

EDINBURGH REDEVELOPMENT COMMISSION

RESOLUTION NO. 2013-1

A DECLATORY RESOLUTION ON DESIGNATING A SPOT NEEDING REDEVELOPMENT

WHEREAS, the Edinburgh Redevelopment Commission ("Commission") desires to eliminate blighted structures within the corporate limits of Town of Edinburgh, Indiana, ("Town") and

WHEREAS, the grain elevator structure located at 112 Shelby Street, Edinburgh, Indiana 46124, more particularly described in the attached Exhibit "A", ("Property") has experienced a cessation of private investment and operation by its former owner, Amos-Hill Associates, Inc., and

WHEREAS, the Town acquired the Property from Amos-Hill Associates, Inc. on the 30th day of March, 2012, for the purposes of razing the grain elevator structure located on the Property; and to redevelop the Property to improve the safety of State Road 252 located alongside the Property;

WHEREAS, deterioration of the structure has taken place as evidenced by the lack of use of the Property by Amos-Hill Associates, Inc., which has caused a history of infestation of vermin; the cat-walk and rope -pulley elevator on the north side of the Property to be unsafe; and the Property creating a dangerous blind corner along State Road 252, which said turn encompasses and approaches a rail road crossing;

WHEREAS, pursuant to IC 36-7-14-12.2, the Commission can condemn and clear real property needed for redevelopment as long as the property is located within the Town's corporate limits;

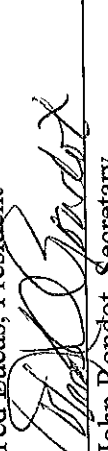
WHEREAS, the Property is located within the Town's corporate limits;

BE IT RESOLVED by the Edinburgh Redevelopment Commission that the Property of the Town of Edinburgh hereby be designated as an area in need of redevelopment as defined by Indiana Code 36-7-1-3.

BE IT FURTHER RESOLVED, that the Edinburgh Redevelopment Commission desires to undertake activities to eliminate slum or blight on a spot basis on the Property, as permitted by 24 CFR 570.483(c)(2).

ADOPTED this 14th day of January, 2013.

EDINBURGH REDEVELOPMENT COMMISSION


 Ted Lucas, President

 John Kondot, Secretary

Ray Walton, Commissioner


 Karen Fitzpatrick, Commissioner


 Bill West, Commissioner

Town of Edinburgh
Blue River Township
S8-T11N-R5E

Boundary Retracement

PL. NW 4 S34-T11N-R5E

LAND DESCRIPTION - OUT OF TRACT "A" RECORDED IN DEED BOOK 230, PAGE 495.

BEGINNING AT A P.K. NAIL FOUND AT THE POINT OF BEGINNING OF SAID TRACT "A", THENCE NORTH 9 DEGREES 9 MINUTES 0 SECONDS WEST, ON AND ALONG THE WEST LINE OF TRACT "A", 53.95 FEET TO A CAPTED REBAR SET, THENCE NORTH 80 DEGREES 52 MINUTES 58 SECONDS EAST, THROUGH AN EXISTING BUILDING, 103.07 FEET TO A MAG NAIL SET ON THE WESTERLY RIGHT-OF-WAY OF SHERBY STREET, THENCE SOUTH 30 DEGREES 26 MINUTES 35 SECONDS WEST, ON AND ALONG SAID WESTERLY RIGHT-OF-WAY, 80.74 FEET TO THE NORTH RIGHT-OF-WAY OF CROSS STREET, THENCE SOUTH 89 DEGREES 48 MINUTES 38 SECONDS WEST, ON AND ALONG SAID NORTH RIGHT-OF-WAY LINE, 53.44 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRE.

TRACT A

A PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, EDINBURGH, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE APPARENT NORTH RIGHT-OF-WAY LINE OF CENTER CROSS STREET IN THE TOWN OF SAID EDINBURGH, INDIANA, SAID POINT BEING THE EASTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF SAID CENTER CROSS STREET, AS SAID RIGHT-OF-WAY IS INDICATED ON THE PLAT OF EDINBURGH UNION ADDITION BY THOMAS RUSSELL, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 1, PAGE 33, IN THE RECORDS OF THE JOHNSON COUNTY RECORDER, SAID POINT ALSO BEING LOCATED 25.00 FEET FROM IT MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF THE MAIN TRACT OF THE CONRAIL RAILROAD (FORMER PITTSBURGH, CHICAGO AND ST. LOUIS RAILROAD) AND ON THE EASTERLY RIGHT-OF-WAY LINE AS SAID RIGHT-OF-WAY LINE IS INDICATED ON THE RIGHT-OF-WAY MAP NO. 1-9, INDIANA 79 FOR SAID RAILROAD, SAID POINT ALSO BEING IDENTIFIED BY A P.K. NAIL SET; THENCE NORTH 89 DEGREES 48 MINUTES 35 SECONDS EAST (ASSUMED BEARING) ON AND ALONG SAID APPARENT SAID NORTH RIGHT-OF-WAY LINE, AND ON AND ALONG THE SAID EASTERLY EXTENDED RIGHT-OF-WAY LINE 55.00 FEET TO A P.K. NAIL SET AT THE SAID RIGHT-OF-WAY INTERSECTIONS WITH THE APPARENT WESTERLY RIGHT-OF-WAY LINE OF SHERBY STREET (FORMER EDINBURGH-SHELBYVILLE PIKE) IN SAID TOWN OF EDINBURGH, INDIANA; THENCE NORTH 59 DEGREES 26 MINUTES 55 SECONDS EAST ON AND ALONG SAID APPARENT WESTERLY RIGHT-OF-WAY LINE AND FOLLOWING THE WESTERLY SIDE OF AN EXISTING CONCRETE SIDEWALK 321.50 FEET TO AN IRON PIN SET; THENCE NORTH 38 DEGREES 52 MINUTES 35 SECONDS EAST ON AND ALONG SAID APPARENT WESTERLY RIGHT-OF-WAY LINE AND FOLLOWING THE WESTERLY SIDE OF SAID SIDEWALK 430.04 FEET TO A CROSS CUT IN A CONCRETE SIDEWALK, WHICH SIDEWALK LIES ON THE WEST SIDE OF FIVE STREET IN SAID TOWN OF EDINBURGH, INDIANA; THENCE NORTH 00 DEGREES 15 MINUTES 59 SECONDS WEST 5.21 FEET TO A CROSS CUT IN LAST SAID CONCRETE SIDEWALK, SAID CROSS ALSO MARKING THE MOST SOUTHEASTLY CORNER OF LOT NO. 1 IN JACOB L. TONER'S ADDITION TO THE TOWN OF EDINBURGH, INDIANA, PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 20 OF SAID RECORDER'S RECORDS; THENCE NORTH 87 DEGREES 36 MINUTES 20 SECONDS WEST ON AND ALONG THE SOUTH LINE OF SAID LOT NO. 1, A DISTANCE OF 240.78 FEET TO AN IRON PIN SET AT THE SOUTHWEST CORNER. THEREOF; THENCE NORTH 03 DEGREES 43 MINUTES 40 SECONDS EAST ON AND ALONG THE WESTERLY LINES OF LOTS NO. 1, 2 AND A PORTION OF 3 IN SAID JACOB L. TONER'S ADDITION 324.50 FEET TO A CROSS CUT FOUND IN A CONCRETE WALK, SAID CROSS BEING LOCATED 33 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT NO. 4 IN SAID ADDITION AND ALSO BEING LOCATED ON THE APPARENT SOUTHERLY RIGHT-OF-WAY LINE OF NADOM STREET IN SAID TOWN OF EDINBURGH, INDIANA; THENCE NORTH 88 DEGREES 57 MINUTES 20 SECONDS WEST ON AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 420.04 FEET TO A CUT CROSS SET IN SAID CONCRETE WALK SAID CROSS ALSO BEING LOCATED ON THE EASTERLY RIGHT-OF-WAY LINE OF THE SAID CONRAIL RAILROAD AS INDICATED ON SAID MAP; THENCE SOUTH 80 DEGREES 51 MINUTES WEST ON AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE 35.98 FEET TO AN IRON PIN SET 50.00 FEET FROM THE CENTERLINE OF SAID RAILROADS; THENCE SOUTH 01 DEGREE 13 MINUTES 17 SECONDS EAST ON AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE 149.00 FEET TO AN IRON PIN SET 30.00 FEET FROM THE CENTERLINE OF SAID RAILROAD; THENCE SOUTH 09 DEGREES 09 MINUTES EAST PARALLEL TO SAID CENTERLINE ON AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE 436.00 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 48 MINUTES 35 SECONDS WEST ON AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE 5.06 FEET TO AN IRON PIN SET 25.00 FEET FROM SAID CENTERLINE; THENCE SOUTH 09 DEGREES 09 MINUTES EAST PARALLEL TO SAID CENTERLINE AND ON AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE 256.30 FEET TO THE PLACE OF BEGINNING.

THE ABOVE DESCRIBED TRACT IS INTENDED TO DESCRIBE A PORTION OF AN AREA GENERALLY DESCRIBED AS LYING SOUTH OF NADOM STREET, WEST OF SHERBY STREET, EAST OF THE CONRAIL RAILROAD AND NORTH OF CENTER CROSS STREET AS SAID AREA IS INDICATED IN AN OLD JOHNSON COUNTY, INDIANA ATLAS, WHICH INDICATED THEREIN A MAP OF THE TOWN OF EDINBURGH, INDIANA DATED 1881, WHICH INDICATES THIS AREA TO CONTAIN:

1. OUTLOTS 45, 46, 47, 48, 49, 50, 51, 52 AND 53;
2. LOTS NUMBERED 1, 5, 6, 7, AND 8, PART OF SNOW STREET, RICHARDS STREET, THE UNIDENTIFIED OUTLOT LYING SOUTH OF RICHARDS STREET AND THE SIX (6) FOOT WIDE ALLEY EAST OF SAID LOTS NUMBERED 7 AND 8, ALL AS INDICATED ON THE PLAT OF RECORD WHICH IS RECORDED IN PLAT BOOK 2, PAGE 15 OF THE JOHNSON COUNTY RECORDER'S RECORDS;
3. THE SIX (6) FOOT WIDE ALLEY LYING WEST OF LOTS NUMBERED 1, 2 AND A PORTION OF LOT NO. 3 JACOB L. TONER'S ADDITION TO THE TOWN OF EDINBURGH, INDIANA, PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 20 OF THE JOHNSON COUNTY RECORDER'S OFFICE.

SURVEYOR'S REPORT:

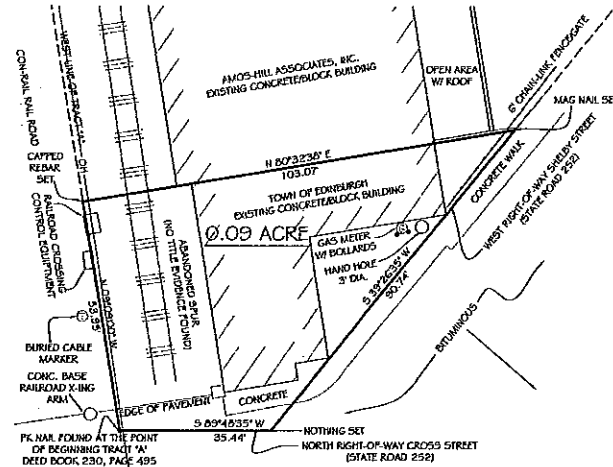
IN ACCORDANCE WITH TITLE 36S, ARTICLE 1, RULE 12, SECTION 1 THROUGH 20 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

VARIANCE IN THE REFERENCED MONUMENTS;
DISCREPANCIES IN RECORDED DESCRIPTIONS AND PLATS;
INCONSISTENCIES IN LINES OF OCCUPATION;
RANDOM ERRORS OF MEASUREMENT (THEORETICAL UNCERTAINTY);

THE THEORETICAL UNCERTAINTY (DUE TO RANDOM ERRORS IN MEASUREMENTS) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THAT THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A CLASS "C" SURVEY (0.59 AS DEFINED IN IAC-865. THIS SURVEY IS A RETRACEMENT SURVEY AS DEFINED IN IAC 865, OF A TRACT OF LAND.

SURVEYOR'S COMMENTS:

THE PURPOSE OF THIS SURVEY WAS TO PERFORM A BOUNDARY RETRACEMENT ON THE ABOVE DESCRIBED REAL ESTATE FOR THE DIRECTION OF THE TOWN OF EDINBURGH, INDIANA. THE BASIS OF OUR FINDINGS WERE MONUMENTATION FOUND WITHIN THE ORIGINAL TRACT, AS WELL AS SURROUNDING SUBDIVISIONS. THE TOWN OF EDINBURGH PROVIDED A COPY OF A TITLE SEARCH BY OUTSINGER AND SCHAFSTAL, DATED MAY 23, 2011. OUR SURVEY IS CONSISTENT WITH AND SHOWS SAID ITEMS FOUND TO EFFECT THE NEW SUBJECT, EXCEPT ITEM 9 WHICH APPEARS TO EFFECT THE ORIGINAL TRACT, BUT DUE TO UNCLEAR OR INACCURATE RECORD DESCRIPTIONS, IT DOES NOT APPEAR TO EFFECT THE NEW SUBJECT. EXCEPT ITEM 10, WE FOUND NO PHYSICAL OR RECORD EVIDENCE BEYOND THE PHYSICAL PAVEMENT SKOWAL, EXCEPT ITEM 11, THAT EFFECTS ONLY THE ORIGINAL TRACT. EXCEPT ITEMS 12 AND 13, WHICH WITHOUT FURTHER EVIDENCE, BEYOND PHYSICAL EVIDENCE SHOWN, APPEAR TO BE A BLANKET EASEMENT, EXCEPT ITEM 14, WHICH EFFECTS THE ORIGINAL TRACT ONLY.

**FINDING OF FACTS:**

WITHOUT ADDITIONAL PROOF, THE FACT THAT SURVEYS ACCEPT A MONUMENT DOES NOT MAKE IT CORRECT. THE MONUMENT MUST HAVE BEEN INITIALLY CORRECT. COMMON REPORT AND REPUTATION EVIDENCE DOES NOT CONSTITUTE CONTRARY PROOF. THEREFORE, THE LOCATION OF ANY OF THE ABOVE DISCUSSED MONUMENTS MAY YET BE CONTRADICTED AND OVERCOME BY UNDISCOVERED EVIDENCE. AS A RESULT, ANY PROPERTY BOUNDARY, WHOSE LOCATION IS DEPENDENT ON THESE CORNER MONUMENTS, IS SUBJECT TO UNDISCOVERED EVIDENCE, WHICH MIGHT RESULT IN A DIFFERENT LOCATION FOR THE CORNERS. BECAUSE A DIMENSIONAL VALUE TO THE UNCERTAINTY OF THESE CORNERS IS SUBJECTIVE, AND FOR THESE REASONS CITED ABOVE, THE UNCERTAINTY OF THESE CORNERS IS UNKNOWN.

FENCING EXISTS ALONG A PORTION OF THE SURVEYED LAND. THE LOCATION OF SUCH FENCING, IN RELATION TO THE SURVEYED BOUNDARIES, IS SHOWN. THERE MAY BE UNWRITTEN RIGHTS ASSOCIATED WITH THE LOCATION OF THIS FENCING.

IF FENCES ARE TO BE INSTALLED, IT SHOULD BE KEPT IN MIND THE UNCERTAINTIES OF CORNERS FOUND AND SET. AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AREA AS FOLLOWS:

N/A
DUE TO VARIANCES IN REFERENCE MONUMENTS: 0.5 FOOT +/-
DUE TO DISCREPANCIES IN THE RECORDED DESCRIPTIONS: 1 FOOT +/-
DUE TO INCONSISTENCIES IN LINES OF OCCUPATION: 17 FEET +/- (ABANDONED SPUR AND R/R CONTROLS)

CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE PLAT AND DESCRIPTION REPRESENT A SURVEY COMPLETED UNDER MY DIRECTION.

I FURTHER CERTIFY THAT THE SURVEY WORK PERFORMED ON THE PROJECT SHOWN IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

I FURTHER CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PROJECT CONFORMS TO THE REQUIREMENTS CONTAINED IN SECTION 1 THROUGH 20 OF THE IAC-865, 1-1-12 FOR A RETRACEMENT OR RECORD DOCUMENT SURVEY.

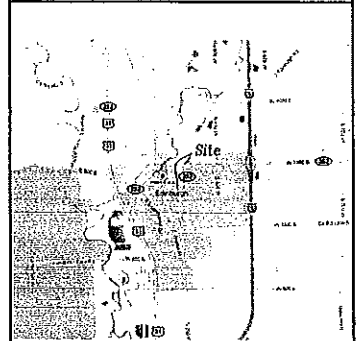
DATE OF LAST FIELD WORK: JULY 1, 2011.

DATE: OCTOBER 11, 2010.

REVISED: JULY 12, 2011.

SURVEYOR'S SIGNATURE

JEFFREY J. KANDY, PROFESSIONAL LAND SURVEYOR NO. 20100068

Site Map**Revisions**

JEFFREY J. KANDY
PROFESSIONAL LAND SURVEYOR NO. 20100068

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(317) 738-0781 - Office
(317) 738-0791 - Fax

Project:

Amos Hill Associates, Inc.
to the Town of Edinburgh
PL. NW 4 S34-T11N-R5E
Blue River Township
Johnson County, Indiana

Sheet Title

Boundary Split
Out of Tract "A" Recorded in
Deed Book 230, Page 495

Scale	Drawn	Designed	Checked
1" = 20'	DLG	N/A	JJK
Work Order No. 100487	Sheet Number		
Date: July 14, 2011	1 of 1		