

ORIGINAL

RESOLUTION NO. 2020-033

**RESOLUTION OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS
PERMITTING DISPOSAL OF EXCESS SOIL FROM COUNTY-OWNED PROPERTY**

WHEREAS, the Delaware County Board of Commissioners (hereinafter, the “Commissioners”) own real property in conjunction with the City of Muncie, Indiana, which said property is identified in EXHIBIT A, attached hereto (hereinafter, the “Property”); and

WHEREAS, the Property contains excess soil, which has been characterized as surplus personal property owned by the County; and

WHEREAS, the excess soil remaining on the Property is considered worthless and of no market value because the value of the excess soil is less than the estimated costs of the sale and transportation of the excess soil; and

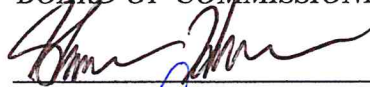
WHEREAS, pursuant to Ind. Code § 5-22-22-8, the Commissioners desire to give said excess soil remaining on the Property to the Ross Community Center, a valid Indiana nonprofit corporation existing for charitable and recreational purposes.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA:

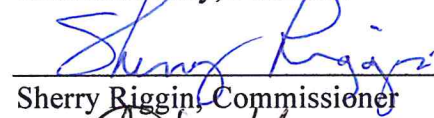
1. The Delaware County Board of Commissioners hereby agree to give the excess soil remaining on the Property identified in EXHIBIT A, attached hereto, to the Ross Community Center, Inc., as said excess soil is considered worthless personal property pursuant to Ind. Code § 5-22-22-8(b) provided the City of Muncie, as co-owner of the Property, provides the same authorization.
2. Ross Community Center, Inc. shall take all precautions relating to stormwater prevention, runoff, and erosion control measures and shall install proper silt fencing as necessary and/or required pursuant to federal, state, and/or local laws or ordinances.
3. After removing the excess soil from the Property, Ross Community Center shall return the Property to finish-grade condition with proper seeding, straw, and/or other covering as necessary to return the property to finish-grade condition.
4. At no point may any soil originating from property owned by Ross Community Center, Inc. be returned to and/or placed on the Property, whether temporarily or permanently.
5. This Resolution shall be effective upon adoption.

DULY ADOPTED by the Board of Commissioners of Delaware County at a duly noticed public meeting held on this, the 8 day of Sept, 2020.

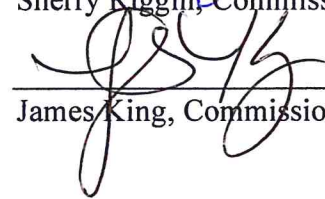
*DELAWARE COUNTY
BOARD OF COMMISSIONERS*



Shannon Henry, President




Sherry Riggini, Commissioner



James King, Commissioner

ATTEST:



Steven Craycraft, Auditor
Delaware County, Indiana

EXHIBIT A

Surplus property of Delaware County, which is to be transferred to the Ross Community Center, Inc., shall include the excess soil located on the following Property:

**Common Address: 2550 S Sampson Ave
Muncie, Indiana 47302**

**Parcel ID Nos.: 18-11-21-156-013.000-003
18-11-21-155-017.000-003**