

**TOWN OF WHITESTOWN, INDIANA  
RESOLUTION NO. 2024-07**

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

**Peters Street and Hull Street Road Project**

**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, in accordance with statutory processes and requirements; and

**WHEREAS**, Whitestown is undertaking the Peters Street and Hull Street road project (the “Project”), which will require Whitestown to obtain certain real property, as generally identified in the attached Exhibit A (the “Property”); and

**WHEREAS**, Indiana Code § 36-1-10.5-5, *et seq.* (the “Code”) provides that the Town Council, acting as the Whitestown fiscal body, may adopt a resolution to the effect that it is interested in making a purchase of specified land or a structure and authorizing a purchasing agent to carry out such purchase; and

**WHEREAS**, the Town Council believes that it is in the best interest of Whitestown to acquire the Property in order to facilitate the Project, and desires to authorize the Town Manager or his/her designee, as the purchasing agent, to effectuate the acquisition thereof in accordance with the Code.

**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 his/her designee, 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 in accordance with the Code, 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.

**(Signature Page to Follow)**

**PASSED** by the Town Council of the Town of Whitestown, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.

**THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA**

\_\_\_\_\_  
Dan Patterson, President

\_\_\_\_\_  
Tanya Sumner, Vice President

\_\_\_\_\_  
Cheryl Hancock

\_\_\_\_\_  
Tobe Thomas

\_\_\_\_\_  
Eric Nichols

ATTEST:

\_\_\_\_\_  
Matt Sumner, Clerk-Treasurer