

**RESOLUTION NO. 07-21**

**RESOLUTION OF THE COMMON COUNCIL OF THE  
CITY OF WEST LAFAYETTE, INDIANA AUTHORIZING THE  
REDEVELOPMENT COMMISSION  
TO EXERCISE THE CITY'S  
POWER OF EMINENT DOMAIN**

WHEREAS, the Common Council of the City of West Lafayette, Indiana established a Redevelopment Commission ("RDC") and Department of Redevelopment by Ordinance No. 6-89; and

WHEREAS, the RDC has approved the Yeager Road Project (the "Project") to improve traffic flow and provide additional benefits to the citizens of the City; and

WHEREAS, the Yeager Road Project includes parcels of real estate that have been determined to be necessary for the City to obtain to proceed with the Project; and

WHEREAS, the owners of certain parcels are set forth on Exhibit A attached hereto ("Owners"); and

WHEREAS, the RDC, acting by and through the Office of the City Engineer, has determined that it is necessary to acquire the parcels from the Owners and that it may be necessary during the acquisition process for the City to exercise its right of eminent domain; and

WHEREAS, pursuant to I.C. 36-7-14-20, the RDC has requested the Common Council to adopt a resolution to exercise the City's power of eminent domain to acquire the parcels and direct the Corporation Counsel to file petitions in court to acquire parcels should it become necessary.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Lafayette, Indiana, as follows:

1. The Common Council considers that it may be necessary that the City acquire certain parcels of real estate from some of the owners set forth on Exhibit A, attached hereto and made a part hereof, by the authorization of the use of the power of eminent domain by the West Lafayette Redevelopment Commission.

2. Corporation Counsel is hereby authorized to file petitions in the Circuit or Superior Courts of Tippecanoe County, Indiana in the name of the City on behalf of the Redevelopment Commission and to take any other action under the laws of the State of Indiana and City of West Lafayette to effectuate the acquisition of parcels as may be necessary for the Project.

THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND SIGNING BY THE MAYOR.

INTRODUCED ON FIRST READING ON THE 3 DAY OF May, 2021.

MOTION TO ADOPT MADE BY COUNCILOR DeBoer, AND  
SECONDED BY COUNCILOR Thomas.

DULY RESOLVED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE  
CITY OF WEST LAFAYETTE, INDIANA, ON THE 3 DAY OF  
May, 2021, HAVING BEEN PASSED BY A VOTE OF 9 IN FAVOR  
AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco	✓			
Brown	✓			
Bunder	✓			
DeBoer	✓			
Kang	✓			
Leverenz	✓			
Parker	✓			
Sanders	✓			
Thomas	✓			

  
Peter Bunder, Presiding Officer

Attest:

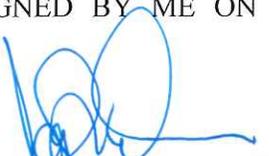
  
Sana G. Booker, Clerk



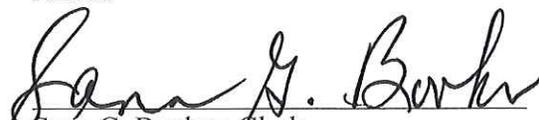
PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA  
ON THE 4 DAY OF May, 2021.

  
Sana G. Booker, Clerk

THIS RESOLUTION APPROVED AND SIGNED BY ME ON THE 4 DAY OF  
May, 2021.

  
John R. Dennis, Mayor

Attest:

  
Sana G. Booker, Clerk



**Resolution No. 07-21**  
**EXHIBIT A**

Parcel 1 - Johnson Realty Co, Inc. – 1215 Potter Drive

Parcel 3 – Lafayette TV, LLC – 2605 Yeager Road

Parcel 7 – 1201 Cumberland LLC – 1201 Cumberland Avenue

Parcel 14 – Kelly – 2700 Yeager Road

Parcel 19 – Davis – 2900 Yeager Road

Parcel 23 – Thoong/Tong – 2940 Yeager Road