

TOWN OF CLERMONT
9049 Crawfordsville Road
Clermont, IN 46234
317-291-0394

July 14, 2025

Memoranda of Executive Session

Call to Order @ 6:01 P.M.

This Executive Session was held to discuss eminent domain litigation related to 9046 Crawfordsville Road as permitted by IC 5-14-1.5-6(b)(2)(B).

The following council members, who constituted at least 50% of the members of the council, were present: Councilor Beam, Councilor Lambard, Councilor Lemaire and Councilor Topf, in person, and Councilor Sauro, remotely by Microsoft Teams.

Absent Council Member(s): None

Others present: Clerk Treasurer, Larry Beiter, Attorney Bob Lutz

Guests / Public in Attendance: None

Councilor Topf provided background on the history of our property search and the tactics of the seller of 9046 Crawfordsville Road that have brought us to the current situation. The Town made a good faith offer of \$317,500 in November 2024 based on the two independent appraisals obtained by our eminent domain attorney, KGR. The Seller's counter offer, from an agent in Texas, was \$650,000. No documented appraisals or formal offers were presented to support this number, which was significantly greater than the original listing for the property when our original real estate agent, Avison and Young, made our original offer to the seller's agent in 2023. The seller's agent was later determined to have an expired real estate license.

The court appointed appraisal for the property was \$460,000, however, this appraisal did not reference any comparable properties in Clermont, but instead used properties on major thoroughfares such as Rockville Road and 38th Street. Our attorney has not received any additional offers from the seller's attorney.

The Council discussed at length the potential value of the property, condition of the building, basis for the appraisals, and the pros and cons of continuing to pursue this purchase. The recent selling prices of buildings in Clermont were discussed as comparison. Our attorney has been minimizing their billing for this effort to conserve Town funds. Avison and Young's commission was discussed; it would be an additional cost above the appraised value of the property.

The Council agreed that Attorney Lutz should contact KGR with any final questions and the Council's preferred path forward.

No motions were made during this session. It is certified that no subject matter was discussed in the Executive Session other than the subject matter specified in the public notice.

Councilor Topf ended the Executive Session at 7:50 P.M.

The Council only received information concerning ongoing litigation, which is a proper subject of executive session pursuant to I.C. 5-14-1.5-6.1(b)(2)(B), and took no vote on any issue.

Approve: Town Council

Frank Lemaire
Michael A. Beam

Leslie M. Topf
Michael Sauro
John Lambard
Larry Beiter

Attest: Clerk Treasurer