

RESOLUTION 2022-04

RESOLUTION OF THE BOARD OF DIRECTORS OF THE INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION

A RESOLUTION establishing that the Board of Directors of the Indianapolis Public Transportation Corporation, is interested in making a purchase of specified land.

WHEREAS, the Indianapolis Public Transportation Corporation (IPTC) in a municipal corporation pursuant to Indiana Code 36-9-4-10; and

WHEREAS, Indiana Code 36-19-4-14 establishes management of the Corporation by a Board of Directors; and

WHEREAS, Indiana Code 36-9-4-30 authorizes the Board of Directors to acquire real property through purchase; and

WHEREAS, the addition of bus rapid transit lines requires an expansion of service requiring additional vehicles and staffing; and

WHEREAS, the current location of IndyGo's maintenance garage lacks the needed space to house and perform necessary maintenance of the necessary fleet; and

WHEREAS, the property located at 9625 E. 33rd Street, immediately adjacent to the future site of IndyGo headquarters provides a maintenance garage; and

WHEREAS, the location also provides additional space for a training course for new operators and Commercial Driver's License (CDL) testing; and

WHEREAS, the IPTC Board of Directors having considered the acquisition and being duly advised, finds that the Board of Directors has as an interest in acquiring the Real Estate:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE INDIANAPOLIS PUBLIC TRANSPORTATION CORPORATION:

Section 1. The Board of Directors desires to exercise its authority under Indiana Code 36-9-4-30 for the acquisition of real property to accommodate increased staff and vehicle inventory, an additional maintenance garage and area for conducting CDL testing and training course.

Section 2. The Board of Directors establishes that it has an interest in the acquiring the Real Estate and described and depicted in Exhibit "A" attached hereto.

Section 3. For purposes of Revised Code Sec. 151-66, the Real Estate is owned by the Ascona REM Corporation.

Section 4. The Board hereby having directed the CEO and President, on behalf of the Indianapolis Public Transportation Corporation, to appoint two (2) appraisers to appraise the fair market value of the Real Estate and to provide a copy of both appraisals to the Chair of the Board of Directors of Indianapolis Public Transportation Corporation.

Section 5. That upon receipt of those appraisals the Board hereby directs the CEO and President to enter into negotiations for the purchase of said property in an amount not to exceed the average of the two fair market price appraisals.

Section 6. In the event that purchase of the property is not successful, the Board hereby directs the CEO and President to initiate acquisition through eminent domain. This Resolution shall be in full force and effect from and after its adoption and compliance with all laws pertaining thereto.

Section 6. If any section, paragraph, or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of any such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Adopted this 28th day of July 2022.

BOARD OF DIRECTORS, INDIANAPOLIS
PUBLIC TRANSPORTATION CORPORATION

Gregory F. Hahn
Chairman of the Board of Directors

Attest: _____

Jill D. Russell, Chief Legal Officer
Indianapolis Public Transportation Corporation