

RESOLUTION NO. 3 -2009

**A RESOLUTION APPROVING THE TRANSFER OF PROPERTY  
WITH THE TOWN OF UTICA, A GOVERNMENTAL ENTITY**

**WHEREAS**, this Board of Commissioners of Clark County, Indiana (this "Board"), is the county executive body pursuant to the provisions of IC 36-2-2-2; and,

**WHEREAS**, this Board periodically purchases road salt for the use and benefit of its Highway Department; and,

**WHEREAS**, this Board has been approached by the Town of Utica (the "Town"), a governmental entity as defined in the Indiana Code, to purchase a truck load of road salt from this Board at the bid price that the Board most recently purchased such road salt; and,

**WHEREAS**, this Board deems it to be in the best interests of the County and its citizens, including without limitation the citizens of the Town, to accommodate the Town's request; and,

**WHEREAS**, this Board now adopts this Resolution pursuant to the provisions of IC 36-1-11-8 to effect the transfer of one (1) load of road salt to the Town pursuant to the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by this Board of Clark County Commissioners as follows:

1. The County Highway Department shall make available to the Town of Utica, Indiana, a truck load of road salt, consisting of approximately eight (8) tons, stored at the County Highway Garage for immediate pickup by the Town.

2. The Town shall pay this Board the sum of \$55.00 per ton of road salt obtained from the County Highway Department, or \$440.00, by not later than December 31, 2009.

3. This Resolution shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Resolved this 19<sup>TH</sup> day of February, 2009.

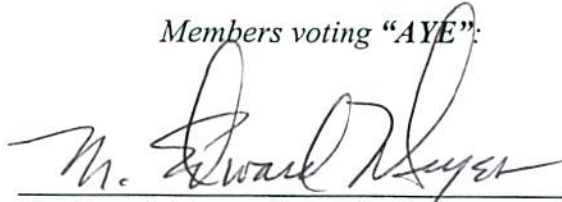
*Members voting "NAY":*

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M. Edward Meyer, Commissioner

\_\_\_\_\_  
Mike Moore, Commissioner

\_\_\_\_\_  
Les Young, Commissioner

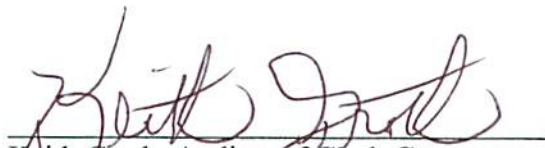
*Members voting "AYE":*

  
M. Edward Meyer, Commissioner

  
Mike Moore, Commissioner

  
Les Young, Commissioner

*Attested by:*

  
Keith Groth, Auditor of Clark County

**IC 36-1-11-8**

**Statutes and Session Law**

**TITLE 36. LOCAL GOVERNMENT**

**ARTICLE 1. GENERAL PROVISIONS**

**IC 36-1-11-8 Exchange of property with governmental entity**

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**IC 36-1-11-8 Exchange of property with governmental entity**

Chapter 11. Disposal of Real or Personal Property

Sec. 8. A transfer or exchange of property may be made with a governmental entity upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity. Such a transfer may be made for any amount of real property, cash, or other personal property, as agreed upon by the entities.

As added by Acts 1981, P.L. 57, SEC.37.

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**RESOLUTION NO. \_\_\_\_\_-2009**

**A RESOLUTION OF THE TOWN OF UTICA APPROVING  
THE TRANSFER OF PROPERTY (ROAD SALT) FROM  
CLARK COUNTY, INDIANA, A GOVERNMENTAL ENTITY**

**WHEREAS**, the Town of Utica, Indiana (the "Town"), is a governmental entity as defined by the Indiana Code; and,

**WHEREAS**, the Town is responsible for the maintenance of streets within the Town, including snow removal; and,

**WHEREAS**, the Town has identified the need to acquire road salt for such maintenance purposes, and deems it to be in the best interests of the Town to attempt to acquire such road salt from Clark County, Indiana (the "County"), as this Board is aware that the County has obtained a supply of road salt at an economically attractive unit price; and,

**WHEREAS**, this Town Council now adopts this Resolution pursuant to the provisions of IC 36-1-11-8 to effect the acquisition and transfer from the County of one (1) load of road salt to the Town pursuant to the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by this Town Council of the Town of Utica, Indiana, as follows:

1. The Town Street Department shall make arrangements to pick up a truck load of road salt, consisting of approximately eight (8) tons, stored at the County Highway Garage at a time convenient to the Town Street Department.

2. The Town shall pay the Board of Commissioners of Clark County, Indiana, the sum of \$55.00 per ton of road salt obtained from the County Highway Department, or \$440.00, by not later than December 31, 2009.

3. This Resolution shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Town Council.

So Resolved this \_\_\_\_\_ day of February, 2009.

**TOWN COUNCIL OF THE  
TOWN OF UTICA, INDIANA**

By: \_\_\_\_\_  
Town Council President

*Attested by:*

\_\_\_\_\_  
Town of Utica Clerk-Treasurer