

9000 North County Road 925 West
Alexandria, Indiana 46001



Tel. (765) 358-4383 • Fax (765) 358-4118
E-Mail: leitnerassoc@aol.com

May 11, 2017

Town of Yorktown
Attn: Mr. Richard Lee, Town Council President
9800 West Smith Road
Yorktown, Indiana 47396

Re: Road: Tiger Drive
Project: 0710098
Parcel: 1
Agency: County of Delaware

Dear Mr. Lee:

The County of Delaware, Indiana is planning to improve safety and mobility by rehabilitating the bridge carrying Tiger Drive over the West Fork of the White River. The project involves the rehabilitation of the existing bridge and widening the bridge approximately twelve feet. The wider bridge will include an 8-foot wide pedestrian multi-use path on each side, two 11-foot wide lanes, and 1-foot wide railing and coping offset. The bridge and roadway improvements will be providing additional safety in the area recognizing increased development and traffic over the past decade, as well as expanding recreational trails within the community.

In order to accommodate the project, it will be necessary to acquire 0.148 of an acre of new right-of-way and 0.019 of an acre of existing right-of-way across your land at the south west end of the bridge. The permanent right-of-way areas needed are irregular in shape. A copy of the plan sheet is enclosed highlighting the proposed right-of-way areas.

The County of Delaware is prepared to offer you \$2,800.00 for the required right-of-way. In accordance with Indiana Code 32-24-1, the offer of \$2,800.00 was arrived at by an appraiser using standard appraisal methods. Also, in accordance with Indiana Code 32-24-1, you have thirty days from receipt of the offer in which to accept or reject it.

To assist in your decision, I have enclosed the following:

1. Brochure entitled, "Acquisition"
2. Offer letter.
3. Statement of the Basis for Just Compensation.
4. Warranty Deed with legal description.
5. Plan sheet with the required right-of-way highlighted.
6. Parcel Plat
7. Donation Agreement
8. Accounts Payable Voucher
9. Owner's Appraisal letter
10. County of Delaware's Appraisal
11. Right-of-Way Agent's Report
12. Sales Disclosure Form
13. Confirmation of Receipt of Acquisition Booklet

PAGE 2

If you decide to accept the offer please notify me and/or mail the executed documents to me in the enclosed, self-addressed stamped envelope. However, should you disagree with the amount offered, you may submit your own appraisal for consideration by our Appraisal Section. If you elect to obtain your own appraisal you do so at your own expense and submitting an appraisal does not guarantee that any change will be made in the offer. The minimum requirements of the appraisal are explained in the Owner's Appraisal Letter.

If you should have any questions regarding this matter, I encourage you to contact me at 1-765-358-4383. If I do not hear from you, I will contact you soon to arrange a personal meeting. If necessary, the documents can be notarized at that time. Thank-you for your cooperation in this matter.

Very truly yours,

LEITNER AND ASSOCIATES, INC.
Agent of the County of Delaware

A handwritten signature in dark ink, appearing to read "Terry G. Leitner", is written over the typed name.

Terry G. Leitner
Real Estate Broker

Enclosure

xc: File
Parcel 1 File



**DELAWARE
COUNTY
COMMISSIONERS**

James King
District #1

Sherry K. Riggin
District #2

Shannon Henry
District #3

Patricia Lackey
Executive Assistant

100 West Main Street
Room 309 County Building
Muncie, Indiana 47305
Telephone 765.747.7730
Fax 765.747.7899
www.co.delaware.in.us

UNIFORM PROPERTY OR EASEMENT ACQUISITION OFFER

TO: Town of Yorktown

Attn: Mr. Richard Lee
Town Council President
9800 West Smith Road
Yorktown, Indiana 47396

Project: 0710098
Parcel: 1
Road: Tiger Drive
Agency: County of Delaware
Code: N/A

That Delaware County, Indiana, by and through its County Commissioners, in the State of Indiana, is authorized by Indiana law to obtain your land for certain public purposes. That Delaware County, Indiana, by and through its County Commissioners, in the State of Indiana needs your land for a public highway improvement on Tiger Drive and needs to take the land as described on the attached legal description.

It is our opinion that the fair market value of your land we want to acquire from you is \$2,800.00, and, therefore, that Delaware County, Indiana, by and through its County Commissioners, in the State of Indiana offers you \$2,800.00 for the above described land. You have thirty (30) days from this date to accept or reject this offer. If you accept this offer, you may expect payment in full within ninety (90) days after signing the documents accepting this offer and executing the deed, grant or easement, provided there are no difficulties in clearing liens or other problems with title to land. Possession will be required thirty (30) days after you have received your payment in full.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, the County of Delaware is required to make a good faith effort to purchase your land.
2. You do not have to accept this offer and that Delaware County, Indiana, by and through its County Commissioners, in the State of Indiana is not required to agree to your demands.
3. However, if you do not accept this offer, and we cannot come to an agreement on the acquisition of your land, that Delaware County, Indiana, by and through its County Commissioners, in the State of Indiana has the right to file suit to condemn, and appropriate your land in the county in which the real estate is located.
4. You have the right to seek advice of an attorney, real estate appraiser or any other person of your choice on this matter.
5. You may object to the public purpose and necessity of this project.
6. If the County of Delaware files a suit to condemn and acquire your land and the court grants its request to condemn, the court will then appoint three appraisers who will make an independent appraisal of your land to be acquired.

Project: 0710098 Parcel: 1

If we both agree with the court appraisers' report, then the matter is settled. However, if either of us disagrees with the appraisers' report to the court, either of us has the right to ask for a trial to decide what should be paid to you for the fee simple condemned.

If the court appraisers' report is not accepted by either of us, then the County of Delaware has the legal option of depositing the amount of the court appraisers' evaluation with the court. And if such a deposit is made with the court, the County of Delaware is legally entitled to immediate possession of your land. You may, subject to the approval of the court, make withdrawals from the amount deposited with the court. Your withdrawal will in no way affect the proceedings of your case in court, except that, if the final judgment awarded you is less than the withdrawal you have made from the amount deposited, you will be required to pay back to the court the amount of the withdrawal in excess of the amount of the final judgment.

The trial will decide the full amount of damages you are to receive. Both of us will be entitled to present legal evidence supporting our opinions of the fair market value of your land. The court's decision may be more or less than this offer. You may employ, at your cost, appraisers and attorneys to represent you at this time or at any time during the course of the proceeding described in this notice.

If you have any questions concerning this matter, you may contact us at:

Leitner and Associates, Inc.
Attn: Terry G. Leitner, President 1-765-358-4383
9000 North County Road 925 West
Alexandria, Indiana 46001

This offer was made to owner(s):

Pete Olson, Town Manager of _____ on 5/11/17 (Date)

_____ of _____ on _____ (Date)

BY:


signature

Terry G. Leitner, Real Estate Broker
printed name and title

Agent of: Delaware County, Indiana
through its County Commissioners

Project: 0710098 Parcel: 1

If you decide to accept the offer of \$ 2,800.00, made by that Delaware County, Indiana, by and through its County Commissioners, in the State of Indiana, sign your name below and mail this form to the address indicated above. An additional copy of this offer has been provided for your file.

ACCEPTANCE OF OFFER

We, Town of Yorktown, Indiana, landowner(s) of the above described property or interest in property, hereby accept the offer of \$2,800.00 made by County of Delaware on this _____ day of _____, 2017.

Town of Yorktown, Indiana

Signature (Seal) Signature (Seal)

By: Richard Lee, President of the Town Council By: Michael Burke, Town Council

Signature (Seal) Signature (Seal)

By: Daniel Flanagan, Town Council By: Lon Fox, Town Council

Signature (Seal) Signature (Seal)

By: Rick Glaub, Town Council By: Robert Ratchford, Vice President, Town Council

Signature (Seal)

By: Bryan Smith, Town Council

NOTARY'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF)

Subscribed and sworn to before me this _____ day of _____, 2017.

My commission expires: _____

My county of residence is: _____

(Signature)

(Printed) NOTARY PUBLIC

EXHIBIT "A"

Project: 0710098
Parcel: 1 Fee Simple
State ID: 18-10-22-126-001.000-014
Form: WD-1

Sheet 1 of 1

A part of the Northwest Quarter of Section 22, Township 20 North, Range 9 East, Delaware 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: Beginning on the north line of said section, North 89 degrees 55 minutes 12 seconds West 1,175.49 feet from the northeast corner of said quarter section, said northeast corner designated as point "871" on said plat, which point of beginning is on the western line of the tract of land described in Deed Record 329, page 334 in the Office of the Recorder of Delaware County; thence South 18 degrees 57 minutes 25 seconds East 192.08 feet along the said western line; thence South 70 degrees 59 minutes 32 seconds West 22.20 feet to the north corner of a 0.431-acre tract of land described in Deed Record 479, page 64, in the office of said recorder; thence South 2 degrees 18 minutes 31 seconds East 60.92 feet along an eastern line of said tract to the point designated as "426" on said plat; thence Northwesterly 188.86 feet along an arc to the right having a radius of 3,859.72 feet and subtended by a long chord having a bearing of North 16 degrees 39 minutes 08 seconds West and a length of 188.84 feet to the point designated as "425" on said plat; thence North 15 degrees 15 minutes 02 seconds West 65.72 feet to the point designated as "424" on said plat; thence South 74 degrees 44 minutes 58 seconds West 20.00 feet to the point designated as "423" on said plat; thence North 15 degrees 15 minutes 02 seconds West 11.16 feet to the north line of said section; thence South 89 degrees 55 minutes 12 seconds East 49.77 feet to the point of beginning and containing 0.167 acres, more or less, inclusive of the presently existing right of way, which contains 0.019 acres, more or less.

This description was prepared for Delaware County, Indiana by American Structurepoint, Inc., on this 8th day of December, 2016.

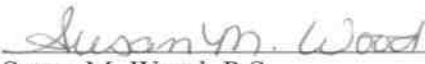

Susan M. Wood, P.S.
State of Indiana, LS29800005



EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT

Prepared For Delaware County

by: AMERICAN

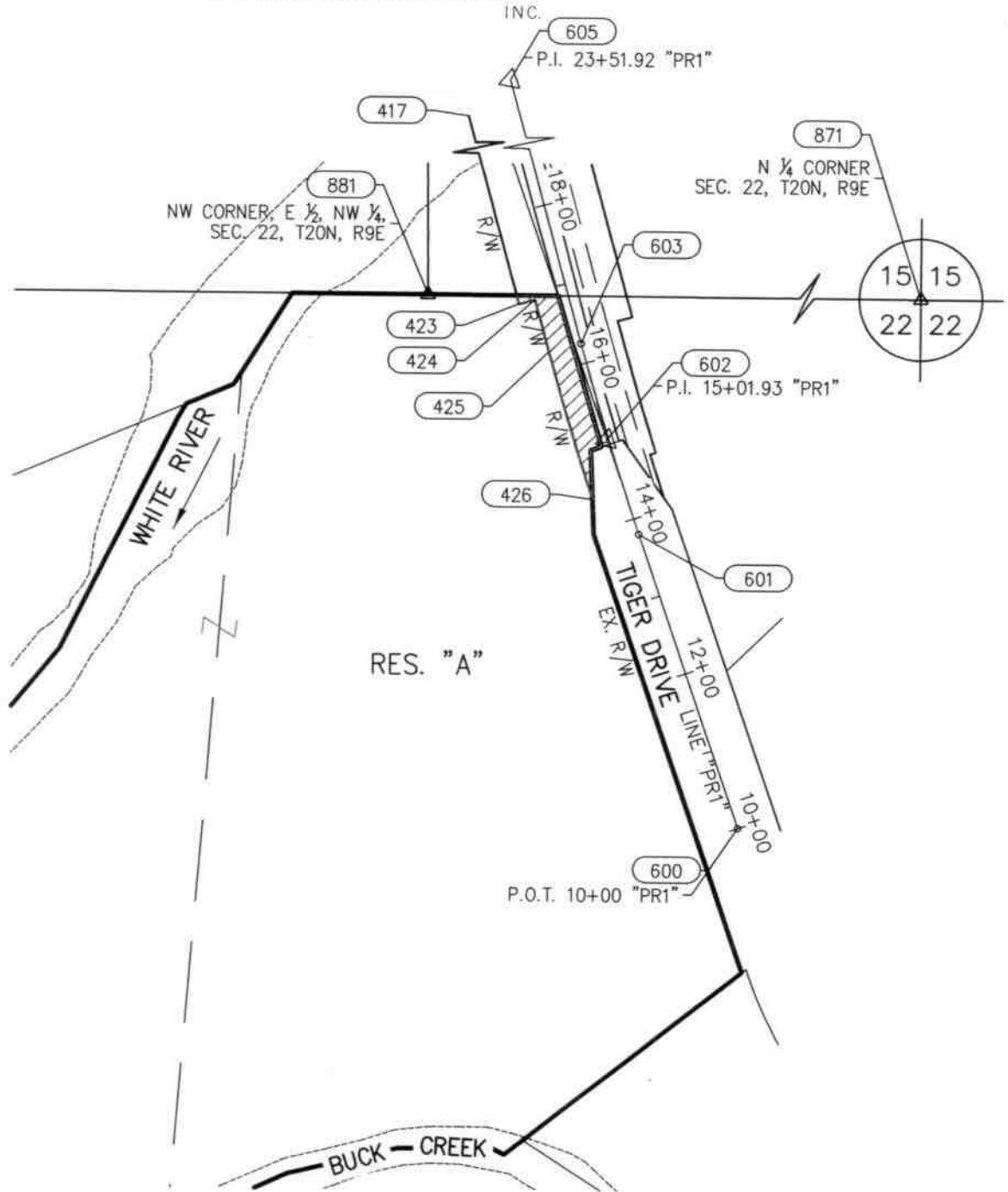
STRUCTUREPOINT

INC.

SHEET 1 OF 2

0 100' 200'

SCALE: 1"=200'



HATCHED AREA IS THE APPROXIMATE TAKING

OWNER: TOWN OF YORKTOWN
PARCEL: 1
CODE: N.A.
PROJECT: 0710098
ROAD: TIGER DRIVE
COUNTY: DELAWARE
SECTION: 22
TOWNSHIP: 20N
RANGE: 9E

DRAWN BY: SMW
CHECKED BY: SMW
DES. NO.: 0710098

DEED REC. 1999, PG 7174 DATED: SEPT. 23, 1999

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

EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT
Prepared For Delaware County
by: AMERICAN
STRUCTUREPOINT
INC.

SHEET 2 OF 2

POINT REFERENCE CHART (FEET)					
Point	Northing	Easting	Station	Offset	Centerline
SEE LOCATION CONTROL ROUTE SURVEY FOR POINTS 600, 601, 602, 603, 605, 871 & 881					
417	20453.6620	19832.6072	+P.C.(22+04.29)	60.00' Lt.	"PR1"
423	19957.4814	19967.8854	16+90.00	60.00' Lt.	"PR1"
424	19962.7421	19987.1811	16+90.00	40.00' Lt.	"PR1"
425	19899.3335	20004.4688	+P.T.(16+24.28)	40.00' Lt.	"PR1"
426	19718.4158	20058.5821	+Ex. P.L.(14+37.38)	40.00' Lt.	"PR1"

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Inst. No. 2015R10516 in the Office of the Recorder of Delaware 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").

Susan M. Wood 12/8/16
Susan M. Wood Date
Professional Land Surveyor No. LS29800005
State of Indiana



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

OWNER: TOWN OF YORKTOWN
PARCEL: 1
CODE: N.A.
PROJECT: 0710098
ROAD: TIGER DRIVE
COUNTY: DELAWARE
SECTION: 22
TOWNSHIP: 20N
RANGE: 9E

DRAWN BY: SMW
CHECKED BY: SMW
DES. NO.: 0710098

AMERICAN STRUCTUREPOINT, INC. PROJECT NO. 201401605

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

1. This is a written statement of, and summary of the basis for, the establishment of the amount believed to be, through a valuation process, just compensation for the purchase of this right-of-way for highway purposes. The amount set forth in Item 5 below is not less than the approved estimate of value. In accordance with Public Law 91-646 as amended, the "Uniform Act", and as codified in Indiana at IC 8-23-17-1 through 8-23-17-35, this value disregards any decrease or increase in fair market value of the property prior to the date of valuation caused by the public improvement for which the property is acquired other than physical deterioration within reasonable control of the owner.

2. The legal description of this acquisition is set forth in the instrument of conveyance in the following identified parcel and this acquisition is identified in the Acquiring Agency's records as:

Des. #	0710098	Parcel	2	Road	Tiger Drive	County	Delaware
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Owner(s) Yorktown Community Schools

3. The area and type of interest being acquired: 0.639 Ac (Fee Simple interest) & 0.228 Ac (Fee-PER)

The amount in Item 5 below includes payment for the purchase of all interests in the real property and no separately held interest is being acquired separately in whole or part, except as may be explained in Item 8 below.

4. This acquisition is (Check one):

a. ☐ A total acquisition of the real property.

b. ☒ A partial acquisition of the real property.

5. The Agency's Offer: Just compensation has been determined to be and the Acquiring Agency's offer for the purchase of this real property is as follows:

a. Total Land, Land Improvements and Buildings	\$15,900.00
--	-------------

b. Severance Damages (i.e.: Setback, Loss in Value to the Residues, etc)	N/A
--	-----

c. Other Damages (Itemize)

Cost-To-Cure estimates:

	N/A
	N/A
	N/A
	N/A

Temporary R/W/Provisional R/W	N/A
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Total Damages	N/A
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Total amount believed to be Just Compensation offered for this Acquisition is: \$15,900.00

6. The amount in Item 5 above may include payment for the purchase of certain buildings and improvements and their ownership shall pass to the Acquiring Agency. These buildings and improvements are identified as follows:

N/A

7. The amount in Item 5 above may include payment for the purchase of certain Land Improvements, Fixtures, Equipment, Machinery, Signs, Etc., and their ownership shall pass to the Acquiring Agency. These items are identified as follows:

Asphalt, wood posts, lawn and fence.

8. Items owned by others (i.e.: lessee, tenants, etc.) included in Item 5 above are identified as follows:

N/A

9. Remarks: N/A

Approval Delaware Co. Commissioners:

Reviewer:

Signature: George H. Meyer

Signature: Karen D. Schuler

Name Printed: Angela Miller

Name Printed: Lonnie D. Miller

Title: Project Director / ERC

License: CG40200140

Date: 4-21-17

Company: eValuations, LLC

Date: 3/29/2017

WARRANTY DEED

Project: 0710098
Code: N/A
Parcel: 1
Page: 1 of 3

THIS INDENTURE WITNESSETH, That the TOWN OF YORKTOWN, INDIANA the Grantor, of Delaware County, State of Indiana Conveys and Warrants to **Board of Commissioners of Delaware County, Indiana**, the Grantee, for and in consideration of the sum of One-----00/100 Dollars (\$1.00) (of which said sum \$1.00 represents land and improvements acquired and \$00.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Delaware, State of Indiana, and being more particularly described in the legal description attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B," both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor, or any successors in title to the abutting lands of the Grantor, notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor and all successors and assigns.

The undersigned represents and warrants that they are members of the Town Council, that pursuant to resolution of the Town Council they have full authority to manage the affairs of said Town and sign and execute documents on its behalf and that said authority has not been revoked, and that they are therefore, fully authorized and empowered to convey to the County of Delaware, Indiana real estate of the Town, and that on the date of execution of said conveyance instruments they had full authority to so act.

IN WITNESS WHEREOF, the said Grantors have executed this instrument this _____ day of _____, 2017.

Town of Yorktown, Indiana

_____(Seal)_____(Seal)
Signature Signature

By: Richard Lee, President of the Town Council By: Michael Burke, Town Council

_____(Seal)_____(Seal)
Signature Signature

By: Daniel Flanagan, Town Council By: Lon Fox, Town Council

_____(Seal)_____(Seal)
Signature Signature

By: Rick Glaub, Town Council By: Robert Ratchford, Vice President, Town Council

_____(Seal)
Signature

By: Bryan Smith, Town Council

STATE OF INDIANA :
SS:
COUNTY OF _____ :

Before me, a Notary Public in and for said State and County, personally appeared _____
the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his
voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this _____ day of _____, 2017.

Notary Signature

Printed Name

My Commission expires _____

I am a resident of _____ County.

Project: 0710098

Code: N/A

Parcel: 1

Page: 3 of 3

Interests in land acquired
by the Board of Commissioners
Delaware County, Indiana
Grantee mailing address:
100 West Main Street
Muncie, Indiana 47305
I.C. 8-23-7-31

Acceptance By:

The undersigned Commissioners for Delaware County, hereby accept the Warranty Deed from the Town of Yorktown, Indiana in open meeting this _____ day of _____, 2017.

Shannon Henry, Commissioner

James King, Commissioner

Sherry K. Riggin, Commissioner

Steven G. Craycraft, Auditor of Delaware County Indiana

This instrument prepared by: Legal Counsel to the Town of Yorktown, Indiana, John H. Brooke, 112 East Gilbert Street, Muncie, Indiana 47305, Attorney No. 4234-18 (765) 741-1375

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, John H. Brooke, Esq.

EXHIBIT "A"

Project: 0710098
Parcel: 1 Fee Simple
State ID: 18-10-22-126-001.000-014
Form: WD-1

Sheet 1 of 1

A part of the Northwest Quarter of Section 22, Township 20 North, Range 9 East, Delaware 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: Beginning on the north line of said section, North 89 degrees 55 minutes 12 seconds West 1,175.49 feet from the northeast corner of said quarter section, said northeast corner designated as point "871" on said plat, which point of beginning is on the western line of the tract of land described in Deed Record 329, page 334 in the Office of the Recorder of Delaware County; thence South 18 degrees 57 minutes 25 seconds East 192.08 feet along the said western line; thence South 70 degrees 59 minutes 32 seconds West 22.20 feet to the north corner of a 0.431-acre tract of land described in Deed Record 479, page 64, in the office of said recorder; thence South 2 degrees 18 minutes 31 seconds East 60.92 feet along an eastern line of said tract to the point designated as "426" on said plat; thence Northwesterly 188.86 feet along an arc to the right having a radius of 3,859.72 feet and subtended by a long chord having a bearing of North 16 degrees 39 minutes 08 seconds West and a length of 188.84 feet to the point designated as "425" on said plat; thence North 15 degrees 15 minutes 02 seconds West 65.72 feet to the point designated as "424" on said plat; thence South 74 degrees 44 minutes 58 seconds West 20.00 feet to the point designated as "423" on said plat; thence North 15 degrees 15 minutes 02 seconds West 11.16 feet to the north line of said section; thence South 89 degrees 55 minutes 12 seconds East 49.77 feet to the point of beginning and containing 0.167 acres, more or less, inclusive of the presently existing right of way, which contains 0.019 acres, more or less.

This description was prepared for Delaware County, Indiana by American Structurepoint, Inc., on this 8th day of December, 2016.

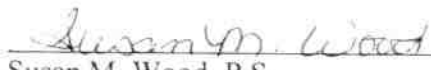

Susan M. Wood, P.S.
State of Indiana, LS29800005



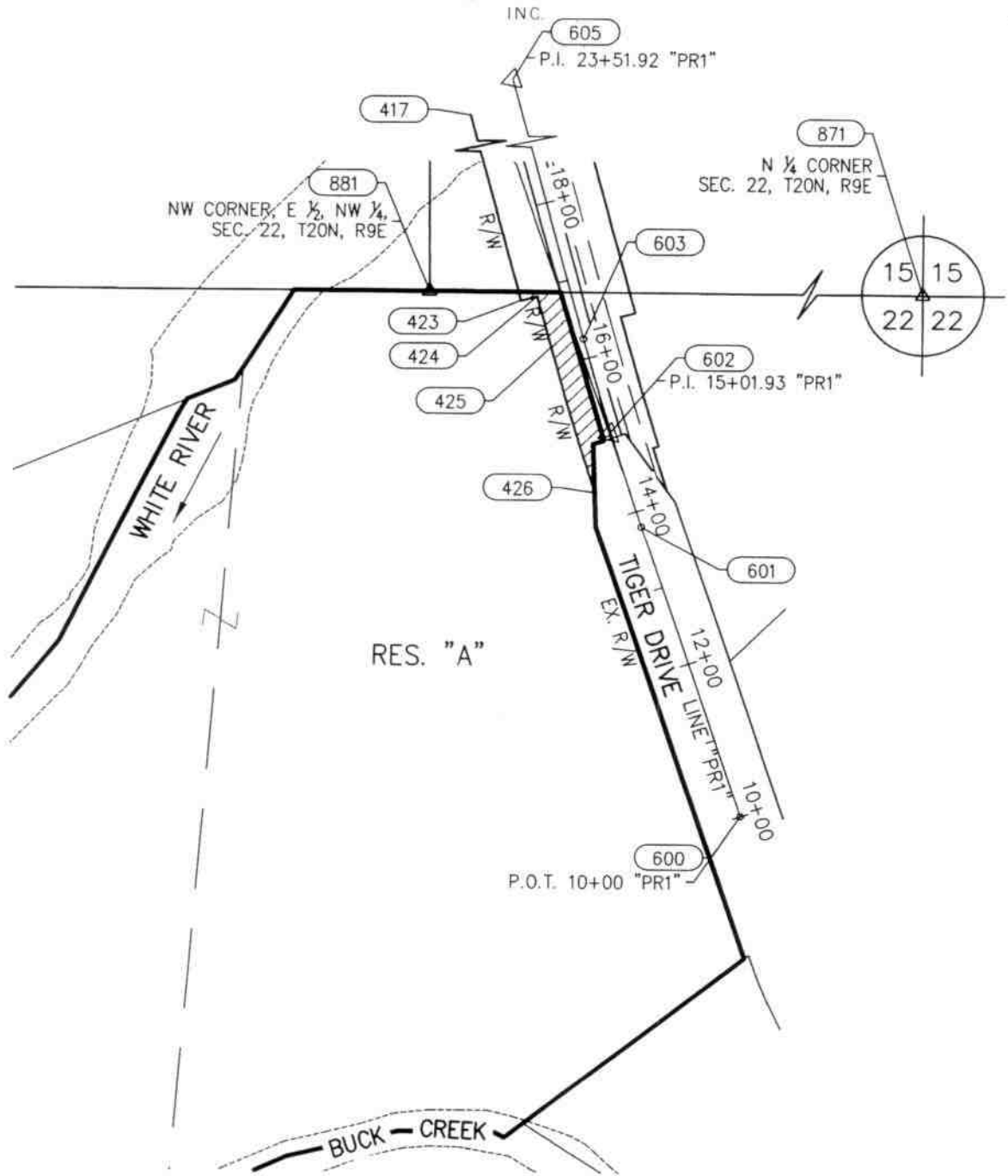
EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT

Prepared For Delaware County
by: AMERICAN

STRUCTUREPOINT

SHEET 1 OF 2

0 100' 200'
SCALE: 1"=200'



HATCHED AREA IS THE APPROXIMATE TAKING

OWNER: TOWN OF YORKTOWN
PARCEL: 1
CODE: N.A.
PROJECT: 0710098
ROAD: TIGER DRIVE
COUNTY: DELAWARE
SECTION: 22
TOWNSHIP: 20N
RANGE: 9E

DRAWN BY: SMW
CHECKED BY: SMW
DES. NO.: 0710098

DEED REC. 1999, PG 7174 DATED: SEPT. 23, 1999

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

EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT
Prepared For Delaware County
by: AMERICAN
STRUCTUREPOINT
INC.

SHEET 2 OF 2

POINT REFERENCE CHART (FEET)					
Point	Northing	Easting	Station	Offset	Centerline
SEE LOCATION CONTROL ROUTE SURVEY FOR POINTS 600, 601, 602, 603, 605, 871 & 881					
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SURVEYOR'S STATEMENT

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Susan M. Wood 12/8/16
Susan M. Wood Date
Professional Land Surveyor No. LS29800005
State of Indiana



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

OWNER: TOWN OF YORKTOWN
PARCEL: 1
CODE: N.A.
PROJECT: 0710098
ROAD: TIGER DRIVE
COUNTY: DELAWARE
SECTION: 22
TOWNSHIP: 20N
RANGE: 9E

DRAWN BY: SMW
CHECKED BY: SMW
DES. NO.: 0710098

AMERICAN STRUCTUREPOINT, INC. PROJECT NO. 201401605

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

STATE OF INDIANA:
COUNTY OF DELAWARE:
Donation with Offer
Revised 07/2014

Project: 0710098
Code: N/A
Parcel: 1

DONATION AGREEMENT (WITH OFFER)

We, the undersigned property owner(s) acknowledging the fact we have been offered \$2,800.00, based upon an approved appraisal of the fair market value of the subject real estate as just compensation, nevertheless, desire to donate the real estate interest as described in attached Exhibit A and will execute the necessary conveyance instruments to donate such real estate to the Board of Commissioners of Delaware County, Indiana. This donation to the Board of Commissioners of Delaware County, Indiana is made without any coercive action of any nature this _____ day of _____, 2017.

The undersigned represent and warrant that they are members of the Town Council, that pursuant to resolution of the Town Council they have full authority to manage the affairs of said Town and sign and execute documents on its behalf and that said authority has not been revoked, and that they are therefore, fully authorized and empowered to convey to the County of Delaware, Indiana real estate of the Town, and that on the date of execution of said conveyance instruments they had full authority to so act.

Town of Yorktown, Indiana

_____ Signature Richard Lee, President of the Town Council	(Seal)	_____ Signature Michael Burke, Town Council	(Seal)
--	--------	---	--------

_____ Signature Daniel Flanagan, Town Council	(Seal)	_____ Signature Lon Fox, Town Council	(Seal)
---	--------	---	--------

_____ Signature Rick Glaub, Town Council		_____ Signature Robert Ratchford, Vice President, Town Council
--	--	--

_____ Signature Bryan Smith, Town Council	(Seal)
---	--------

Project: 0710098
Code: N/A
Parcel: 1

STATE OF INDIANA:

SS:

COUNTY OF DELAWARE:

Before me, a Notary Public in and for said State and County, personally appeared

who acknowledged the truth of the statements in the foregoing agreement on this _____ day of _____, 2017.

Signature _____

Printed Name _____

My Commission expires _____

I am a resident of _____ County.

EXHIBIT "A"

Project: 0710098
Parcel: 1 Fee Simple
State ID: 18-10-22-126-001.000-014
Form: WD-1

Sheet 1 of 1

A part of the Northwest Quarter of Section 22, Township 20 North, Range 9 East, Delaware 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: Beginning on the north line of said section, North 89 degrees 55 minutes 12 seconds West 1,175.49 feet from the northeast corner of said quarter section, said northeast corner designated as point "871" on said plat, which point of beginning is on the western line of the tract of land described in Deed Record 329, page 334 in the Office of the Recorder of Delaware County; thence South 18 degrees 57 minutes 25 seconds East 192.08 feet along the said western line; thence South 70 degrees 59 minutes 32 seconds West 22.20 feet to the north corner of a 0.431-acre tract of land described in Deed Record 479, page 64, in the office of said recorder; thence South 2 degrees 18 minutes 31 seconds East 60.92 feet along an eastern line of said tract to the point designated as "426" on said plat; thence Northwesterly 188.86 feet along an arc to the right having a radius of 3,859.72 feet and subtended by a long chord having a bearing of North 16 degrees 39 minutes 08 seconds West and a length of 188.84 feet to the point designated as "425" on said plat; thence North 15 degrees 15 minutes 02 seconds West 65.72 feet to the point designated as "424" on said plat; thence South 74 degrees 44 minutes 58 seconds West 20.00 feet to the point designated as "423" on said plat; thence North 15 degrees 15 minutes 02 seconds West 11.16 feet to the north line of said section; thence South 89 degrees 55 minutes 12 seconds East 49.77 feet to the point of beginning and containing 0.167 acres, more or less, inclusive of the presently existing right of way, which contains 0.019 acres, more or less.

This description was prepared for Delaware County, Indiana by American Structurepoint, Inc., on this 8th day of December, 2016.

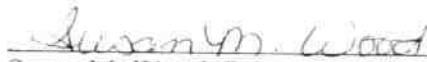

Susan M. Wood, P.S.
State of Indiana, LS29800005



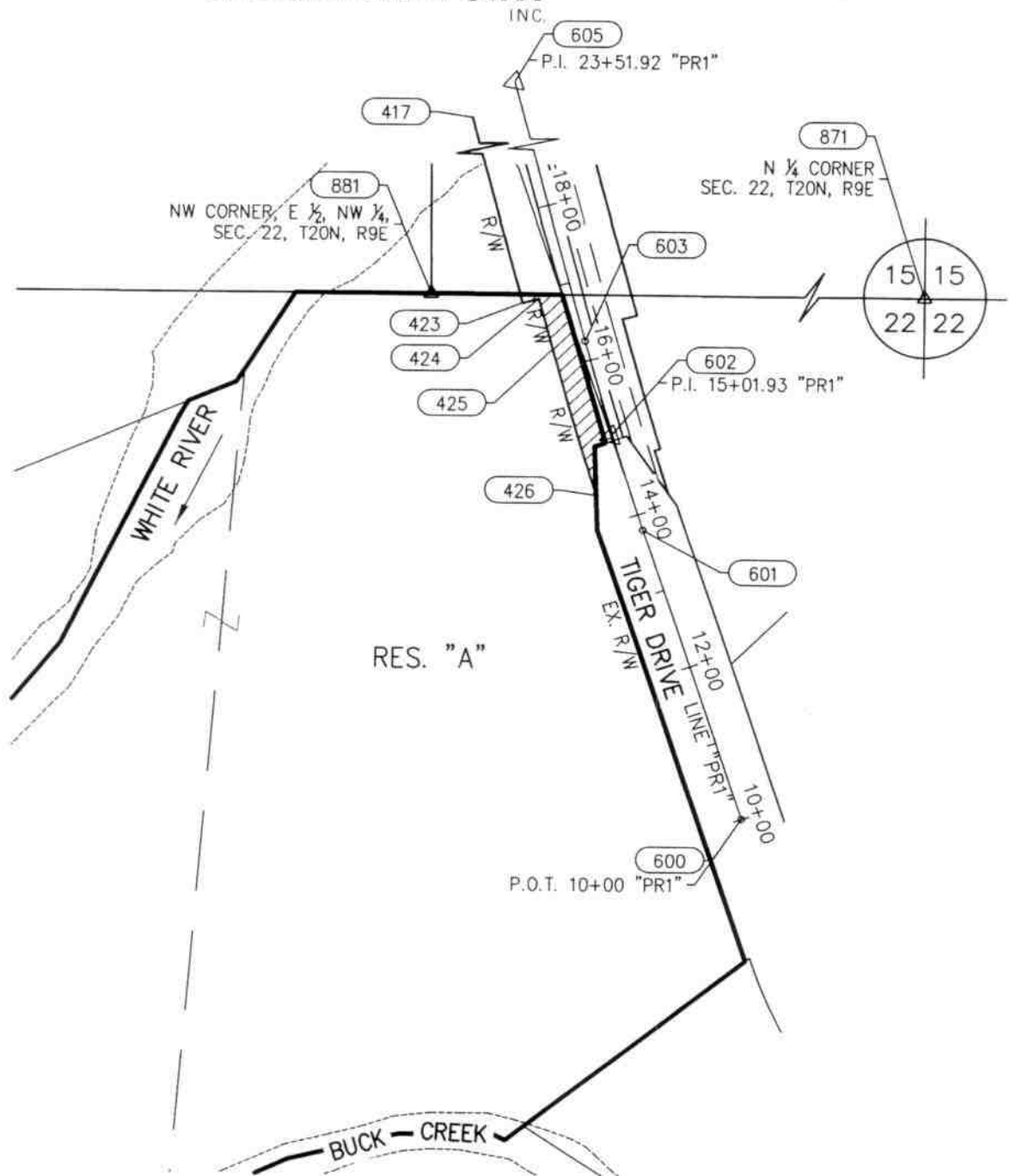
EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT

Prepared For Delaware County
by: AMERICAN

STRUCTUREPOINT

SHEET 1 OF 2

0 100' 200'
SCALE: 1"=200'



HATCHED AREA IS THE APPROXIMATE TAKING

OWNER: TOWN OF YORKTOWN
PARCEL: 1
CODE: N.A.
PROJECT: 0710098
ROAD: TIGER DRIVE
COUNTY: DELAWARE
SECTION: 22
TOWNSHIP: 20N
RANGE: 9E

DRAWN BY: SMW
CHECKED BY: SMW
DES. NO.: 0710098

DEED REC. 1999, PG 7174 DATED: SEPT. 23, 1999

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

EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT
Prepared For Delaware County
by: AMERICAN
STRUCTUREPOINT
INC.

SHEET 2 OF 2

POINT REFERENCE CHART (FEET)					
Point	Northing	Easting	Station	Offset	Centerline
SEE LOCATION CONTROL ROUTE SURVEY FOR POINTS 600, 601, 602, 603, 605, 871 & 881					
417	20453.6620	19832.6072	+P.C.(22+04.29)	60.00' Lt.	"PR1"
423	19957.4814	19967.8854	16+90.00	60.00' Lt.	"PR1"
424	19962.7421	19987.1811	16+90.00	40.00' Lt.	"PR1"
425	19899.3335	20004.4688	+P.T.(16+24.28)	40.00' Lt.	"PR1"
426	19718.4158	20058.5821	+Ex. P.L.(14+37.38)	40.00' Lt.	"PR1"

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded as Inst. No. 2015R10516 in the Office of the Recorder of Delaware 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").

Susan M. Wood 12/8/16
Susan M. Wood Date
Professional Land Surveyor No. LS29800005
State of Indiana



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

OWNER: TOWN OF YORKTOWN
PARCEL: 1
CODE: N.A.
PROJECT: 0710098
ROAD: TIGER DRIVE
COUNTY: DELAWARE
SECTION: 22
TOWNSHIP: 20N
RANGE: 9E

DRAWN BY: SMW
CHECKED BY: SMW
DES. NO.: 0710098

AMERICAN STRUCTUREPOINT, INC. PROJECT NO. 201401605

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

ACCOUNTS PAYABLE VOUCHER

DELAWARE COUNTY, INDIANA

VOUCHER NO. _____

WARRANT NO. _____

An invoice or bill to be itemized must show: kind of service, where performed, dates service rendered, by whom, rates per day, number of hours, rate per hour, number of units, price per unit, etc.

Payee

Town of Yorktown

9800 West Smith Road

Yorktown, Indiana 47396

Purchase Order No. _____

Terms _____

Date Due _____

Invoice Date	Invoice Number	Description [or note attached invoice(s) or bill(s)]	Amount
		DES # 0710098 Delaware Bridge 141	
		Parcel 1	
		Land and Improvements	\$00.00
		Damages	\$00.00
		Town of Yorktown, by: Richard Lee, Town Council Pres.	
		X	
TOTAL			\$00.00

I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and that the materials or services itemized thereon for which charge is made were ordered and received except N/A

Mo. Day Yr.

Signature

Title

ON ACCOUNT OF
APPROPRIATION
FOR

ALLOWED

Mo. Day Yr.

IN THE SUM OF

COST DISTRIBUTION LEDGER CLASSIFICATION
IF CLAIM PAID MOTOR VEHICLE HIGHWAY FUND

Acct. No.	Account Title	Amount
-----------	---------------	--------

Board of County Commissioners

I hereby certify that the attached invoice(s), or bill(s) is (are) true and correct and I have audited same in accordance with I C 5-11-10-2.

Date _____

County Auditor



**DELAWARE
COUNTY
COMMISSIONERS**

James King
District #1

Sherry K. Riggin
District #2

Shannon Henry
District #3

Patricia Lackey
Executive Assistant

100 West Main Street
Room 309 County Building
Muncie, Indiana 47305
Telephone 765.747.7730
Fax 765.747.7899
www.co.delaware.in.us

An Equal Opportunity Employer

Town of Yorktown
Attn: Mr. Richard Lee, Town Council President
9800 West Smith Road
Yorktown, Indiana 47396


Date: May 11, 2017
Re: Project: 0710098
Parcel: 1
Code: N/A

Dear Mr. Lee:

It is the policy of the County of Delaware, Indiana to accept for review any evidence of value submitted by the property owner for the purpose of determining fair market value. Any costs incurred from obtaining such evidence, however, is the responsibility of the owner. Acceptable forms of evidence of value include, but not limited to appraisals, comparable sales and cost estimates.

Evidence of value must be supported by factual data and items of damage must be fully documented. Submitted evidence based on these facts is **acceptable** for review.

Very truly yours,


Terry G. Leitner, Land Agent

Name: Town of Yorktown **Project:** 0710098
Property: Morrows Meadow, 1901 South Tiger Drive, Yorktown, Indiana **Code:** N/A **Parcel:** 1
Mailing: 2400 Russ Street, Yorktown, Indiana 47396
Email Address: _____ **Telephone #** 765-759-4003
Date Assigned 5/1/2017 **Offer Date** 5/11/2017 **Offer Amount** \$2,800.00
Person Contacted **Name:** Pete Olson **Date:** 5/11/2017
Address: 2400 Russ Street, Yorktown, Indiana 47396 **Time:** 1:30 PM
Type of Contact: Personal Visit

Activities Completed	Offer Documents Provided
<p>Yes N/A</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Checked Abstract with Owner</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mortgages</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Liens, Judgments, Etc.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Excess Land Explained</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Retentions Explained</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> W-9 Secured</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Daily Notice To Relocation</p>	<p>Yes N/A</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Written Offer</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Land Acquisition Brochure</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Statement of Just Compensation</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Owner's Appraisal Letter</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Tax Memo</p>
<p>ADDITIONAL DOCUMENTS PROVIDED</p> <p>Warranty deed, plan sheets, W-9, claim voucher, County's appraisal, sales disclosure form, Right-of-way Agent Report, Donation Agreement.</p>	
<p>AGENT REMARKS</p> <p>5/09/17 I called Pete Olson, Town Manager and discussed the acquisition. He said he was aware of the project. We agreed to meet on 5/11/17 to present the offer. Mr. Olson said the Town would likely donate the right-of-way.</p> <p>5/11/17 I presented the offer in person to Mr. Olson today. We reviewed the plans and offer documents.</p>	
<p>OWNER COMMENTS</p>	
<p>Status of Parcel:</p> <p><input type="checkbox"/> Secured <input type="checkbox"/> Condemned <input type="checkbox"/> Other _____</p> <p>Distribution:</p> <p><input checked="" type="checkbox"/> Parcel <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Weekly Summary <input type="checkbox"/> Attorney</p> <p><input type="checkbox"/> Other _____</p>	<p>Owner Initials: <u><i>x PLO</i></u></p> <p><u><i>Terry G. Leitner</i></u></p> <p>Terry G. Leitner, Right of Way Agent 765-358-4383 leitnerassoc@aol.com</p>

**SALES DISCLOSURE FORM**

State Form 46021 (R10/10-09)

Prescribed by Department of Local Government Finance

Pursuant to IC 6-1.1-5.5

GET COUNTED IN 2010! LEARN MORE AT WWW.CENSUS.INDIANA.EDU

PRIVACY NOTICE: The telephone numbers and Social Security numbers of the parties on this form are confidential according to IC 6-1.1-5.5-3(d).

SDF ID

County

Year

Unique ID

SDF Date: _____

PART 1 - To be completed by BUYER/GRANTEE and SELLER/GRANTOR**A. PROPERTY TRANSFERRED - MUST BE CONVEYED ON A SINGLE CONVEYANCE DOCUMENT**

1. Property Number	Check box if applicable to parcel	5. Complete Address of Property	6. Complete Tax Billing Address (if different from property address)
A.) 18-10-22-126-001.000-014	<input checked="" type="checkbox"/> 2. Split <input checked="" type="checkbox"/> 3. Land <input type="checkbox"/> 4. Improvement	Morrows Meadows 1901 South Tiger Drive Yorktown, Indiana 47396	100 West Main Street Room 309 County Building Muncie, Indiana 47305

7. Legal Description of Parcel A: Pt NW 1/4 Sec 22 Twp 20 North Range 9 East 10.81 acres See the attached deed and legal description.

1. Property Number	Check box if applicable to parcel	5. Complete Address of Property	6. Complete Tax Billing Address (if different from property address)
B.)	<input type="checkbox"/> 2. Split <input type="checkbox"/> 3. Land <input type="checkbox"/> 4. Improvement		

7. Legal Description of Parcel B:

B. CONDITIONS - IDENTIFY ALL THAT APPLY

If condition 1 applies, filer is subject to disclosure and a disclosure filing fee.

YES	NO	CONDITION
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. A transfer of real property interest for valuable consideration.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Buyer is an adjacent property owner.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Vacant land.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Exchange for other real property ("Trade").
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Seller paid points. (Provide the value Table C Item 12.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Change planned in the primary use of the property? (Describe in special circumstances in Table C Item 3.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Existence of family or business relationship between buyer and seller. (Complete Table C Item 4.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Land contract. Contract term (YY): _____ and contract date (MM/DD/YYYY): _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Personal property included in transfer. (Provide the value Table C Item 5.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Physical changes to property between March 1 and date of sale. (Describe in special circumstances in Table C Item 3.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. Partial interest. (Describe in special circumstances in Table C Item 3.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Easements or right-of-way grants.

C. SALES DATA - DISCLOSE VALUE OF ITEMS LISTED IN TABLE B, ITEMS 1-15

1. Conveyance date (MM/DD/YYYY): _____

2. Total number of parcels: _____ 1

3. Describe any unusual or special circumstances related to this sale, including the specification of any less-than-complete ownership interest and terms of seller financing.

B6 - Acquired for highway purposes.

YES	NO	CONDITION
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Family or business relationship existing between buyer and seller? Amount of discount: \$ _____

Disclose actual value in money, property, a service, an agreement, or other consideration.

If conditions 13-15 apply, filers are subject to disclosure, but no disclosure filing fee.

YES	NO	CONDITION
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. Document for compulsory transactions as a result of foreclosure or express threat of foreclosure, divorce, court order, judgment, condemnation, or probate.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14. Documents involving the partition of land between tenants in common, joint tenants, or tenants by the entirety.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15. Transfer to a charity, not-for-profit organization, or government.

5. Estimated value of personal property: \$ 0.00

6. Sales price: \$ 1.00

YES	NO	CONDITION
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Is the seller financing sale? If yes, answer questions (8-13).
<input type="checkbox"/>	<input type="checkbox"/>	8. Is buyer/borrower personally liable for loan?
<input type="checkbox"/>	<input type="checkbox"/>	9. Is this a mortgage loan?
10. Amount of loan:		\$
11. Interest rate:		%
12. Amount in points:		\$
13. Amortization period:		

D. PREPARERTerry G. Leitner*Preparer of the Sales Disclosure Form*9000 North County Road 925 West*Address (Number and Street)*Alexandria, Indiana 46001*City, State, and ZIP Code*Land Agent*Title*Leitner and Associates, Inc.*Company*765-358-4383*Telephone Number*leitnerassoc@aol.com*E-mail***E. SELLER(S)/GRANTOR(S)**Town of Yorktown*Seller 1 - Name as appears on conveyance document*9800 West Smith Road*Address (Number and Street)*Yorktown, Indiana 47396*City, State, and ZIP Code*765-759-4003*Telephone Number**E-mail**Seller 2 - Name as appears on conveyance document**Address (Number and Street)**City, State, and ZIP Code**Telephone Number**E-mail*

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act".

*Signature of Seller*Richard Lee, Town Council President*Printed Name of Seller**Sign Date (MM/DD/YYYY)**Signature of Seller**Printed Name of Seller**Sign Date (MM/DD/YYYY)***F. BUYER(S)/GRANTEE(S) - APPLICATION FOR PROPERTY TAX DEDUCTIONS- IDENTIFY ALL ITEMS THAT APPLY**Board of Commissioners of Delaware County*Buyer 1 - Name as appears on conveyance document*100 West Main Street, Room 309 County Building*Address (Number and Street)*Muncie, Indiana 47305*City, State, and ZIP Code*765-747-7730*Telephone Number**E-mail**Buyer 2 - Name as appears on conveyance document**Address (Number and Street)**City, State, and ZIP Code**Telephone Number**E-mail*

THE SALES DISCLOSURE FORM MAY BE USED TO APPLY FOR CERTAIN DEDUCTIONS FOR THIS PROPERTY. IDENTIFY ALL OF THOSE THAT APPLY.

YES NO CONDITION

- ☐ ☒ 1. Will this property be the buyer's primary residence? Provide complete address of primary residence, including county:

100 West Main Street*Address (Number and Street)*Muncie, Indiana 47305*City, State ZIP Code*Delaware
County

- ☐ ☒ 2. Does the buyer have a homestead in Indiana to be vacated for this residence? If yes, provide complete address of residence being vacated, including county:

*Address (Number and Street)**City, State ZIP Code**County*

YES NO CONDITION

- ☐ ☒ 3. Homestead
- ☐ ☒ 4. Solar Energy Heating/Cooling System
- ☐ ☒ 5. Wind Power Device
- ☐ ☒ 6. Hydroelectric Power Device
- ☐ ☒ 7. Geothermal Energy Heating/Cooling Device
- ☐ ☒ 8. Is this property a residential rental property?
- ☐ ☒ 9. Would you like to receive tax statements for this property via e-mail? (Provide contact information below. Please see instructions for more information. Not available in all counties.)

*Primary property owner contact name**E-mail*

Under penalties of perjury, I hereby certify that this Sales Disclosure, to the best of my knowledge and belief, is true, correct and complete as required by law, and is prepared in accordance with IC 6-1.1-5.5, "Real Property Sales Disclosure Act". (Note: Spouse information, Social Security and Driver's License/Other numbers are not necessary if no Homestead Deduction is being filed.)

*Signature of Buyer 1*Terry G. Leitner*Printed Legal Name of Buyer 1**Sign Date (MM/DD/YYYY)**Signature of Buyer 2/Spouse**Printed Legal Name of Buyer 2/Spouse**Sign Date (MM/DD/YYYY)*

Last 5 digits of Buyer 1 Driver's License/ID/Other Number State Last 5 Digits of Social Security Number

Last 5 digits of Buyer 2/Spouse Driver's License/ID/Other Number State Last 5 Digits of Social Security Number

PART 2 - COUNTY ASSESSOR

The county assessor must verify and complete items 1 through 14 and stamp the sales disclosure form before sending to the auditor:

1. Property	2. AV Land	3. AV Improvement	4. Value of Personal Property	5. AV Total	6. Property Class Code	7. Neighborhood Code	8. Tax District	9. Acreage
A.)								
B.)								

Assessor Stamp10. Identify physical changes to property between March 1 and date of sale. _____

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	11. Is form completed?
<input type="checkbox"/>	<input type="checkbox"/>	12. State sales fee required?
13. Date of sale (MM/DD/YYYY): _____		
14. Date form received (MM/DD/YYYY): _____		

Items 15 through 18 are to be completed by the assessor when validating this sale:

15. If applicable, identify any additional special circumstances relating to validation of sale. _____

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	16. Sale valid for trending?
<input type="checkbox"/>	<input type="checkbox"/>	17. Validation of sale complete?
18. Validated by: _____		

PART 3 - COUNTY AUDITOR**Auditor Stamp**

1. Disclosure fee amount collected: \$ _____

2. Other Local Fee: \$ _____

3. Total Fee Collected: \$ _____

4. Auditor receipt book number: _____

5. Date of transfer (MM/DD/YYYY): _____

YES	NO	CONDITION
<input type="checkbox"/>	<input type="checkbox"/>	6. Is form completed?
<input type="checkbox"/>	<input type="checkbox"/>	7. Is state fee collected?
<input type="checkbox"/>	<input type="checkbox"/>	8. Attachments complete?

PART 4 - RECEIPT FOR STATEMENT OF DEDUCTION OF ASSESSED VALUATION

SDF ID _____

SDF Date (MM/DD/YYYY) _____

Buyer 1 - Name as appears on conveyance document _____

Parcel Number _____

Address of Property (Number and Street) _____

Check all that apply:

- ☐ Homestead ☐ Solar Energy ☐ Wind Power
☐ Hydroelectric ☐ Geothermal ☐ Rental Property
☐ Electronic Statement (e-mail) _____

City, State, and ZIP Code of Property _____

Auditor Signature _____

Date (MM/DD/YYYY) _____

A person who knowingly and intentionally falsifies value of transferred real property, or omits or falsifies any information required to be provided in the sales disclosure form commits a Class C felony.



**DELAWARE
COUNTY
COMMISSIONERS**

James King
District #1

Sherry K. Riggin
District #2

Shannon Henry
District #3

Patricia Lackey
Executive Assistant

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Telephone 765.747.7730
Fax 765.747.7899
www.co.delaware.in.us

An Equal Opportunity Employer

CONFIRMATION OF RECEIPT OF ACQUISITION BOOKLET

Project: Delaware County Bridge 141

Parcel: 1

Owner: Town of Yorktown

We were given a copy of the booklet titled "Acquiring Real Property for Federal and Federal-aid Programs and Projects."

Town of Yorktown

Date

Richard Lee, Town Council President

Date

Michael Burke, Town Council

Date

Danial Flanigan, Town Council

Date

Lon Fox, Town Council

Date

Rick Glaub, Town Council

Date

Robert Ratchford, Vice Pres., Town Council

Date

Brian Smith, Town Council