

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	12/23/14	Meeting Date:	01/05/15
Contact Information:			
Requested by:	City Attorney Lynn Gray		
On Behalf of Organization or Individual: City of Franklin			
Telephone:	317-738-3365		
Email address:			
Mailing Address:			
Describe Request:			
Request Approval of Resolution 15-01 A Resolution Accepting Assignments of Four (4) 2014 Tax Sale Certificates from Johnson County, Indiana Pursuant to Indiana Code 6-1.1-24-9 and 36-1-11-8			
List Supporting Documentation Provided:			
Board of Works Resolution 15-01			
Who will present the request?			
Name:	Lynn Gray	Telephone:	317-738-3365

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

Resolution of the City of Franklin Board of Works

Resolution No.: 2015-01

**A RESOLUTION ACCEPTING ASSIGNMENTS OF FOUR (4) 2014 TAX SALE
CERTIFICATES FROM JOHNSON COUNTY, INDIANA PURSUANT TO
INDIANA CODE § 6-1.1-24-9 AND § 36-1-11-8**

WHEREAS, the City of Franklin by and through its Board of Works (hereinafter referred to as "City") is a government organization providing services to the citizens of Franklin, Indiana; and

WHEREAS, the Johnson County Treasurer conducted and completed its 2014 tax sale pursuant to Indiana Code 6-1.1-24 on September 12, 2014;

WHEREAS, the following real estate in Johnson County, Indiana was offered for sale in the 2014 tax sale, and an amount was not received equal to or in excess of the minimum sale price prescribed by IC. 6-1.1-24-5(e) and (f):

Key Number / Property ID #: Brief Legal Description: StreetAddress or other common description: (hereinafter referred to as "Parcel One")	41-08-14-033-041.000-009 KING'S 4TH ADD W FRANKLIN LOT 6 544 W. Jefferson, Franklin, Indiana
Key Number / Property ID #: Brief Legal Description: StreetAddress or other common description: (hereinafter referred to as "Parcel Two")	41-08-14-033-049.000-009 KING'S ADD PT LOT 16 W ½ 420 W. Jefferson Street, Franklin, IN
Key Number / Property ID #: Brief Legal Description: StreetAddress or other common description: (hereinafter referred to as "Parcel Three")	41-08-14-021-002.000-009 LINHURST ADD LOT PT 18 BLK 1 280 Circle Drive, Franklin, IN
Key Number / Property ID #: Brief Legal Description: StreetAddress or other common description: (hereinafter referred to as "Parcel Four")	41-08-14-012-025.000-009 WILSONS ADD PT LOT 6 934 Johnson Avenue, Franklin, IN

WHEREAS, pursuant to I.C. 6-1.1-24-6(a), the Johnson County Board of Commissioners ("County") acquired a lien in the amount of the minimum sale price with respect to Parcel One, Parcel Two, Parcel Three, and Parcel Four;

WHEREAS, the Johnson County Auditor has issued tax sale certificates to the County for Parcel One, Parcel Two, Parcel Three, and Parcel Four pursuant to I.C. 6-1.1-24-6(b) and 6-1.1-24-9;

WHEREAS, pursuant to I.C. 6-1.1-24-6(b), when the County acquires a certificate under I.C. 6-1.1-24-6(b), the County has the same rights as a purchaser;

WHEREAS, pursuant to I.C. 6-1.1-24-6(b), when the County acquired its lien on Parcel One, Parcel Two, Parcel Three, and Parcel Four under I.C. 6-1.1-24-6, no money was paid by the County;

WHEREAS, I.C. 6-1.1-24-9(d) authorizes the County to assign a certificate of sale held in the name of the County to any political subdivision during the life of the tax sale certificate;

WHEREAS, Parcel One, Parcel Two, Parcel Three, and Parcel Four are located in the City of Franklin, Indiana;

WHEREAS, the County and the City of Franklin, Indiana by and through its Board of Public Works and Safety ("City") have determined that it would be in the best interests of Johnson County and the City if the tax sale certificates for Parcel One, Parcel Two, Parcel Three, and Parcel Four were assigned from the County to the City, Indiana pursuant to LC. 6-1.1-24-9(d);

WHEREAS, the County and the City agree that no money shall be paid by the City for the assignment of the tax sale certificates of Parcel One, Parcel Two, Parcel Three, and Parcel Four to the City;

WHEREAS, the City desires to accept an assignment of the tax sale certificates held by the County for Parcel One, Parcel Two, Parcel Three, and Parcel Four;

WHEREAS, the City has agreed that after the tax sale certificates are assigned to the City, the City, through its lawfully authorized representatives, will give statutory notices, and, if not redeemed, perform all steps required by Indiana statutes to obtain title in the name of the City to Parcel One, Parcel Two, Parcel Three, and Parcel Four through the issuance of a tax deed from the Auditor of Johnson County;

WHEREAS, I.C. 36-1-11-8 authorizes the transfer of property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by the adoption of a substantially identical resolution by each entity;

WHEREAS, the County adopted its substantially identical resolution to authorize the assignment of the tax sale certificates for Parcel One, Parcel Two, Parcel Three, and Parcel Four held in the name of the County to the City on December 15th, 2014;

WHEREAS, the City by adopting this substantially identical resolution is authorized to accept the assignment of the tax sale certificates for Parcel One, Parcel Two, Parcel Three, and Parcel Four held in the name of the County to the City;

BE IT THEREFORE RESOLVED the City of Franklin does hereby adopt the above aforementioned as findings of fact;

IT IS FURTHER RESOLVED that following the County and City's adoption of substantially identical resolutions to authorize the assignment of the tax sale certificates for Parcel One, Parcel Two, Parcel Three, and Parcel Four held in the name of the County to the City of Franklin, Indiana, the County will assign the tax sale certificates for Parcel One, Parcel Two, Parcel Three, and Parcel Four to the City pursuant to I.C. 6-1.1-24-9(c) and (d).

IT IS FURTHER RESOLVED, that no money shall be paid by the City for the assignment of the tax sale certificates of Parcel One, Parcel Two, Parcel Three, and Parcel Four to the City;

IT IS FURTHER RESOLVED that following the assignment of the tax sale certificates, the City will give notices and take all steps necessary to obtain title to Parcel One, Parcel Two, Parcel Three, and Parcel Four. If Parcel One, Parcel Two, Parcel Three and/or Parcel Four are not redeemed, the City, through its authorized representatives will follow and comply with the required statutory procedures for the issuance of a tax title deed for Parcel One, Parcel Two, Parcel Three, and Parcel Four from the Johnson County Auditor to the City, a City incorporated with the State of Indiana, pursuant to I.C.6-1.1-25-1 et seq.

IT IS FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and as provided for by applicable law.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of _____, 2014.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Voting Opposed:

Mayor Joseph E. McGuinness

Mayor Joseph E. McGuinness

Steve Barnett

Steve Barnett

Robert Swinehamer

Robert Swinehamer

Attest:

Janet P. Alexander, Clerk Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41