

INTRODUCED: 06/29/2009

REFERRED TO: Public Works Committee

SPONSOR: Councillor Evans

DIGEST: approves and authorizes execution of an agreement between the City of Indianapolis and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements in Marion and Hamilton Counties

SOURCE:

Initiated by: Department of Public Works

Drafted by: Andrea Brandes, Assistant Corporation Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____

Date: June 25, 2009

CITY-COUNTY COUNCIL SPECIAL ORDINANCE NO. _____, 2009

A COUNCIL SPECIAL ORDINANCE approving and authorizing execution of an agreement between the City of Indianapolis and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements in Marion County, Indiana, and Hamilton County, Indiana.

WHEREAS, the Board of Public Works, by Resolution No. 55, 2009, approved an agreement between the Consolidated City of Indianapolis, Marion County, Indiana, and Hamilton County, Indiana, for the exercise of eminent domain authority and the construction of highway and drainage improvements to 96th Street from Sycamore Road to Towne Road, including the intersection of Towne Road, in Marion County, Indiana, and authorized the Director of the Department of Public Works to sign said agreement on behalf of the Consolidated City of Indianapolis, Marion County, Indiana; and

WHEREAS, said agreement is in the best interests of the Consolidated City of Indianapolis, Marion County, Indiana, now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Interlocal Agreement between the Consolidated City of Indianapolis, Marion County, Indiana, and Hamilton County, Indiana, as approved by the Board of Public Works by Resolution No. 55, 2009, is hereby approved and ratified, and the Clerk is directed to attach a copy of such Board of Public Works Resolution and agreement to the official copy of this Special Ordinance, and insert a copy of the same into the permanent minutes of the Council.

SECTION 2. The Director of the Department of Public Works is authorized to execute said agreement on behalf of the Consolidated City of Indianapolis, Marion County, Indiana.

SECTION 3. Hamilton County, Indiana, is hereby authorized to exercise eminent domain authority and construct highway and drainage improvements to 96th Street to 96th Street from Sycamore Road to Towne Road, including the intersection of Towne Road, in Marion County, Indiana, in compliance with Indiana Code § 36-1-3-9(c), Indiana Code § 36-1-7-2, Indiana Code § 36-1-7-3, Indiana Code § 36-3-4-18(a), Indiana Code § 36-9-2-17, and Indiana Code § 36-9-2-18.

SECTION 4. This Special Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2009, at _____ p.m.

ATTEST:

Bob Cockrum
President, City-County Council

Melissa Thompson
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2009, at 10:00 a.m.

Melissa Thompson
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2009.

Gregory Ballard, Mayor