

1                   **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**  
2                   **ORDINANCE NO. 2013-32**

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4                   **An Ordinance to Adopt and Approve an Interlocal Agreement with the School City**  
5                   **Of Hobart for the Exchange of Certain Parcels of Real Estate**  
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7                   WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”)  
8                   has received a proposed Interlocal Agreement by and between the City and the School City of  
9                   Hobart (“School City”), said Agreement being attached hereto and made a part hereof, and  
10                  entitled “Interlocal Agreement by and between the City of Hobart, Indiana and the School City  
11                  of Hobart, Indiana for the Conveyance and Exchange of Real Property;” and

12                 WHEREAS, the School City owns two (2) contiguous parcels of real estate improved  
13                 with an athletic field, track, spectator grandstands, field lights and standards, scoreboard, locker  
14                 room building and other related accessory buildings and facilities which, together, comprised the  
15                 former Hobart High School Football Stadium known as the “Brickie Bowl,” said parcels  
16                 amounting to 7.27 acres total, more or less, identified and legally described as “Parcel 2” and  
17                 “Parcel 3” on the Plat of Survey attached to said Agreement;” and

18                 WHEREAS, the School City also owns a parcel of real estate improved by an asphalt  
19                 parking lot, which previously served the former Hobart Middle School Building, said lot being  
20                 located approximately sixty (60) feet North of 4<sup>th</sup> Street between East Street and New Street in  
21                 the City of Hobart amounting to 0.204 acres, more or less, identified and legally described as  
22                 “Parcel 4” on the Plat of Survey attached to said Agreement;” and

23                 WHEREAS, the School City has no current or anticipated use for Parcels 2, 3 and 4, and  
24                 desires to convey them to the City which has uses for these parcels; and

25                 WHEREAS, the City owns an unimproved parcel of real estate immediately to the South  
26                 of the City’s Central Fire Station on Tenth Street which is referred to herein as the “City Parcel,”

1 legally described as follows:

2 A part of the Northwest ¼ of the Northwest ¼ of Section 5, Township 35 North,  
3 Range 7 West of the Second Principal Meridian, described as follows:  
4 Commencing at the Northeast corner of said ¼, thence South 00° 55' 58" East  
5 352.03 feet to the point of beginning, thence continuing South 00° 55' 58" East,  
6 305.80 feet, thence North 89° 34' 38" West, 168.19 feet, thence North 00° 55' 58"  
7 West, 305.62 feet; thence South 89° 38' 05" East, 168.19 feet, to the point of  
8 beginning in the City of Hobart, Lake County, Indiana;

9  
10 and

11 WHEREAS, the City has no current or anticipated use for the City Parcel and desires to  
12 convey it to the School City which has uses for the City Parcel; and

13 WHEREAS, the School City desires to convey Parcels 2, 3 and 4 to the City in exchange  
14 for the City's conveyance of the City Parcel to the School City, and the City and School City  
15 have reached agreement on the terms and conditions of such exchange and desire to give effect  
16 to their agreement under the Interlocal Cooperation Act ("Act") of the State of Indiana (I.C. §36-  
17 1-7-1, *et seq.*) and to spread same upon the public record.

18 WHEREAS, the Hobart Board of School Trustees adopted its Resolution Number 2013-  
19 13 on July 25, 2013 adopting said Interlocal Agreement and authorizing the exchange of  
20 properties described therein.

21 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart,  
22 Indiana as follows:

23 *SECTION ONE.* The Agreement entitled "Interlocal Agreement by and between  
24 the City of Hobart, Indiana and the School City of Hobart, Indiana for the Conveyance  
25 and Exchange of Real Property" which is attached hereto and made a part hereof is  
26 hereby approved and adopted in all respects.

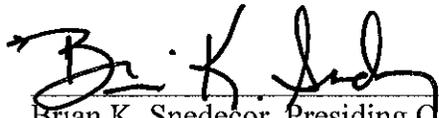
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28 *SECTION TWO:* The Mayor and Clerk-Treasurer of the City are hereby  
29 authorized to execute and attest to said Agreement, or one substantially in conformance  
30 with it, respectively. Upon such execution and the occurrence of the other acts of  
31 execution, recording and filing set out in Section 7 of the Agreement, the instrument  
32 attached hereto shall constitute the valid and subsisting agreement of the City for the uses

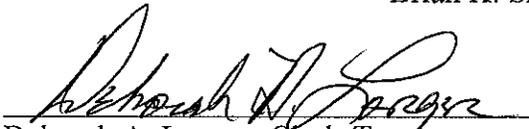
1 and purposes stated therein.

2  
3 *SECTION THREE:* The provisions of Sections 1 through 10 of said Agreement in  
4 their entirety, inclusive, are specifically incorporated herein by reference as if fully set  
5 out as an integral part of this Ordinance. All ordinances or portions thereof in effect prior  
6 to the effective date and in conflict with the provisions of this ordinance are hereby  
7 repealed.

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9 *SECTION FOUR:* This ordinance shall become effective upon adoption in the  
10 manner required by law.

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12 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the  
13 City of Hobart, Indiana on this 7<sup>th</sup> day of August, 2013.

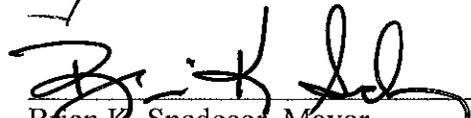
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19 Brian K. Snedecor, Presiding Officer

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22 ATTEST:   
23 Deborah A. Longer, Clerk-Treasurer

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25  
26  
27 PRESENTED by me to the Mayor of the City of Hobart on the 7<sup>th</sup> day of  
28 August, 2013 at the hour of 7:45 pm,

29  
30  
31   
32 Deborah A. Longer, Clerk-Treasurer

33  
34 APPROVED, EXECUTED and RETURNED by me to the Common Council of  
35 the City of Hobart on this 7<sup>th</sup> day of August, 2013.

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39 Brian K. Snedecor, Mayor

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41  
42 ATTEST:   
43 Deborah A. Longer, Clerk-Treasurer