

RESOLUTION NO. RC-3-22

A RESOLUTION OF THE CITY OF NOBLESVILLE, INDIANA FOR PROPERTY DISPOSAL  
PURSUANT TO INDIANA CODE §36-1-11-8

WHEREAS, pursuant to Indiana Code 36-1-11-8, governmental entities may transfer or exchange property upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions.

WHEREAS, the City of Noblesville (“City”) is the owner of a parcel of real estate located on the north side of Logan Street, immediately east of the White River (“Logan Street Parking Lot”); and,

WHEREAS, Hamilton County (“County”) previously owned approximately 4.5 acres of land near the southeast corner of Conner Street immediately east of the White River, which is presently used as a parking lot for County employees (“Conner Street Parking Lot.”); and,

WHEREAS, the County has sold the Conner Street Parking Lot to a private developer for a mixed use development project known as “East Bank”; and,

WHEREAS, the East Bank project will provide economic development within the City, including creation of jobs and a substantial increase in assessed value; and

WHEREAS, the County is in the process of constructing a five (5) story parking garage on Clinton Street containing approximately four hundred eight (408) parking spots to provide for County employees and County and City visitor parking (“County Parking Garage”); and,

WHEREAS, the County and City have agreed that the City will transfer the City Parking Lot to the County to provide additional parking for the County’s employees and visitors.

IT IS HEREBY RESOLVED by the City of Noblesville Common Council in a regular meeting:

SECTION I. DEFINITIONS.

The following are the definitions included in this Resolution:

- a. “City” means the City of Noblesville, Hamilton County, Indiana.
- b. “Conner Street Parking Lot” is an approximately 4.5 acre parcel of land, previously owned by the County, which is bounded on the north by Conner Street, the south by Maple Avenue, the east by 6<sup>th</sup>

Street, and the west by White River, LESS Lots 1 and 2 in Square 17 of the Original Plat of Noblesville, Indiana, which deleted Lots are designated as the McMillan Real Estate..

c. "County" means Hamilton County, Indiana.

d. "County Offices" shall include all offices operated, maintained, and used by County Government at the Hamilton County Historic Courthouse and the Hamilton County Government and Judicial Center.

e. "County Parking Garage" means a five (5) story open air parking garage being constructed by the County to be completed in the Summer of 2022. The garage will contain approximately four hundred ten (410) parking spaces located on the north side of Clinton Street between 8<sup>th</sup> Street and 9<sup>th</sup> Street within the City.

f. "East Bank Project" means the mixed use development by a private developer to be constructed on the Conner Street Parking Lot at a cost in excess of Twenty-five Million Dollars (\$25,000,000) which Project will provide additional jobs; create a substantial increase in assessed value; and remove a blighted building from the McMillan Real Estate.

g. "Logan Street Parking Lot" means the real estate located at the northeast corner of Logan Street and White River described as Lots 5 and 6 in Square 3 of the Original Plat of Noblesville, Indiana, recorded in Plat Book 1, Page 3 in the Office of the Hamilton County Recorder.

h. "Private Logan Street Real Estate" means the two (2) parcels of real estate located north side of Logan Street and west of 8<sup>th</sup> Street, commonly known as 694 Logan Street and 654 Logan Street, also known as Lots 3 and 4 in Square 3 of the Original Plat of Noblesville, Indiana, recorded in Plat Book 1, Page 3 in the Office of the Hamilton County Recorder.

#### SECTION II. COUNTY PARKING GARAGE.

a. Upon the completion in the Summer of 2022, the County Parking Garage shall be available to the general public after 5:00 p.m., Monday through Friday and on Saturdays, Sundays, and holidays. No overnight public parking will be permitted.

b. Until the County Parking Garage is complete, the County will continue to instruct all County employees to park at the property of Riverview Hospital on the west side of White River to be transported, or to walk to the County Offices.

c. Upon completion of the County Parking Garage, the County and the City agree to negotiate an agreement to allow some of the spaces within the County Parking Garage to be used by the public under such terms as are acceptable to the parties. The Agreement shall provide that the County may subsequently restrict public use of the County Parking Garage if necessary for the safety of the public or to protect the County Parking Garage from damage.

SECTION III. CONNER STREET PARKING LOT. The County ~~completed~~ the sale of the Conner Street Parking Lot to RD Investment Holdings, LLC, or its designee during 2021 for the East Bank Project.

Deleted: shall

SECTION IV. LOGAN STREET PARKING LOT.

a. The City agrees to convey the Logan Street Parking Lot to the County with possession effective January 12, 2021.

b. The Logan Street Parking Lot shall be used by County employees, jurors, and others doing County business, during County business hours Monday through Friday 8:00 am – 5:00 pm. The Logan Street Parking Lot shall be available for public use during other times.

c. Prior to the County selling or otherwise transferring the Logan Street Parking Lot for any use other than for County employees, jurors or County business, the City of Noblesville shall have a first right of refusal to take ownership of the Logan Street Parking Lot, at no cost to the City.

d. The County shall maintain the Logan Street Parking Lot to include landscaping, street trees, striping, pavement, signage, and access to the River Walk Trail, similar to the existing condition.

e. Any improvements made to Logan Street Parking Lot shall require proper permits and approvals through the City of Noblesville.

SECTION V. PRIVATE LOGAN STREET REAL ESTATE. The Private Logan Street Real Estate will not be acquired by the County for private development. Should the County ever acquire either or both parcels of the Private Logan Street Real Estate for County use, the City shall have a first right of refusal to purchase those properties before the County would sell either or both parcels for private development.

Approved on this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Daniel Spartz		
	Megan G. Wiles		

ATTEST: \_\_\_\_\_  
Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2022 at \_\_\_\_\_ .M.

\_\_\_\_\_  
Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

\_\_\_\_\_  
Chris Jensen, Mayor

\_\_\_\_\_  
Date

MAYOR'S VETO

\_\_\_\_\_  
Chris Jensen, Mayor

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Evelyn L. Lees, City Clerk

