

**TOWN OF WHITESTOWN, INDIANA
RESOLUTION NO. 2022-16**

**A RESOLUTION CONCERNING INTEREST IN AND THE
AUTHORITY TO PURCHASE OR ACQUIRE PROPERTY
Recreation Trail Project - Hockett**

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

WHEREAS, Whitestown is undertaking a project for a recreational trail (“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.

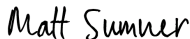
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Whitestown, Indiana hereby declares its interest in purchasing or obtaining necessary or appropriate interests in the Property attached hereto as Exhibit A, or as may otherwise be necessary or appropriate to effectuate the Project. The Town Council further authorizes the Town Manager and/or the Parks Director, with the assistance of the Town’s legal counsel, parks and recreation 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. The Town Manager and/or Parks Director is further authorized to take all actions and execute any documents on behalf of Whitestown as may be necessary or appropriate to complete the purchase of the Property, including but not limited to executing closing documents and materials necessary to procedure title insurance for the Property.

PASSED AND ADOPTED by the Whitestown, Indiana Town Council this 13th day of July, 2022, by a vote of 4 in favor and 0 against.

THE TOWN COUNCIL OF THE
TOWN OF WHITESTOWN, INDIANA


Clinton Bohm, President

ATTEST:
DocuSigned by:


Matt Sumner

0A9483A78E9B4B5
Matt Sumner, Clerk-Treasurer
Town of Whitestown, Indiana

Exhibit A

Legal Description:

PARCEL I: The north half of the abandoned railroad right-of-way corridor, lying south of and adjacent to Tract 1 as shown on an ALTA Survey by Hause Surveying & Engineering, certified May 15, 2015, as Project No. 15A133, and recorded in Book 15, pages 63-64, in the Office of the Recorder of Boone County, Indiana, being part of a certain line of railroad situate in the County of Boone, State of Indiana, and being part of the Cleveland, Cincinnati, Chicago and St. Louis line of railroad known as the Penn Central Cincinnati-Kankakee Main Line; where such line enters the County near Zionsville, passes through Whitestown, Lebanon and Hazelrigg, and leaves the County near Thorntown. The line of the railroad described herein is identified as Line Code 8312 in the records of the United States Railway Association; and being part of the west half of the Northwest Quarter of Section 20 and part of the east half of the Northeast Quarter of Section 19, all in Township 18 North, Range 2, Boone County, Indiana.

Commonly known as CR 400 S Connector Rd, Whitestown, Indiana 46075

PARCEL II: All that strip or parcel of land situate in the Township of Worth, County of Boone, State of Indiana, being part of the Northeast Quarter of the Southeast Quarter and part of the Southeast Quarter of the Northwest Quarter of Section 20, Township 18 North, Range 2 East, described as follows:

Beginning at the North/South Half Section Line of said Section 20 as extended across the right of way of said railroad through a point in the centerline thereof at Railroad Valuation Station 6828+45, the same being the Westerly sale line of property conveyed from said Grantor to Thomas O. Fulkerson and Sam T. Fonner by deed dated July 2, 1987; thence extending in a Northwesterly direction along the centerline of said railroad a distance of 1,470 feet, more or less, to the West line of said Southeast Quarter of the Northwest Quarter of said Section 20 as extended across the right of way of said railroad through a point in the centerline thereof at Railroad Valuation Station 6843+15, the place of ending.

Commonly known as E 300 S, Whitestown, Indiana 46075 (adjacent to 7545 E 300 S, Whitestown, IN)