. Subject to all legal rights-of-ways and/or easements.

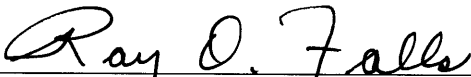
The above descriptions were prepared by Fred J. Kuester, Registered Land Surveyor Ind. Registration #S0137 after a field survey.

The purchase price of said real estate shall be Fifty-five Thousand Three Hundred Dollars (\$55,300.00).

ADOPTED THIS 15th DAY OF November, 2006.

TOWN OF FORT BRANCH, INDIANA COUNCIL


GERALD L. BLEDSOE, PRESIDENT


RAY O. FALLS, COUNCILMAN


CHRISTOPHER J. MOSBY, COUNCILMAN

ATTEST (SEAL)


LORI HALEY, CLERK-TREASURER

RESOLUTION 2006 -

**TO THE TOWN COUNCIL OF FT. BRANCH, INDIANA,
AUTHORIZING THE SUBMITTAL OF THE GRANT APPLICATION
TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND
ADDRESSING RELATED MATTERS**

WHEREAS, the Town of Ft. Branch, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and,

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and,

WHEREAS, the Town of Ft. Branch, Indiana, has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs on behalf of the Town of Ft. Branch, said public hearings to assess the housing, public facilities and economic needs of its low and moderate income residents;

NOW THEREFORE, BE IT RESOLVED, by the Town of Ft. Branch, Indiana, that:

1. The Town Council President is authorized to prepare and submit an application for grant funding to address improvements to the sewer system servicing the Town of Ft. Branch, Indiana and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Ft. Branch, Indiana hereby states that the Town will commit the requisite local funds in the amount of Four Million Twenty-Four Thousand Nine Hundred Eighty Dollars (4,024,980.00) in the form of SRF Loan Proceeds; and: Forty-Four Thousand Five Hundred (\$44,500.00) as matching funds for said program, such commitment to be contingent upon receipt of CDF funding from the Indiana Office of Community and Rural Affairs.

Adopted by the Town of Ft. Branch this 16th day of August, 2006 at 6:30 P.M.

TOWN OF FT. BRANCH

ATTEST:



Gerald Bledsoe, Council President



Lori Haley, Clerk Treasurer

RESOLUTION

**TO THE TOWN COUNCIL OF FT. BRANCH, INDIANA,
AUTHORIZING THE SUBMITTAL OF THE GRANT APPLICATION
TO THE INDIANA OFFICE OF COMMUNITY AND RURAL AFFAIRS AND
ADDRESSING RELATED MATTERS**

WHEREAS, the Town of Ft. Branch, Indiana recognizes the need to stimulate growth and to maintain a sound economy within its corporate limits; and,

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Office of Community and Rural Affairs to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and,

WHEREAS, the Town of Ft. Branch, Indiana, has conducted or will conduct public hearings prior to the submission of an application to the Indiana Office of Community and Rural Affairs on behalf of the Town of Ft. Branch, said public hearings to assess the housing, public facilities and economic needs of its low and moderate income residents;

NOW THEREFORE, BE IT RESOLVED, by the Town of Ft. Branch, Indiana, that:


1. The Town Council President is authorized to prepare and submit an application for grant funding to address comprehensive planning for the Town of Ft. Branch, Indiana and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Office of Community and Rural Affairs and the United States Department of Housing and Urban Development.
2. The Town of Ft. Branch, Indiana hereby states that the Town will commit the requisite local funds in the amount of Five Thousand Six Hundred Dollars (\$5,600.00) in the form of EDIT Funds as matching funds for said program, such commitment to be contingent upon receipt of CDF funding from the Indiana Office of Rural Affairs.

Adopted by the Town of Ft. Branch this 12th day of April, 2006 at 6:30 P.M.

TOWN OF FT. BRANCH

ATTEST:


Gerald Bledsoc, Council President


Lori Halcy, Clerk Treasurer