

BOARD OF SANITARY COMMISSIONERS
MUNCIE SANITARY DISTRICT

RESOLUTION 2021-07
NOTICE FOR PUBLICATION OF SALE OF REAL ESTATE - RESOLUTION FOR 2021

WHEREAS, the Board of Sanitary Commissioners, having jurisdiction over the real estate located at 300 E. JACKSON ST., MUNCIE 47305 (Parcel ID 1110365010000, Brief Tax Description PT BROWNS DON W 148 FT OF S HLF) ("Subject Property") is adopting this Resolution to disclose the terms and conditions for the sale of the Subject Property; and

WHEREAS, Indiana Code § 36-1-11-4 entitled "Sale or transfer of real property; procedure" permits the Board of Sanitary Commissioners to be the "Disposing Agent" to sell the Subject Property. The "Disposing agent" means the board or officer of a political subdivision or agency having the power to award contracts for which public notice is required, with respect to property of the political subdivision or agency. See Ind. Code § 36-1-11-2; and

WHEREAS, This Notice includes the following statutory requirements pursuant to IC 36-1-11-4(c):

1. The Disposing Agent has determined that the minimum bid for this property is **\$625,000.00**.
2. Bids will be received beginning on **June 1, 2021**.
3. The sale will continue from day to day for a period determined by the Disposing Agent of not more than sixty (60) days.
4. The Subject Property may not be sold to a person who is ineligible under section 16¹ of this chapter;
5. A bid submitted by a trust (as defined in IC 30-4-1-1(a)²) must identify each:
(A) Beneficiary of the trust; and (B) settlor empowered to revoke or modify the trust; and
6. If the Disposing Agent determines that the best sale of the property can be made by letting the bidders determine certain conditions of the sale (such as required zoning or soil or drainage conditions) as a prerequisite to purchasing the property; the Disposing Agent may permit the bidders to specify those conditions.
7. All bids must be open to public inspection and a bidder may raise the bidder's bid, subject to subsection (e), that raise takes effect after the board has given written notice of that raise to the other bidders.
8. The Disposing Agent may, before the expiration of the time set out in the notice, sell the Subject Property to the highest and best bidder.

¹ Sec. 16. (a) This section applies to the following:

(1) A person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale on a tract of real property listed under IC 6-1.1-24-1.

(2) A person who is an agent of the person described in subdivision (1).

(3) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1): (A) A partner of a partnership; (B) A member of a limited liability company; (C) An officer, director, or majority stockholder of a corporation; (D) The person who controls or directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(b) A person subject to this section may not bid on, purchase, receive, or lease a tract that is offered in a sale, exchange, or lease under this chapter.

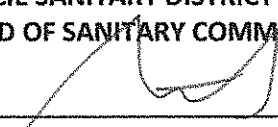
(c) If a person purchases, receives, or leases a tract that the person was not eligible to purchase, receive, or lease under this section, the sale, transfer, or lease of the property is void and the county retains the interest in the tract it possessed before the sale, transfer, or lease of the tract. Ind. Code § 36-1-11-16

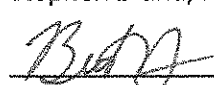
² Sec. 1. (a) A trust is a fiduciary relationship between a person who, as trustee, holds title to property and another person for whom, as beneficiary, the title is held. Ind. Code § 30-4-1-1


BE IT THEREFORE RESOLVED, that the Board of Sanitary Commissioners, having jurisdiction over the real estate located at 300 E. JACKSON ST., MUNCIE 47305 (Parcel ID 1110365010000, Brief Tax Description PT BROWNS DON W 148 FT OF S HLF), hereby adopts Resolution 2020-07, as it pertains to the notice and procedure for selling the Subject Property.

Approved this 19th day of May, 2021.

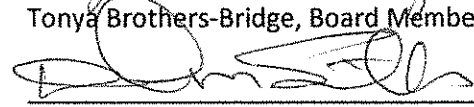
**MUNCIE SANITARY DISTRICT
BOARD OF SANITARY COMMISSIONERS**



Stephen Brand, President

Brian Stephens-Hotopp, Vice-President

Joseph A. Evans, Secretary

Tonya Brothers-Bridge, Board Member

David Smith, Board Member

EFFECTIVE DATE:

May 15, 2021