

Resolution of the City of Franklin Board of Works

Resolution No.: 2015-11

**RESOLUTION ACCEPTING TRANSFER OF PROPERTY FROM THE FRANKLIN
COMMUNITY SCHOOL CORPORATION**

WHEREAS, the City of Franklin by and through its Board of Works is a government organization providing services to the citizens of Franklin, Indiana and is a disposing agent as that term is contemplated pursuant to I.C. 36-1-11-2; and

WHEREAS, the Franklin Community School Corporation ("FCSC") is an Indiana Public School Corporation organized and operating pursuant to I.C.20-26; and

WHEREAS, the City of Franklin by and through its Board of Works has authority pursuant to I.C. 36-1-11-2 to serve as disposing agent and to accept acquisition of real property with a governmental entity, including an Indiana Public School Corporation; and

WHEREAS, the City of Franklin, Indiana has requested that FCSC convey to the City of Franklin a portion of unimproved real property owned by FCSC and described in attached Exhibit "A" to be used by the City as part of Franklin's public walking trails; and

WHEREAS, I.C. 36-1-11-8 allows for the transfer or exchange of real property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical Resolutions by each entity; and

WHEREAS, FCSC has agreed to convey to the City of Franklin the above unimproved real property to be used by the City as a part of Franklin's public walking trails; as evidenced by Resolution of the Franklin Community School Corporation attached hereto as Exhibit "B"; and

WHEREAS, the City of Franklin by and through its Board of Works believes it is in the best interest of the tax payers and citizens of the City of Franklin to receive said property from FCSC without fee and to use the same for the public purpose of a walking trail as part of the public walking trails system; and

WHEREAS, the City of Franklin by and through its Board of Works does hereby receive and accept said transfer of real property from FCSC to be used by the City of Franklin as part of the Franklin public walking trails; and

BE IT THEREFORE RESOLVED that the City of Franklin by and through its Board of Works does hereby adopt the above aforementioned as findings of fact;

IT IS FURTHER RESOLVED that the City of Franklin by and through its Board of Works does agree:

1. To accept transfer and delivery of the aforementioned real estate as described above for its use as part of Franklin's public walking trails.

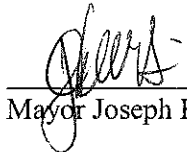
2. The proposed use of the above described real estate shall be for a civic purpose.
3. The conveyance shall be without consideration.
4. Upon approval of substantially identical Resolutions by FCSC and approval of this Resolution, the Board of Public Works does hereby authorize the Mayor of the City of Franklin to execute such documents of conveyance and transfer as may be required in order to accept conveyance from the Franklin Community School Corporation of the real estate described in Exhibit "A".

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 17 day of August, 2015.

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

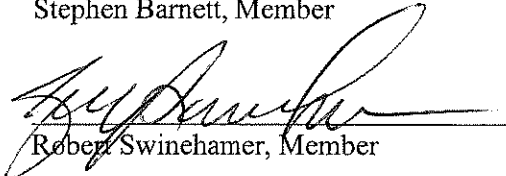
Voting Affirmative:



Mayor Joseph E. McGuinness



Stephen Barnett, Member



Robert Swinehamer, Member

Voting Opposed:

Mayor Joseph E. McGuinness

Stephen Barnett, Member

Robert Swinehamer, Member

Attest:



Janet P. Alexander, Clerk Treasurer

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