

**BOARD OF PUBLIC WORKS AND SAFETY  
CITY OF NOBLESVILLE**

**DATE:** SEPTEMBER 26, 2017

**PREVIOUSLY DISCUSSED ITEMS**   

**NEW ITEMS FOR DISCUSSION** XXX

**MISCELLANEOUS**                   

**ITEM#**           #10          

**SOURCE:**

**DOCUMENTS PREPARED BY:** MICHAEL HOWARD

**VERBAL:**

**INFORMATION ATTACHED:** XXX

**NO PAPERWORK AT TIME OF PACKETS:**   

**BRING PAPERWORK FROM PREVIOUS COUNCIL MEETING:**

LIMITED WARRANTY DEED

Document Cross Reference No. \_\_\_\_\_

THIS INDENTURE WITNESSETH, that the Board of Public Works and Safety on behalf of the City of Noblesville, Hamilton County, Indiana, ("the Grantor), conveys and warrants to the Noblesville Fieldhouse, LLC, the following described Real Estate located in the City of Noblesville, Hamilton County, Indiana, which is described as follows:

Lot 3 in the Finch Creek Park Subdivision

Subject to real estate taxes payable in 2019, and thereafter, subject, however, to all covenants and restrictions of record.

The Grantor also acknowledges that no threat of the use of eminent domain, either express or implied, has been made to the Grantor, by any person acting on behalf of Hamilton County, Indiana, which threat would have motivated the Grantor, in any way, to sell the Real Estate.

IN WITNESS WHEREOF, the undersigned, the duly appointed and acting members of the Board of Public Works and Safety of the City of Noblesville, this 26<sup>th</sup> day of September, 2017.

BOARD OF PUBLIC WORKS AND  
SAFETY OF THE CITY OF  
NOBLESVILLE

\_\_\_\_\_  
John Ditslear, Member

ATTEST:

\_\_\_\_\_  
Lawrence Stork, Member

\_\_\_\_\_  
Evelyn L. Lees, Clerk  
City of Noblesville, Indiana

\_\_\_\_\_  
Jack Martin, Member

STATE OF INDIANA       )  
                                  )SS:  
COUNTY OF HAMILTON )

Subscribed and sworn to before me, a Notary Public this 26<sup>th</sup> day of September, 2017, personally appeared the within named John Ditslear, Lawrence Stork, and Jack Martin as members of the Board of Public Works and Safety of the City of Noblesville and Evelyn L. Lees, Clerk for the City of Noblesville and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public,  
Residing in \_\_\_\_\_ County, IN

My Commission Expires:

\_\_\_\_\_  
I affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in the document. Michael A. Howard

This instrument prepared by: Michael A. Howard, HOWARD & ASSOCIATES, 694 Logan Street, Noblesville, Indiana 46060, (317) 773-4212.

### LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that John Ditslear, Lawrence Stork, and Jack Martin, as the Board of Public Works and Safety of the City of Noblesville, Hamilton County, Indiana, do hereby appoint Michael A. Howard, the Attorney for the City of Noblesville, to act as the lawful attorney-in-fact for the City of Noblesville, to execute any and all documents and take all additional acts on behalf of the City of Noblesville, which he deems necessary to complete the sale of the following described real estate by the City of Noblesville to Noblesville Fieldhouse, LLC, which real estate is described as follows:

Lot 3 in the Finch Creek Park Subdivision (“the Real Estate”)

It is the intent of the Board of Public Works and Safety, that Michael Howard shall have all powers to act in regards to the transfer of the Real Estate to Noblesville Fieldhouse, LLC, including, but not limited to, the authority to sign a Vendor’s Affidavit; closing statements; sales disclosure statements; escrow agreements; and any and all other documents which may be necessary to complete the transfer of the Real Estate, it being the specific intent of the Board of Public Works and Safety to grant to Michael A. Howard any and all legal powers and authority related to the sale of the Real Estate to Noblesville Fieldhouse, LLC.

This instrument is to be construed and interpreted as a Limited Power of Attorney solely to complete the sale of the above described Real Estate. The enumeration of specific items, acts, rights, or powers concerning the transfer of the Real Estate does not limit or restrict, and is not to be construed or interpreted as limiting the powers granted to the designated attorney-in-fact for the purpose of selling the Real Estate.

The undersigned further certifies that the sale of the Real Estate from the City of Noblesville, and the execution of this Limited Power of Attorney, are expressly authorized by the Board of Public Works and Safety on behalf of the City of Noblesville, on the 26<sup>th</sup> day of September, 2017, and shall remain in full force and effect for thirty (30) days after this date.

IN WITNESS WHEREOF, the undersigned members of the Board of Public Works and Safety, and Evelyn L. Lees, Clerk of the City of Noblesville, have set their hands and seals this 26<sup>th</sup> day of September, 2017.

BOARD OF PUBLIC WORKS AND  
SAFETY OF THE CITY OF NOBLESVILLE

\_\_\_\_\_  
John Ditslear, Member

ATTEST:

\_\_\_\_\_  
Lawrence Stork, Member

\_\_\_\_\_  
Evelyn L. Lees, Clerk  
City of Noblesville, Indiana

\_\_\_\_\_  
Jack Martin, Member

STATE OF INDIANA       )  
                                  )SS:  
COUNTY OF HAMILTON )

Subscribed and sworn to before me, a Notary Public this 26<sup>th</sup> day of September, 2017, personally appeared the within named John Ditslear, Lawrence Stork, and Jack Martin as members of the Board of Public Works and Safety of the City of Noblesville and Evelyn L. Lees, Clerk for the City of Noblesville and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.

My Commission Expires:

\_\_\_\_\_  
Notary Public,  
Residing in \_\_\_\_\_ County, IN

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in the document. Michael A. Howard

This instrument prepared by: Michael A. Howard, HOWARD & ASSOCIATES, 694 Logan Street, Noblesville, Indiana 46060, (317) 773-4212.