

**TOWN OF WHITESTOWN, INDIANA
RESOLUTION NO. 2020-16**

**A RESOLUTION CONCERNING INTEREST IN AND THE
AUTHORITY TO PURCHASE OR ACQUIRE PROPERTY**

WHEREAS, Indiana law authorizes the Town Council of the Town of Whitestown, for itself and on behalf of Whitestown Municipal Utilities (“Whitestown”), to accept, purchase, or otherwise acquire property interests as the Town Council considers necessary and appropriate; and

WHEREAS, Whitestown is undertaking a utility project (“Project”), which will require Whitestown to obtain the property generally identified in the attached Exhibit A (“Property”); and

WHEREAS, Indiana Code § 36-1-10.5-5 directs, under certain circumstances which may be applicable here, that the Town Council pass a resolution to the effect that it is interested in making a purchase of specified land or a structure; and

WHEREAS, the Town Council believes that it is in the best interest of Whitestown to obtain the necessary or appropriate Property and desires to authorize the acquisition thereof.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Whitestown, Indiana hereby declares its interest in purchasing or obtaining necessary or appropriate interests in the Property attached hereto as Exhibit A, or as may otherwise be necessary or appropriate to effectuate the Project. The Town Council further authorizes the Town Manager or Public Works Director, with the assistance of the Town’s legal counsel, utility staff, and/or other consultants, to take all necessary and appropriate action to obtain the Property for the Project, including but not limited to accepting dedication, negotiating, purchasing, obtaining appraisals, extending uniform offers, acquiring, or filing acquisition proceedings, provided that such actions and costs are reasonably and appropriately within the scope of the applicable funding and attempting wherever proper to conserve taxpayer and/or customer expense.

PASSED AND ADOPTED BY THE WHITESTOWN, INDIANA TOWN COUNCIL
THIS 14th DAY OF OCTOBER, 2020, by a vote of _____ in favor and _____ against.

THE TOWN COUNCIL OF THE
TOWN OF WHITESTOWN, INDIANA

Clinton Bohm, President

ATTEST:

Matt Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

3934974

20' Waterline Easement

A part of the West Half of the Southwest Quarter of Section 23, Township 18 North, Range 1 East, Boone County, Indiana, and being part of the lands of Alan D. Cragun described in Instrument No. 0005324 and described as follows:

Commencing at southwest corner of the southwest quarter of Section 23; Thence North 88° 17' 22" East 1,327.93 feet along the south section line thereof to the southeast corner of the west half of the southwest quarter; Thence North 00° 37' 58" West 325.31 along the east line of said west half to the Point of Beginning of the parcel herein described; Thence passing through the land of the Grantors for the following eight (8) courses; (1) along the arc of a curve to the left, having a radius of 295.00 feet, a delta of 59° 58' 54", a chord bearing of North 60° 36' 11" West, a chord distance of 294.92 feet, for an arc length of 308.83 feet; (2) South 89° 24' 22" West 141.10 feet; (3) North 88° 10' 17" West 591.46 feet; (4) North 84° 38' 59" West 87.18 feet; (5) North 70° 39' 44" West 82.65 feet; (6) North 53° 34' 32" West 85.56 feet; (7) North 33° 19' 54" West 87.33 feet; (8) North 13° 40' 19" West 110.93 feet to the eastern boundary of existing waterline easement established by Instrument No. 2009000010138 to the Town of Whitestown; Thence along said existing easement North 00° 35' 52" West 102.05 feet; Thence passing through the lands of the Grantor the following nine (9) course; (1) South 11° 54' 14" East 99.99 feet; (2) South 13° 40' 19" East 106.92 feet; (3) South 33° 19' 54" East 80.29 feet; (4) South 53° 34' 32" East 78.99 feet; (5) South 70° 39' 44" East 77.19 feet; (6) South 84° 38' 59" East 84.11 feet; (7) South 88° 10' 17" East 590.42 feet; (8) North 89° 24' 22" East 140.68 feet; (9) along the arc of a curve to the right, having a radius of 315.00 feet, a delta of 54° 10' 31", a chord bearing of South 63° 30' 23" East, a chord distance of 286.87 feet for an arc length of 297.84 feet to the east line of the Grantors; Thence along the east line of the Grantors South 00° 37' 58" East 36.79 feet to the Point of Beginning containing 0.701 acres of land, more or less.

20' Waterline Easement

A part of the East Half of the Southwest Quarter of Section 23, Township 18 North, Range 1 East, Boone County, Indiana, and being part of the lands of Margaret F. Smith described in Instrument No. 201200004875 and described as follows:

Commencing at a point on the north boundary of C.R. 400, which point is the southwesterly corner of the Grantor's land. North 00° 37' 58" West 325.31 feet along Grantor's west line to the northern boundary of C.R. 400 established by Instrument No. 2019011595 to the State of Indiana and being the Point of Beginning of the parcel herein described; Thence continuing along said west line North 00° 37' 58" West 36.79 feet; Thence passing through the lands of the Grantor the following four (4) courses; (1) along the arc of a curve to the right, having a radius of 315.00 feet, a delta of 29° 26' 09", a chord bearing of South 21° 42' 24" East, a chord distance of 160.06 feet for an arc length of 161.83 feet; (2) South 34° 36' 08" East 28.27 feet; (3) North 90° 00' 00" East 236.32 feet; (4) South 00° 00' 00" West 54.70 feet to the northern boundary of existing waterline easement established by Instrument No. 200900008947 to the Town of Whitestown; Thence along said existing easement North 85° 20' 12" West 20.07 feet; Thence continuing through the lands of the Grantor the following three (3) course; (1) North 00° 00' 00" East 33.07 feet (2) North 90° 00' 00" West 56.18 feet: (3) South 00° 00' 00" East 31.61 feet to the northern boundary of said existing waterline easement; Thence South 89° 10' 07" West 20.00 feet; Thence continuing through of lands of the Grantor the following two (2) courses; (1) North 00° 00' 00" East 31.90 feet; (2) North 90° 00' 00" West 150.65 feet to said northern boundary of C.R. 400; thence along said northern boundary North 34° 36' 08" West 43.77 feet; Thence continuing with said northern boundary along the arc of a curve to the left, having a radius of 295.00 feet, a delta of 24° 34' 14", a chord bearing of North 18° 20' 03" West, a chord distance of 125.54 feet, for an arc length of 126.51 feet to the Point of Beginning containing 0.224 acres of land, more or less.