

WHITE RIVER TOWNSHIP BOARD

RESOLUTION

**A RESOLUTION OF THE WHITE RIVER TOWNSHIP BOARD TO AMEND
RESOLUTION DATED FEBRUARY 1, 2010, "A RESOLUTION TO ADOPT AND
APPROVE THE PLAN OF REORGANIZATION BETWEEN WHITE RIVER
TOWNSHIP AND THE CITY OF GREENWOOD AS PRESENTED BY THE WHITE
RIVER TOWNSHIP-GREENWOOD REORGANIZATION COMMITTEE AND TO
PLACE SUCH PLAN OF REORGANIZATION FOR A PUBLIC VOTE PURSUANT TO
I.C. 36-1.5-4-28", AND TO ADOPT AND APPROVE THE PLAN OF
REORGANIZATION AS AMENDED**

WHEREAS, following a series of public meetings and a public hearing the White River Township Board on the 1st day of February, 2010, adopted White River Township Resolution; "A Resolution to Adopt and Approve the Plan of Reorganization between White River Township and the City of Greenwood as Presented by the White River Township-Greenwood Reorganization Committee and to Place such Plan of Reorganization for a Public Vote Pursuant to I.C. 36-1.5-4-28" "Resolution dated February 1 , 2010, taking official action approving the Plan of Reorganization presented by the Reorganization Committee pursuant to I.C. 36-1.5 *et seq.*; and

WHEREAS, on February 15, 2010 the Common Council of the City of Greenwood determined that it is in the best interest of the citizens of the City of Greenwood to place the public question of the proposed reorganization by referendum for consideration on the general election ballot November 2, 2010 and not the primary election ballot May 4, 2010, as originally scheduled in the Plan of Reorganization, to provide more time for consideration of the plan and to educate the public on its contents, and this necessitates amendments to the Plan of Reorganization; and

WHEREAS, the City of Greenwood and White River Township legislative bodies are required to take official action on the Amended Plan of Reorganization,

NOW, THEREFORE, BE IT RESOLVED BY THE WHITE RIVER TOWNSHIP BOARD OF THE COUNTY OF JOHNSON, INDIANA, THAT:

Section 1. Pursuant to the authority granted under I.C. 36-1.5 *et seq.*, the White River Township Board amends the Plan of Reorganization adopted by Resolution February 1, 2010 to change the referendum date and all other portions of the Plan of Reorganization impacted thereby accordingly, as set forth in the "Plan of Reorganization, White River Township and City of Greenwood 2009" attached hereto, denoting amendments by a change in the date on effected pages to June 7, 2010; and the White River Township Board and approves the "Plan of Reorganization, White River Township and City of Greenwood 2009" attached hereto as Exhibit "A".

Section 2. This Reorganization is not officially approved and effective until it is adopted and approved by the Common Council of the City of Greenwood and placed before the public for a vote pursuant to I.C. 36-1.5-4-32 and passes said vote.

Section 3. Notice of the proposed amendment of, and approval and adoption of the amended Plan of Reorganization was published in accordance with IC 5-3-1, which notice advised that at the White River Township Board Meeting scheduled meeting on June 28, 2010 at 5:00 p.m., the White River Township Board would receive and hear information from interested persons, and having heard and considered same, would act to amend, approve and adopt the Plan of Reorganization attached to this Resolution as Exhibit "A". Said public hearing was conducted as scheduled.

Section 4. The White River Township Board, having adopted and approved this Resolution for the Reorganization, now directs the Trustee of White River Township as the acting clerk of the Township to certify, as of this day, this Resolution and further authorizes and directs the Trustee to coordinate with the City of Greenwood Clerk/Treasurer to place the issue of the Reorganization as a public question on the November 2, 2010 general election ballot.

Section 5. This Resolution shall have no effect as to changing any other provisions of the White River Township Board dated February 2, 2010, except as set forth herein..

Section 6. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not effect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution.

Section 7. This Resolution shall be effective from and after its passage.

Adopted by the White River Township Board, County of Johnson, Indiana, this ____ day of _____, 2010.

FOR:

Mark Messick, Chairman
White River Township Board
AGAINST:

Mark W. Messick – Chairman

Mark W. Messick - Chairman

Joseph A. Acker – Secretary

Joseph A. Acker - Secretary

John H. Ebert – Member

John H. Ebert - Member

ATTEST:

“ I, Jay W. Marks, hereby certify and attest that:

- 1. I am the duly elected Trustee of White River Township, County of Johnson, Indiana: that
- 2. I am the Township Official who has the duty and authority to certify the actions of the White River Township Board; and
- 3. This proof of Certification is made this 28th day of June, 2010. The above and foregoing is a true and accurate Resolution of the White River Township Board and represents the Board’s final action on the plan of reorganization titled, “Plan of Reorganization White River Township and City of Greenwood 2009”.

This proof of Certification is made this 28th day of June, 2010.

Jay W. Marks – White River Township Trustee