

RESOLUTION NO. 2011-29

A Resolution Of the Town Council of the Town of Speedway, Indiana Confirming the Speedway Redevelopment Commission Resolution Regarding the Acquisition of Real Property from CSX Corporation by the Exercise of the Power of Eminent Domain

WHEREAS, Indiana Code 36-7-14-12.2 authorizes the Speedway Redevelopment Commission (the "SRC") to acquire real property by the use of eminent domain; and

WHEREAS, Indiana Code 36-7-14-20 requires that the SRC pass a resolution stating that it considers it necessary to acquire real property in a redevelopment project by the use of eminent domain and that Town Council of the Town of Speedway, Indiana (the "Town Council") approve such action; and

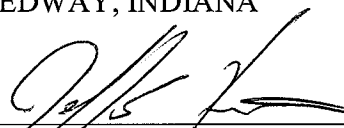
WHEREAS, the SRC has determined that the acquisition of certain real property from CSX Corporation located near 10th Street in Speedway, Indiana is necessary for public purposes including, but not limited to, making improvements to 10th Street, and approved its Resolution 2011-11 at its regularly scheduled meeting on Monday, September 19, 2011 authorizing such action; and

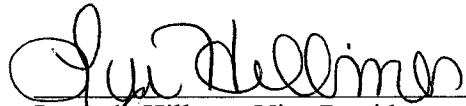
WHEREAS, the real property, all of which is located in a redevelopment project area, is more accurately and specifically described in the Resolution and accompanying legal description attached hereto as Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED that the Town Council approves and affirms SRC Resolution 2011-11 and hereby finds the acquisition of the real property from CSX Corporation as described in Exhibit 1 is necessary for public purposes and therefore approves the exercise of the power of eminent domain and all acts necessary for the acquisition of real property described in Exhibit 1.

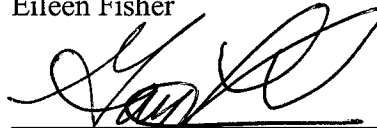
ADOPTED the 26th day of September 2011.


TOWN COUNCIL OF THE TOWN OF
SPEEDWAY, INDIANA



Jeff S. Hartman, President

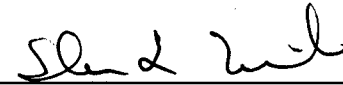
Lucinda Hillmer, Vice President

Eileen Fisher

Gary L. Raikes

Bill Suffel

ATTEST



Sharon L. Zishka, Clerk-Treasurer

Resolution No. 2011-11

Resolution Concerning the Acquisition of Real Property by the Exercise of the Power of Eminent Domain

WHEREAS, Indiana Code 36-7-14-12.2 authorizes the Speedway Redevelopment Commission (the "SRC") to acquire real property by the use of eminent domain.

WHEREAS, Indiana Code 36-7-14-20 requires that the SRC pass a resolution stating that it considers it necessary to acquire real property in a redevelopment project by the use of eminent domain.

WHEREAS, the SRC finds that the acquisition of certain real property located near 10th Street in Speedway, Indiana is necessary for public purposes including, but not limited to, making improvements to 10th Street.

WHEREAS, the real property, all of which is located in a redevelopment project area, is more accurately and specifically described in the legal description attached hereto as Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED that the SRC hereby finds the acquisition of the real property described in Exhibit 1 be necessary for public purposes and therefore authorizes the exercise of the power of eminent domain and all acts necessary for the acquisition of real property described in Exhibit 1.

ADOPTED by a vote at a properly convened public meeting of the Speedway Redevelopment Commission this the 19th day of September, 2011.

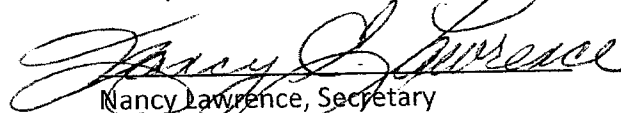
Speedway Redevelopment Commission



Vince Noblet, President



Benny Grove, Vice President



Nancy Lawrence, Secretary



Ron Fisher



Bill Jones

Exhibit 1

Project: 10th Street Relocation
Parcel: 4 Fee Simple Right-of-Way
Key No.: 9058395

Sheet 1 of 1

A part of Section 31, Township 16 North, Range 3 East, Marion County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the southeast corner of said Section 31 designated as Point "124" on said plat; thence North 0 degrees 15 minutes 50 seconds West 199.26 feet along the east line of said section to a southern line of said grantor's land and the point of beginning of this description: thence North 75 degrees 32 minutes 52 seconds West 105.02 feet along said southern line; thence South 81 degrees 29 minutes 41 seconds East 9.95 feet to Point "463" designated on said plat; thence North 69 degrees 59 minutes 55 seconds East 51.21 feet to a northern line of said grantor's land; thence South 75 degrees 32 minutes 52 seconds East 45.02 feet along said northern line to the east line of said section; thence South 0 degrees 15 minutes 50 seconds East 31.02 feet along said east line to the point of beginning and containing 0.049 acres more or less.

This description was prepared for the Speedway Redevelopment Commission by Jason E. Main, Indiana Registered Land Surveyor, License Number LS20900184, on May 6, 2011.

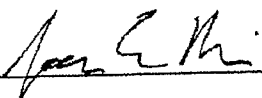


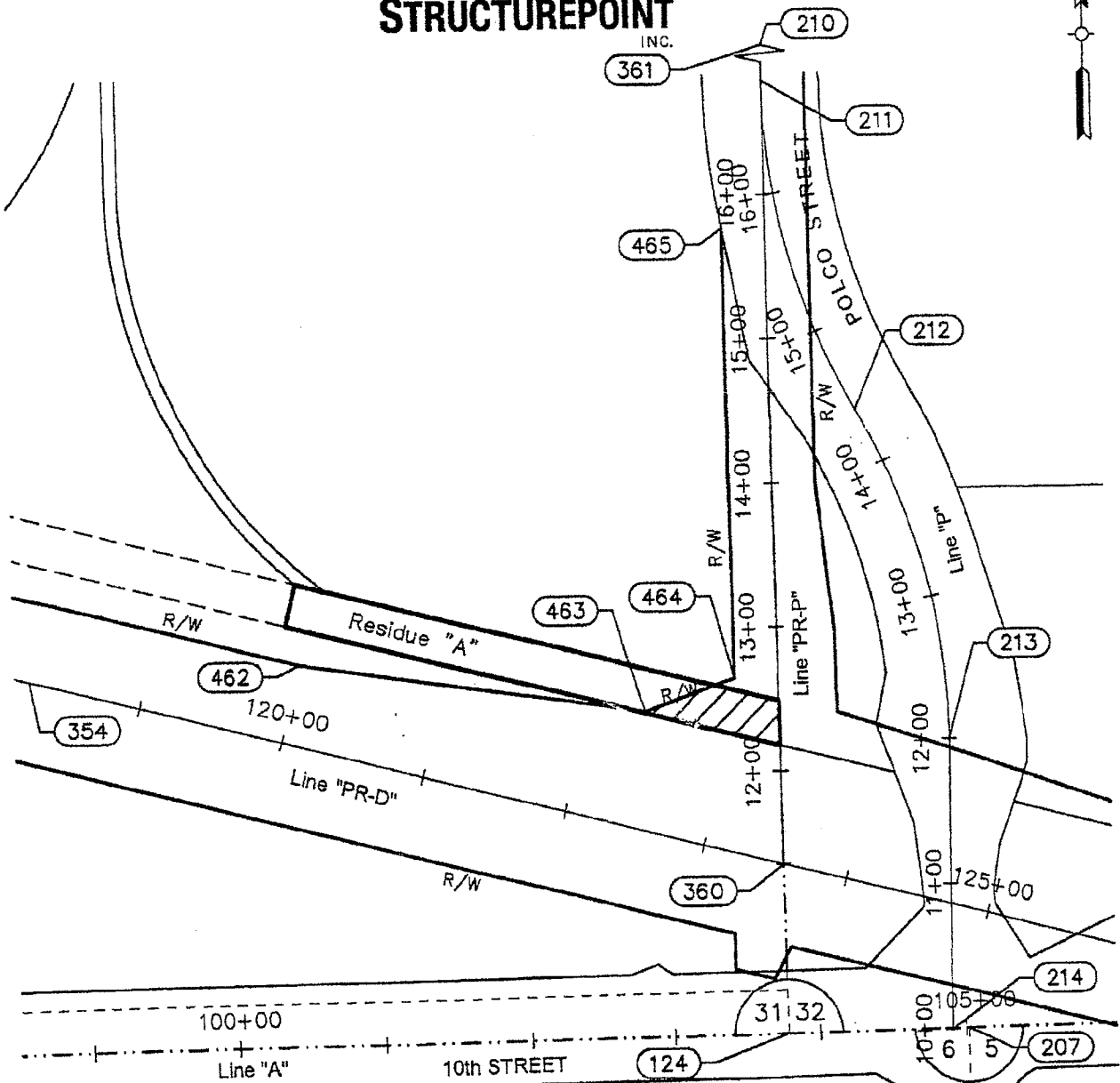



EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT
Prepared For Speedway Redevelopment Commission
by: AMERICAN

SHEET 1 OF 2

0 50' 100'
SCALE: 1"=100'

STRUCTUREPOINT
INC.



 HATCHED AREA IS THE APPROXIMATE TAKING

OWNER: CSX TRANSPORTATION, INC.
PARCEL: 4

DRAWN BY: JEM
CHECKED BY: JEM
DES. NO.: 1172450

PROJECT: 10th STREET RELOCATION
ROAD: 10th STREET
COUNTY: MARION
SECTION: 31
TOWNSHIP: T-16-N
RANGE: R-3-E

Instrument Number 2003-0270536 Dated: 11/26/2003

THIS PLAT WAS PREPARED FROM PUBLIC DOCUMENTS AND NOT CHECKED BY A FIELD SURVEY.

EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT
 Prepared For Speedway Redevelopment Commission
 by: AMERICAN

SHEET 2 OF 2

STRUCTUREPOINT
 INC.

POINT REFERENCE CHART (Feet)

Point	North	East	Station	Offset	℄
124	SEE LOCATION CONTROL ROUTE SURVEY PLAT				
207					
210					
211					
212					
213					
214					
354	51384.4582	67932.0482	PT(118+21.66)	0.00	LINE PR-D
360	51251.1360	68449.3491	POT(123+55.86)	0.00	LINE PR-D
360	51251.1360	68449.3491	POT(11+36.04)	0.00	LINE PR-P
361	52581.3832	68443.2205	POT(24+66.30)	0.00	LINE PR-P
462	51393.2087	68118.4734	120+00.00	55.00 L	LINE PR-D
463	51357.5205	68357.1183	122+40.00	80.00 L	LINE PR-D
464	51379.9564	68418.7553	12+65.00	30.00 L	LINE PR-P
465	51692.1378	68417.3170	+RW(15+77.18)	30.00 L	LINE PR-P

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Inst. No. 2011-24949 in the Office of the Recorder of Marion County, Indiana, incorporated and made a part hereof by reference, comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12 ("Rule 12").

Jason E. Main 5/6/2011
 Jason E. Main Date
 Reg. Land Surveyor No. LS20900184
 State of Indiana



NOTE: STATIONS AND OFFSETS ARE TO CONTROL OVER NORTH AND EAST COORDINATES.

OWNER: CSX TRANSPORTATION, INC.
 PARCEL: 4

DRAWN BY: JEM
 CHECKED BY: JEM
 DES. NO.: 1172450

PROJECT: 10th STREET RELOCATION
 ROAD: 10th STREET
 COUNTY: MARION
 SECTION: 31
 TOWNSHIP: T-16-N
 RANGE: R-3-E

AMERICAN STRUCTUREPOINT, INC PROJECT NO. 2010.01303

THIS PLAT WAS PREPARED FROM PUBLIC DOCUMENTS AND NOT CHECKED BY A FIELD SURVEY.

Exhibit "A"

Project: 10th Street Relocation
Parcel: 4A Temporary Right-of-Way for Slope Construction
Key No.: 9058395

Sheet 1 of 1

A part of Section 31, Township 16 North, Range 3 East, Marion County, Indiana, and being that part of the grantor's land described as follows: Commencing at the southeast corner of said Section on said plat; thence North 0 degrees 15 minutes 50 seconds West 199.26 feet along the east line of said section to a southern line of said grantor's land; thence North 75 degrees 32 minutes 52 seconds West 105.02 feet along said southern line; thence South 81 degrees 29 minutes 41 seconds East 9.95 feet to the point of beginning of this description: thence North 1 degree 09 minutes 05 seconds East 29.77 feet to a northern line of said grantor's land; thence South 75 degrees 32 minutes 52 seconds East 49.07 feet along said northern line; thence South 69 degrees 59 minutes 55 seconds West 51.21 feet to the point of beginning and containing 0.016 acres more or less.

This description was prepared for the Speedway Redevelopment Commission by Jason E. Main, Indiana Registered Land Surveyor, License Number LS20900184, on May 6, 2011.

