

SECOND AMENDED RESOLUTION NO. 2016-02

A SECOND AMENDED RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF HUNTINGTON, INDIANA

WHEREAS, the improvement of County Road 900 North in Huntington County has commenced under Project No. 1400605 ("highway improvement project"), and the Board of Commissioners of the County of Huntington, Indiana ("Board") has authorized the highway improvement project in Huntington County, Indiana;

WHEREAS, construction and other deadlines have been established in connection with the highway improvement project, and if these deadlines are not met, the highway improvement project will be delayed and delay claims may be incurred;

WHEREAS, as part of the highway improvement project, certain real estate interests in Huntington County, Indiana have been or are in the process of being acquired or condemned through the power of eminent domain;

WHEREAS, the deadlines established for construction and other activities related to the highway improvement project require that the activities related to the acquisition of the real estate interests need to proceed as expeditiously as possible;

WHEREAS, the acquisition of real estate interests by the Board for the highway improvement project requires that certain documents be executed by and/or on behalf of the Board, including Indiana Department of Transportation ("INDOT") Real Estate Division vouchers, informal and formal settlement memorandums authorizing and approving settlement authority and final settlement in and/or other disposition of the condemnation proceedings and Agreed Findings and Judgments in the condemnation proceedings;

WHEREAS, the Board previously ratified the signature of Troy Hostetler, Huntington County Highway Superintendent, on previously-executed INDOT Real Estate Division Vouchers, Waiver Valuations, Statements for the Basis of Just Compensation and Administrative Settlements on behalf of the Board in order to process payment for the real estate interests needed and acquired for the highway improvement project without initiating condemnation proceedings in court;

WHEREAS, in the interest of expediting the real estate acquisition process for the highway improvement project, Tom Wall, President of the Board, Larry Buzzard, Vice President of the Board, and Robert Miller, Commissioner,

should be authorized to sign all documents relating to the acquisition of real estate interests for the highway improvement project, including INDOT Real Estate Division vouchers, informal and formal settlement memorandums authorizing and approving settlement authority and final settlement in and/or other disposition of the condemnation proceedings and Agreed Findings and Judgments in the condemnation proceedings on behalf of the entire Board;

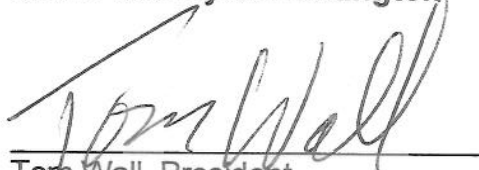
WHEREAS, on September 25, 2015, the Board adopted Amended Resolution No. 2015-17, in which it agreed, approved and ratified Troy Hostetler's signature on certain documents that he previously executed on behalf of the Board for the highway improvement project, and authorized agreed and approved Tom Wall, President of the Board, to sign certain documents on behalf of the Board; however, Amended Resolution No. 2015-17 did not include, and should include, that Larry Buzzard, Vice-President of the Board, and Robert Miller are authorized to sign all documents relating to the acquisition of real estate interests for the highway improvement project, including INDOT Real Estate Division vouchers, informal and formal settlement memorandums authorizing and approving settlement authority and final settlement in and/or other disposition of the condemnation proceedings and Agreed Findings and Judgments in the condemnation proceedings on behalf of the entire Board, and all the documents that Larry Buzzard previously signed on behalf of the Board are ratified;

NOW, THEREFORE BE IT HEREBY RESOLVED that, based on the foregoing information, the Board agrees, approves and ratifies signatures previously made by Larry Buzzard, Vice President of the Board, on all previously-executed INDOT Real Estate Division vouchers, informal and formal settlement memorandums authorizing and approving settlement authority and final settlement in and/or other disposition of the condemnation proceedings and Agreed Findings and Judgments in the condemnation proceedings signed on behalf of the Board;

NOW, THEREFORE BE IT HEREBY FURTHER RESOLVED that, based on the foregoing information, the Board authorizes, agrees and approves that Tom Wall, President of the Board, Larry Buzzard, Vice President of the Board, and Robert Miller are authorized to sign all documents pertaining to the highway improvement project, including INDOT Real Estate Division vouchers, informal and formal settlement memorandums authorizing and approving settlement authority and final settlement in and/or other disposition of condemnation proceedings and Agreed Findings and Judgments in condemnation proceedings, on behalf of the entire Board, and all the documents that Tom Wall, Larry Buzzard or Robert Miller previously signed on behalf of the Board are ratified. The effect of Tom Wall, Larry Buzzard or Robert Miller signing any document relating to the highway improvement project shall be as if all members of the Board signed the document.

Adopted February 22nd, 2016.

**The Board of Commissioners
of the County of Huntington,**


Tom Wall, President

Larry Buzzard, Vice-President


Robert Miller, Member

ATTEST:


Robert S. Garrett
Huntington County, Indiana Attorney

