RESOLUTION NO. 2025-4

A RESOLUTION AUTHORIZING MAYOR AND CLERK-TREASURER TO SIGN AND EXECUTE DECLARATION OF DEDICATION FOR THE NEW SECTION OF MORNING HEIGHTS CEMETERY

WHEREAS, the City of Delphi purchased an additional two (2) acres that serve as a new section of Morning Heights Cemetery, which is the municipal cemetery owned and operated by the City;

WHEREAS, Indiana Code 23-14-34-1 states that before granting or selling any burial rights in any part of a cemetery, the cemetery owner must record with the county Recorder's Office an accurate survey and plat of the part of the cemetery in which burial rights are to be granted or sold;

WHEREAS, pursuant to Indiana Code 23-14-34-5, a written instrument, duly executed and acknowledged by the cemetery owner, dedicating the property to cemetery purposes ("Declaration of Dedication") must be recorded with the requisite survey and plat; and

WHEREAS, the Common Council desires to authorize the Mayor and Clerk-Treasurer to sign and execute the Declaration of Dedication, attached hereto as Exhibit A, for the purpose of recording the survey and plat of the new section of Morning Heights Cemetery with the Carroll County Recorder's Office.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Delphi, Indiana that:

Section 1. The Common Council hereby authorizes the Mayor and the Clerk-Treasurer of the City of Delphi, Indiana to sign and execute the Declaration of Dedication for the purpose of recording the survey and plat of the new section of Morning Heights Cemetery with the Carroll County Recorder's Office.

Adopted by the Common Council of the City of Delphi, Indiana on this 5th day of May, 2025.

Passage by a Majority of the Common Council:

Kamron Yates, Presiding Officer

Attest: Julie Price, Clerk-Treasurer

Approved / Vetoed by me, the Mayor, on this 5th day of May, 2025.

Kamron Yates, Mayor

Attest: Julie Price, Clerk-Treasurer

EXHIBIT A – DECLARATION OF DEDICATION

Declaration of Dedication of Real Estate
Morning Heights Cemetery Section 2

The City of Delphi, Indiana, by its duly authorized representatives, the Honorable Mayor Kamron Yates and Clerk-Treasurer Julie Price, does hereby acknowledge the execution of the within plat of Morning Heights Cemetery Section 2 of said cemetery and does hereby dedicate said real estate and the use thereof to cemetery purposes. A copy of said plat is attached hereto and made a part hereof together with a survey of the real estate.

Kamron Yates, Mayor of the City of Delphi, Indiana

Julie Price, Clerk-Treasurer of the City of Delphi, Indiana

STATE OF INDIANA)
COUNTY OF CARROLL)

Before me the undersigned Notary Public in and for the County and State, personally appeared ***the Honorable Mayor Kamron Yates and Clerk-Treasurer Julie Price, duly authorized representatives of the City of Delphi, Indiana***, and acknowledged the execution of the foregoing instrument as their voluntary act and deed, for the purpose therein expressed.

Witness my Hand and Notarial Seal this 6th day of May, 2025

STATE OF INDIANA NOTARY SEAL

AMANDA SOWDERS
Notary Public, State of Indiana
Carroll County
Commission # NP0739724
My Commission Expires
March 9, 2030

Notary Public
Amanda Sowders
Printed name of Notary Public
My commission expires March 9, 2030
Resident of: Carroll County, Indiana
Notary Number: NP0739724

LEGAL DESCRIPTION

Part of the southeast Quarter of Section 21, Township 25 North, Range 2 West, Deer Creek Township, Carroll County, Indiana, shown on the plat of an original boundary survey certified by Seth Johnson, PS # LS21300001 on January 12, 2023 as 40th Parallel Surveying's Job Number 2022-136 (All references to monuments and courses herein are as shown on said plat of survey) described as follows:

Commencing at the southeast corner of said Quarter marked by a 12 inch diameter concrete post; thence S 89°20'09" W (Indiana West State Plane Coordinate System) 318.09 feet along the south line of said Quarter to the point of beginning marked by a 12 inch diameter concrete post; thence S 89°15'48" W 160.02 feet along said south line to a 5/8 inch diameter rebar with an orange plastic cap stamped "FIRM 0047"; thence N 00°01'46" E 544.63 feet to the center line of County Road 300 North; thence N 89°22'17" E 160.02 feet along said center line to the northwest corner of a parcel described in Deed Book 43, Page 485; thence S 00°01'46" W 544.33 feet along the west line of said parcel to the point of beginning, containing 2.00 acres, more or less, subject to highway right-of-way.

I, Seth Johnson, a registered land surveyor in the state of Indiana, do hereby certify that this Cemetery Plat was prepared based on boundary survey certified by me on January 12, 2023 as 40th Parallel Surveying's Job Number 2022-136. This plat is subject to any overlaps, gaps or inconsistencies that the survey might have revealed.

Seth Johnson
Registration No. LS21300001
Firm ID No. 0047

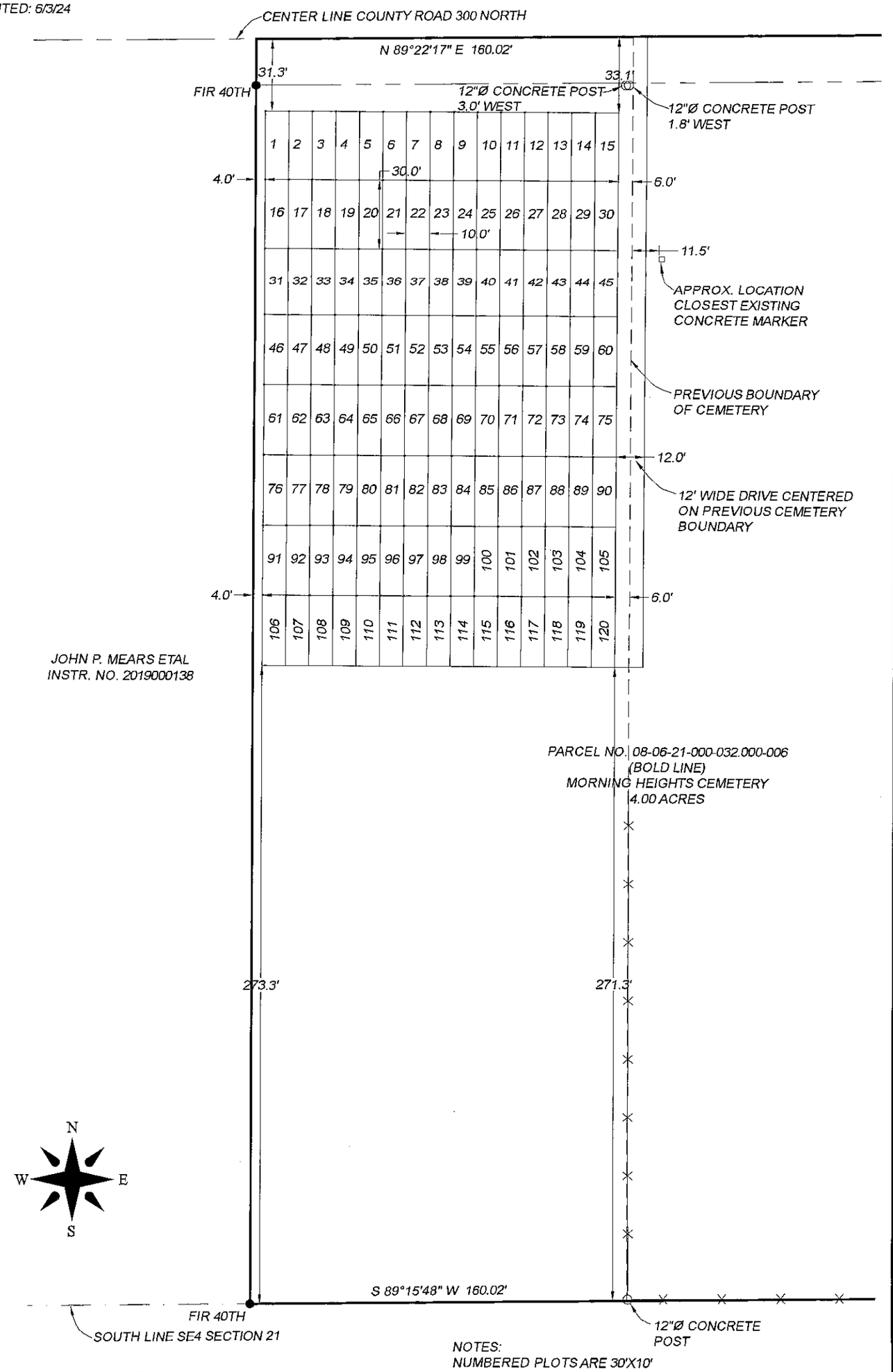
SETH JOHNSON REGISTERED No. LS21300001 STATE OF INDIANA LAND SURVEYOR

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Seth Johnson

This Instrument prepared by Seth Johnson, 555 Market Road, Tipton, IN 46072.

PAGE 2 OF 2
JOB NO.: 22-136
PRINTED: 6/3/24

MORNING HEIGHTS CEMETERY, DELPHI



NOTES:
NUMBERED PLOTS ARE 30'X10'

THIS IS NOT INTENDED TO BE A BOUNDARY SURVEY

LEGEND

● FIR 40TH - DENOTES 5/8 INCH DIAMETER REBAR WITH ORANGE PLASTIC CAP STAMPED "FIRM 0047" FOUND

0' 50' 100' 150'

SCALE: 1 INCH = 50 FEET

555 MARKET ROAD
TIPTON, IN 46072
PHONE 765-675-6455
e-mail: sj.40th@gmail.com

40th PARALLEL SURVEYING LLC