



**STATE OF INDIANA
BEFORE THE BOARD OF KOSCIUSKO COUNTY COMMISSIONERS**

RESOLUTION NO. 23-10-10-001

**APPROVAL OF THE TRANSFER OF THE HAMMON
CEMETERY FROM THE COMMISSIONERS OF KOSCIUSKO
COUNTY TO FRANKLIN TOWNSHIP**

WHEREAS, the Board of Commissioners ("Board") of Kosciusko County, Indiana ("County") is the executive body of County government pursuant to the provisions of I.C. 36-2-2-2 and the legislative body of County government pursuant to the provisions of I.C. 36-1-2-9;

WHEREAS, the Hammon Cemetery is located in Franklin Township and described as follows:

Beginning at a point twenty (20) rods and nine (9) feet West of the Southeast corner of the South half (1/2) of the East half (1/2) of the Northwest quarter of Section number twenty-nine (29), Township number thirty-one (31), Range number five (5), 2nd P.M.; thence North five (5) rods and four (4) feet; thence West nine (9) rods and ten (10) feet; thence South five (5) rods and four (4) feet; thence East nine (9) rods and ten (10) feet to the place of beginning.

WHEREAS, the Commissioners of Kosciusko County hold fee simple title to the Hammon Cemetery;

WHEREAS, the Franklin Township ("Township") maintains the Hammon Cemetery;

WHEREAS, in order to spend Township funds to maintain the Hammon Cemetery, the Township is required to hold fee simple title to the Hammon Cemetery;

WHEREAS, in consideration of the Township continuing to maintain the Hammon Cemetery, the Board desires to transfer the Hammon Cemetery to the Township for no monetary consideration;

WHEREAS, Indiana Code IC 36-1-11-8 provides a transfer or exchange of property may be made with a governmental entity upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity and that such a transfer may be made for any amount of real property, cash, or other personal property, as agreed upon by the entities;

WHEREAS, the Franklin Township Board and the Franklin Township Trustee have each passed a resolution that it would be in the best interest of the Township and in the best interest of the community as a whole to acquire fee simple title to the Hammon Cemetery from the County in consideration of the Township continuing to maintain the Hammon Cemetery and for no monetary consideration; and

WHEREAS, the Board believes that it is in the best interest of the County and in the best interest of the community as a whole to transfer fee simple title to the Hammon Cemetery to the Township in consideration for the Township to continue to maintain the Hammon Cemetery and for no monetary consideration.

NOW, THEREFORE, THE FOLLOWING IS HEREBY RESOLVED BY THE BOARD:

1. The Board approves the transfer of the Hammon Cemetery to Franklin Township for the consideration of the continued maintenance of the Hammon Cemetery by Franklin Township and for no monetary consideration.

2. The Board approves the County taking any necessary actions to complete

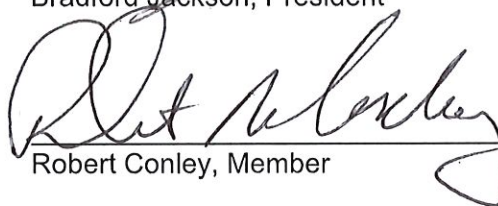
the transfer of the Hammon Cemetery to Franklin Township and the intent of this resolution.

So passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, this 10th day of October, 2023.

KOSCIUSKO COUNTY COMMISSIONERS



Bradford Jackson, President



Robert Conley, Member



Cary Groninger, Member

ATTEST:



Rhonda Helser, Auditor

I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.

