



March 15, 2019

ENGROSSED

SENATE BILL No. 479

DIGEST OF SB 479 (Updated March 13, 2019 7:06 pm - DI 133)

Citations Affected: Noncode.

Synopsis: Transfer of state real property. Requires the conveyance of certain real property by the state to the University of Evansville to remove restrictions on use of the property by the university that were required by legislation enacted in 1988 and 1997.

Effective: Upon passage.

Becker, Tomes, Messmer

(HOUSE SPONSORS — SULLIVAN, HATFIELD, MCNAMARA)

January 14, 2019, read first time and referred to Committee on Commerce and Technology.
January 28, 2019, reported favorably — Do Pass.
January 31, 2019, read second time, ordered engrossed. Engrossed.
February 4, 2019, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 5, 2019, read first time and referred to Committee on Ways and Means.
March 14, 2019, reported — Do Pass.

ES 479—LS 7174/DI 75



March 15, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

ENGROSSED SENATE BILL No. 479

A BILL FOR AN ACT concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "commissioner" refers to the commissioner of the
3 Indiana department of administration.

4 (b) As used in this SECTION, "department" refers to the
5 Indiana department of administration created by IC 4-13-1-2.

6 (c) As used in this SECTION, "real estate" refers to the
7 following real property located in Vanderburgh County, Indiana,
8 more particularly described as follows:

9 Part of the Southeast Quarter of the Southeast Quarter of
10 Section 22 and part of the South Half of the Southwest
11 Quarter of Section 23, Township 6 South, Range 10 West,
12 Knight Township, City of Evansville, Vanderburgh County,
13 Indiana, more particularly described as follows:

14 Commencing at the southeast corner of the Southeast Quarter
15 of Section 22; thence along the south line thereof, North 89
16 degrees 12 minutes 15 seconds West 588.86 feet to the
17 southwest corner of a tract of land conveyed to the University
18 of Evansville recorded in Deed Volume 691, page 492, in the

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1 office of the Recorder of Vanderburgh County, Indiana;
2 thence along the west line thereof, North 00 degrees 32
3 minutes 18 seconds East 50.00 feet to the north line of Division
4 Street and the south line of a tract of land conveyed to the
5 State of Indiana recorded in Deed Drawer 1, card 16147 in the
6 office of the Recorder; thence along the south line the
7 following 4 calls: (1) South 89 degrees 12 minutes 15 seconds
8 East 589.30 feet to a point on the west line of the Southwest
9 Quarter of Section 23; (2) thence South 88 degrees 53 minutes
10 27 seconds East 189.81 feet; (3) thence North 85 degrees 23
11 minutes 53 seconds East 201.00 feet; (4) thence South 84
12 degrees 58 minutes 32 seconds East 223.52 feet to a point on
13 the south line of a tract of land conveyed to the State of
14 Indiana recorded in Deed Drawer 4, card 8424 in the office of
15 the Recorder; thence along the south line thereof, South 85
16 degrees 16 minutes 37 seconds East 277.27 feet; thence
17 continue along the south line, South 88 degrees 42 minutes 52
18 seconds East 211.21 feet to the southeast corner of the tract;
19 thence along the east line thereof, North 00 degrees 32
20 minutes 18 seconds East 1123.09 feet to the northeast corner
21 of the tract; thence along the north line and the north line of
22 a tract of land conveyed to the Evansville Vanderburgh
23 School Corporation recorded in Deed Drawer 1, card 1690 in
24 the office of the Recorder, North 88 degrees 42 minutes 52
25 seconds West 1090.90 feet to a point on the east line of the
26 Southeast Quarter of Section 22; thence continue along the
27 north line of the School Corporation tract, North 89 degrees
28 12 minutes 15 seconds West 599.04 feet to a point on the west
29 line of the University of Evansville tract; thence along the
30 west line thereof, North 00 degrees 32 minutes 18 seconds
31 East 22.00 feet to the northwest corner of the University of
32 Evansville tract; thence along the north line thereof, South 89
33 degrees 12 minutes 15 seconds East 599.23 feet to a point on
34 the west line of the Southwest Quarter of Section 23; thence
35 continue along the north line, South 88 degrees 42 minutes 52
36 seconds East 2550.52 feet to the northwest corner of a tract of
37 land conveyed to the Southern Indiana Gas & Electric
38 Company recorded in Deed Volume 486, page 564; thence
39 along the west line thereof, South 00 degrees 18 minutes 46
40 seconds East 60.00 feet to the southwest corner thereof;
41 thence along the south line thereof, South 88 degrees 42
42 minutes 52 seconds East 85.00 feet to a point on the east line



of the Southwest Quarter of Section 23; thence along the east line thereof, South 00 degrees 18 minutes 46 seconds East 607.27 feet to a point on the north line of a tract of land conveyed to DLD Investments, LLC, recorded in Instrument No. 2008R00018815 in the office of the Recorder; thence along the north line thereof, South 50 degrees 01 minutes 39 seconds West 14.13 feet; thence continue along the north line, South 31 degrees 47 minutes 17 seconds West 26.56 feet to a point on the east line of a tract of land conveyed to the State of Indiana recorded in Deed Drawer 1, card 16147 in the office of the Recorder; thence along the tract the following 8 calls: (1) North 00 degrees 18 minutes 50 seconds West 265.99 feet; (2) thence South 18 degrees 18 minutes 02 seconds West 177.27 feet; (3) thence South 31 degrees 25 minutes 53 seconds West 394.37 feet; (4) thence South 61 degrees 03 minutes 22 seconds West 379.61 feet; (5) thence South 88 degrees 42 minutes 52 seconds East 124.25 feet to the point of curvature of a non-tangent curve to the right having a radius of 33,497.53 feet and a delta angle of 00 degrees 43 minutes 40 seconds from which the long chord bears South 88 degrees 37 minutes 56 seconds East 425.50 feet; (6) thence along the arc of the curve 425.50 feet; (7) thence North 68 degrees 16 minutes 50 seconds East 51.28 feet; (8) thence North 00 degrees 18 minutes 46 seconds West 104.43 feet; thence South 60 degrees 28 minutes 12 seconds East 28.82 feet to a point on the east line of the Southwest Quarter of Section 23; thence along the east line thereof, South 00 degrees 18 minutes 46 seconds East 160.24 feet to the southeast corner of the Southwest Quarter of Section 23; thence along the south line thereof, North 88 degrees 42 minutes 52 seconds West 2663.50 feet to the point of beginning containing 41.57 acres (1,810,606 sq. ft.).

(d) The governor and the commissioner are authorized and directed on behalf of, and in the name of, the state of Indiana to convey the real estate to the University of Evansville. Except as provided in this SECTION, the conveyance of the real estate shall be made without consideration.

(e) Conveyance of the real estate is subject to highways, easements, and restrictions of record.

(f) The purpose of the conveyance required by this act is to remove the restrictions to which the real estate was subject under the conveyance required by P.L.202-1988, SECTION 1, as amended by P.L.250-1997, SECTION 1.



(g) The following apply to the conveyance of the real estate:

(1) The conveyance must comply with IC 4-20.5-7-17 and IC 4-20.5-7-18 to the extent that those statutes do not conflict with this SECTION.

(2) The department shall have a quitclaim deed prepared to convey the real estate to the University of Evansville. The quitclaim deed shall recite both of the following:

(1) "Conveyance of the real estate is subject to highways, easements, and restrictions of record."

(2) "The purpose of this conveyance is to remove the restrictions to which the real estate was subject under the conveyance required by P.L.202-1988, SECTION 1, as amended by P.L.250-1997, SECTION 1."

(3) Notwithstanding subsection (c), if the commissioner and the University of Evansville determine that there are any technical errors in the legal description of the real estate stated in subsection (c), the commissioner and the University of Evansville may agree to revise the legal description for purposes of its statement in the deed, provided that the revised legal description accurately describes the real estate intended to be conveyed.

(4) The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(5) The University of Evansville shall have the deed to the real estate recorded in Vanderburgh County, Indiana.

(h) This SECTION expires July 1, 2021.

SECTION 2. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill No. 479, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 479 as introduced.)

PERFECT, Chairperson

Committee Vote: Yeas 9, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 479, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 479 as printed January 29, 2019.)

HUSTON

Committee Vote: Yeas 23, Nays 0

