

**NOTICE OF DETERMINATION TO SELL DRAINAGE EASEMENT FOR BRIAR  
CREEK SUBDIVISION AND NOTICE OF OFFERING PRICE**

In accordance with Ind. Code 36-1-11-5, notice is hereby given by the Town of Whiteland (the “Town”) that the Town seeks to sell a drainage easement interest in an approximately 1.22 acre part of the 10.296 acre tract of real property owned by the Town and identified as Parcel No. 41-05-28-042-011.001-028 depicted on the attached Exhibit A (the “Town Property”), which 1.22 acre part is legally described and depicted on the attached Exhibit B, (the “Drainage Easement Area”). The Town’s offering price for the drainage easement upon the Drainage Easement Area (the “Drainage Easement”) is \$9,060.00, plus all costs associated with the sale, including any appraisal fees, title insurance, recording fees, and advertising costs (the “Offering Price”) as determined in Whiteland Town Council Resolution No. 2024-06. However, if the Town receives an eligible offer (“Bid”) to purchase the Drainage Easement at or in excess of the Offering Price, the Town will negotiate to sell the Drainage Easement to the highest and best qualified offeror, subject to compliance with Ind. Code 36-1-11-5, and subject to the Town reserving the right to reject all bids. The deadline for receiving Bids for the purchase of the Drainage Easement is September 3, 2024, at 1:30 P.M. (EDT). All Bids shall be made by completing the attached Bid Form For Purchase of Drainage Easement and submitting the Bid via email to the Town’s Director of Administration, Carmen Young, at [cyoung@whiteland.in.gov](mailto:cyoung@whiteland.in.gov), and the Town Attorney, Stephen Watson, at [swatson@wbwlawyers.com](mailto:swatson@wbwlawyers.com), or by delivering the Bid to the Whiteland Clerk-Treasurer at the Whiteland Town Hall, 549 E Main Street, Whiteland, IN 46184, no later than 1:30 PM on Tuesday, September 3, 2024, at which time all bids will be publicly read aloud. Bids received after 1:30 p.m. on September 3, 2024, will not be accepted and will be returned unopened. The Town further provides notice that: (1) the Drainage Easement may not be sold to a person who is ineligible under Ind. Code 36-1-5-16, and (2) an offer to purchase the Drainage Easement submitted by a trust (as defined by Ind. Code 30-4-1-1(a)) must also identify each beneficiary of the trust and settlor empowered to revoke or modify the trust. The Town of Whiteland reserves the right to waive any informality or variances or allow a Bidder to correct errors, omissions, or other irregularities in Bids that are found not to have afforded the Bidder a substantial competitive advantage over other Bidders. Questions concerning this invitation for bids should be directed to Carmen Young, Whiteland Director of Administration, at (317) 530-0206 or [cyoung@whiteland.in.gov](mailto:cyoung@whiteland.in.gov).

This Notice is being published on the Town’s official website at [www.townofwhiteland.com](http://www.townofwhiteland.com) on the 23<sup>rd</sup> day of August 2024 and sent via certified mail to the landowners abutting the Drainage Easement Area.

Carmen Young,  
Whiteland Director of Administration

## EXHIBIT A

### General Depiction and Legal Description of the Town Property

(Parcel Number: 41-05-28-042-011.001-028)



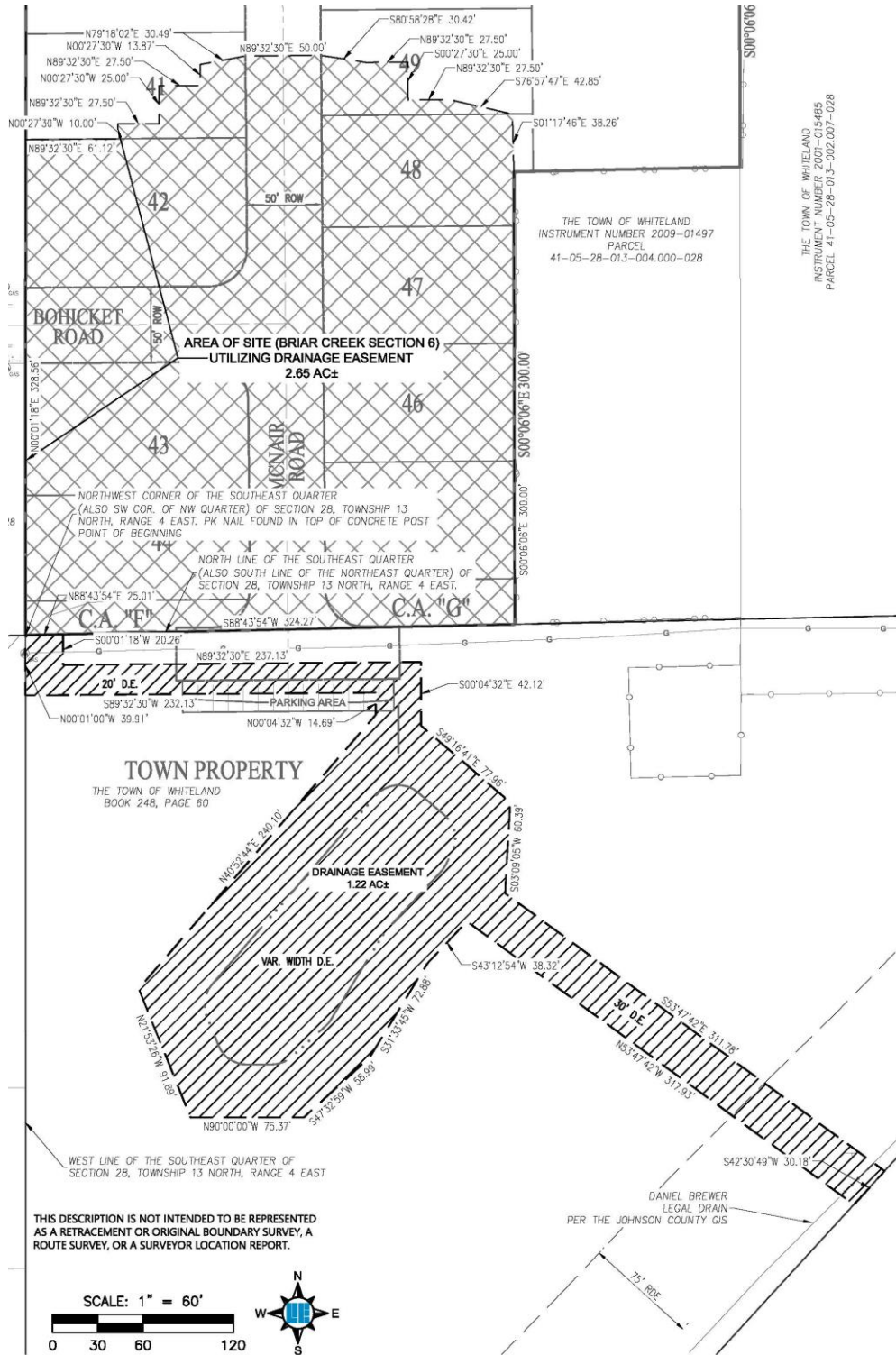
### Legal Description of the Town Property

A part of the Southeast quarter of Section 28, Township 13 North, Range 4 East of the Second Principal Meridian, Pleasant Township, Johnson County, Indiana, described as follows:

Beginning at the Northwest corner of said Southeast quarter section as evidenced by an "X" cut in the top of a concrete post (found); thence North 89 degrees 06 minutes 28 seconds East (assumed bearing) on and along the North line of said Southeast quarter section 912.00 feet to a point in the center of the Brewer Ditch; thence South 42 degrees 25 minutes 12 seconds West and with the approximate center of said ditch 1351.83 feet to a point on the West line of said Southeast quarter section; thence North 00 degrees 00 minutes 00 seconds East on and along the said West line 983.75 feet to the Place of Beginning, containing 10.296 acres, more or less.

# EXHIBIT B (page 1 of 2)

## Depiction of Easement Area



**EXHIBIT B (page 2 of 2)**  
**Legal Description of Easement Area**

A PART OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN SITUATED IN PLEASANT TOWNSHIP, JOHNSON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER NORTH 88 DEGREES 43 MINUTES 54 SECONDS EAST 25.01 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 18 SECONDS WEST 20.26 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 30 SECONDS EAST 237.13 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 32 SECONDS EAST 42.12 FEET; THENCE SOUTH 49 DEGREES 16 MINUTES 41 SECONDS EAST 77.96 FEET; THENCE SOUTH 03 DEGREES 09 MINUTES 05 SECONDS WEST 60.39 FEET; THENCE SOUTH 53 DEGREES 47 MINUTES 42 SECONDS EAST 311.78 FEET; THENCE SOUTH 42 DEGREES 30 MINUTES 49 SECONDS WEST 30.18 FEET; THENCE NORTH 53 DEGREES 47 MINUTES 42 SECONDS WEST 317.93 FEET; THENCE SOUTH 43 DEGREES 12 MINUTES 54 SECONDS WEST 38.32 FEET; THENCE SOUTH 31 DEGREES 33 MINUTES 45 SECONDS WEST 72.88 FEET; THENCE SOUTH 47 DEGREES 32 MINUTES 59 SECONDS WEST 58.99 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 75.37 FEET; THENCE NORTH 21 DEGREES 53 MINUTES 26 SECONDS WEST 91.89 FEET; THENCE NORTH 40 DEGREES 52 MINUTES 44 SECONDS EAST 240.10 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 32 SECONDS WEST 14.69 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 30 SECONDS WEST 232.13 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 01 MINUTES 00 SECONDS WEST 39.91 FEET TO THE **POINT OF BEGINNING**, CONTAINING 1.22 ACRES, MORE OR LESS.

**BID FORM**  
**For Purchase of Drainage Easement**

THE UNDERSIGNED BIDDER, hereby offers to purchase from the Town of Whiteland (the "Town") a Drainage Easement across the Drainage Easement Area identified on Exhibit B attached to the Notice of Determination to Sell Drainage Easement for Briar Creek Subdivision and Notice of Offering Price, for the following price:

\$ \_\_\_\_\_  
(which must be no less than \$9,060.00, plus all costs associated with the sale, including any appraisal fees, title insurance, recording fees, and advertising costs)

It is understood and agreed that:

1. The Bid is subject to the Bidder and the Town agreeing to the terms of the Drainage Easement and the terms of Purchase Agreement for the purchase of the Drainage Easement.
2. The sale of the Drainage Easement is subject to compliance with the terms and procedures of Ind. Code 36-1-11-5.
3. The Town may reject all bids.
4. The Drainage Easement may not be sold to a person who is ineligible under Ind. Code 36-1-5-16. And,
5. A Bid to purchase the Drainage Easement submitted by a trust (as defined by Ind. Code 30-4-1-1(a)) must also identify each beneficiary of the trust and settlor empowered to revoke or modify the trust.

**Signature of Bidder**

Name of Bidder (Company): \_\_\_\_\_

Signed by: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_