

RESOLUTION 2006-10

WHEREAS, the Town of Fort Branch, Indiana, desires to expand and improve its wastewater collection and treatment facilities;

WHEREAS, the Town of Fort Branch, Indiana will need additional easements and real estate in which to improve and expand its present collection and treatment facilities;

WHEREAS, the Town of Fort Branch, Indiana desires to purchase real estate and easements for its wastewater project;

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

SECTION 1: The Town of Fort Branch, Indiana shall purchase a wastewater temporary and permanent easement from Mike Fink and Carla Fink, husband and wife, of Vanderburgh County, Indiana, more particularly described as follows:

Permanent Easement

A permanent easement 25 feet in even width for the purpose of constructing, operating, maintaining, inspecting, servicing and repairing a sanitary sewer and appurtenances off the entire east side of the Grantors' Parcel, the east boundary being coincident with the west right-of-way of U.S. 41 as shown on the attached Exhibit "B" and containing 1,650 sq. ft. (0.04 Ac.) more or less.

Temporary Easement

A temporary easement 10 feet in even width for the purpose of constructing a sanitary sewer and appurtenances, the east boundary to be coincident with the west boundary of the above described permanent easement, and containing 660 sq. ft. (0.02 Ac.) more or less. The lateral boundaries of the above described permanent easement shall be shortened or prolonged as to commence and terminate on the lawful boundary of the Grantors' parcel.

The purchase price of said easements shall be the sum of Four Hundred and Seventy-eight Dollars (\$478.00).

SECTION 2: The Town of Fort Branch, Indiana shall purchase a wastewater temporary and permanent easement from Andrews Fast Break, Inc., an Illinois Corporation authorized to do business in Indiana, more particularly described as follows:

Permanent Easement

A permanent easement 25 feet in even width for the purpose of constructing, operating, maintaining, inspecting, servicing and repairing a sanitary sewer and appurtenances off the east boundary being more particularly described as follows: Beginning at the point of intersection of the western right-of-way of U.S. Route 41 with the south line of the Grantor's Parcel, thence northerly, along said right-of-way a distance of 264.00 feet to its terminus and containing 6,600 sq. ft. (0.15 Ac.) more or less.

Temporary Easement

A temporary easement 10 feet in even width for the purpose of constructing a sanitary sewer and appurtenances, the east and south boundaries to be coincident with the west and north boundaries of the above described permanent easement, and containing 3,016 sq. ft. (0.07 Ac.) more or less.

The purchase price of said easement shall be the sum of Ten Thousand Dollars (\$10,000.00).

SECTION 3: The Town of Fort Branch, Indiana shall purchase a wastewater temporary and permanent easement from the Robert D. Bain Trust, dated January 12, 2002, Robert D. Bain, Trustee, more particularly described as follows:

Permanent Easement

A permanent easement twenty-five feet in even width for the purpose of constructing, operating, maintaining, inspecting, servicing and repairing a sanitary sewer gravity main and appurtenances, the west and north boundary being more particularly described as follows: Beginning at the Southwest corner of Grantors' Parcel thence northerly along the west line of the Grantors' Parcel a distance of 1193.14 feet; thence easterly a distance of 327.71 feet to a point on the northern boundary of the Grantors' Parcel, said point also being the southwest corner of a cemetery; thence easterly along the north line of the Grantors' Parcel a distance of 99.21 feet to the western right-of-way of U.S. 41 and containing 40,502 sq. The lateral boundaries of the above described permanent easement shall be shortened or lengthened such as to commence or terminate on the lawful boundary of the Grantors' Parcel.

Temporary Easement

A temporary easement ten feet (10) in even width for the purpose of constructing a sanitary sewer main and appurtenances, the west and north boundaries to be coincident with the east and south boundaries of the above described permanent easement, containing 15,965 sq. ft. (0.37 Ac.) more or less.

The purchase price of said easements shall be the sum of Five Thousand Four Hundred Twenty-nine Dollars (\$5,429.00).

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:

Deed Description

A part of the Northeast Quarter of the Southeast Quarter of Section (24), Township (3) South, Range (11) West, in Union Township, Gibson County, Indiana, and more particularly described as follows:

Beginning at the northeast corner of a 1.72 acre tract conveyed to the Town of Fort Branch, Indiana by a Warranty Deed dated July 6, 1999, and recorded in Document 99-4886 in the office of the Recorder of Gibson County, Indiana; thence South 90 degrees 00 minutes 00 seconds East, (record bearing and basis for bearing) along the north line of the northeast quarter of the northeast quarter of said Section 24 and a distance of 303.80 feet to the northwest corner of that property conveyed to Southern Indiana Gas and Electric Company by Warranty Deed dated November 22, 1965, and recorded in deed record 168, page 62 in the office of Gibson County, Indiana; thence South 07 degrees 00 minutes 00 seconds East, parallel to the west line of said property a distance of 200.00 feet; thence South 00 degrees 00 minutes 00 seconds West a distance of 426.48 feet; thence North 90 degrees 00 minutes 00 seconds West, parallel to the north line of said quarter quarter section a distance of 631.70 feet to the west line of said quarter quarter section; thence North 00 degrees 05 minutes 52 seconds West, along said west line to the southwest corner of said tract a distance of 168.65 feet; thence South 90 degrees 00 minutes 00 seconds East along the south line to the southeast corner of said tract a distance of 305.00 feet; thence North 00 degrees 05 minutes 52 seconds West along the east line of said tract a distance of 456.35 feet to the point of beginning, containing 226,438 sq. ft. (5.20 Ac.) more or less.

Permanent Easement

A permanent easement 25 feet in even width for the purpose of constructing, operating, maintaining, inspecting, servicing and repairing a sanitary sewer and appurtenances, the east boundary being more particularly described as follows: Beginning at the point of intersection of the western right-of-way of U.S. Route 41 with the south line of the Grantor's Parcel; thence northerly, along said right-of-way a distance of 264.00 feet to its terminus and containing 6,600 sq. ft. (0.15 Ac.) more or less.

Temporary Easement

A temporary easement 10 feet in even width for the purpose of constructing a sanitary sewer and appurtenances, the east and south boundaries to be coincident with the west and north boundaries of the above described permanent easement, and containing 3,016 sq. ft. (0.07 Ac.) more or less.

The purchase price of said real estate shall be Nine Thousand Dollars (\$9,000.00) per acre plus an additional Five Thousand Four Hundred Dollars (\$5,400.00) for crop loss, soil compaction, temporary construction easement and permanent easement.

SECTION 5: The Town Council of Fort Branch, Indiana hereby authorizes its Clerk-Treasurer to execute drafts payable in accordance with this Resolution above stated.

SECTION 6: THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE.

DATED THIS 23rd DAY OF October, 2006.

TOWN COUNCIL OF FORT BRANCH, INDIANA

Gerald L. Bledsoe
GERALD L. BLEDSOE, PRESIDENT

Ray O. Falls
RAY O. FALLS, COUNCILMAN

CHRISTOPHER J. MOSBY, COUNCILMAN

ATTEST: (SEAL)

Lori Haley
LORI HALEY, CLERK-TREASURER