**RESOLUTION 2022-18**

**MT. VERNON COMMUNITY SCHOOL CORPORATION**

**APPROVAL OF DONATION OF REAL PROPERTY TO TOWN OF FORTVILLE**

WHEREAS, Mt. Vernon Community School Corporation (“School”) may own certain real property commonly known as parcels 30-02-09-400-018.000-017, 30-02-09-408-009.000-017, and 30-02-09-403-001.000-017 and wishes to donate and transfer any interests it may have in that real estate as further described in Exhibit A (collectively “Parcel”);

WHEREAS, School has decided to donate its property rights to Town of Fortville (“Town”) after determining a donation to a governmental entity rather than a sale or lease would be in the best interests of School and the public;

WHEREAS, the donation does not involve the disposal of residential structures and the gift of the Parcel is without monetary consideration to a governmental entity;

WHEREAS, the Parcel has an appraised value of less than ten thousand dollars ($10,000);

WHEREAS, the donation of the Parcel will promote economic development projects and facilitate compatible land use planning;

WHEREAS, the donation does not deprive a private or public owner and/or public utility of the use of all or part of the public easement or right of way that is sold or transferred if, at the time of the sale or transfer, the private or public owner and/or public utility is occupying and using all or part of that public easement or right of way for the location and operation of its facilities;

WHEREAS, a transfer or exchange of real property is allowed under Ind. Code § 36-1-11-8, the transfer 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 such transfer may be made for any amount of real property, cash, or other personal property, as agreed upon by the entities;

WHEREAS, Town has represented Parcel will be used for general public benefit and welfare and will promote the recreational, public, and civic well-being of the community;

WHEREAS, School wishes to donate the Parcel via a quitclaim deed to Town in exchange for School receiving a waiver of future Town building permit fees on School real estate and public work projects (excluding Sewer and Water Impact fees).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD, AS FOLLOWS:

1. The donation of the Parcel by School to Town is hereby approved.
2. The form, terms, and provisions of the quitclaim deed attached hereto are hereby approved in substantially the drafts presented at this meeting, with such beneficial insertions, omissions and changes as shall be negotiated and approved by financial and legal representatives of School, and then the execution of such finalized documents being conclusive evidence of such commitment by and an obligation of School.
3. In the event of the unavailability of a board member of School, School’s Superintendent, Chief Financial Officer, Treasurer, and Assistant Superintendent are each authorized to enter into and sign the quitclaim deed, vendor affidavit, sales disclosure, and any other documents needed to transfer the Parcel to Town.
4. Superintendent, Chief Financial Officer, Treasurer, Assistant Superintendent, and their surveyors, title insurers, legal representatives, financial advisors, inspectors, and real estate advisors (collectively “designated representatives”) are authorized and empowered to take all action necessary or reasonably required by the parties to the quitclaim deed to negotiate, carry out, give effect to and consummate the transactions contemplated thereby, and to take all action necessary in conformity therewith, including, without limitation, the creation, execution, and delivery of any and other documents required to be delivered in connection with the quitclaim deed and Parcel.
5. Superintendent, Chief Financial Officer, Treasurer, Assistant Superintendent, and designated representatives shall each have the power to perform every act necessary or appropriate for the purposes of the quitclaim deed and Parcel and the best interests of School and the public including the powers outlined in Ind. Code § 30-5-5-2 with respect to real property transactions, § 30-5-5-5 with respect to banking transactions, § 30-5-5-6 with respect to business operating transactions; § 30-5-5-7 with respect to insurance transactions; § 30-5-5-14 with respect to records, reports & statements; and § 30-5-5-14.5 with respect to electronic records, reports & statements.
6. All actions heretofore taken by Superintendent, Chief Financial Officer, Treasurer, Assistant Superintendent, and designated representatives related to the quitclaim deed and Parcel are hereby approved and ratified.
7. Superintendent, Chief Financial Officer, Treasurer, Assistant Superintendent, and designated representatives shall each have the power to perform every act necessary or appropriate for the purposes of School’s interests including, by way of illustration and not of limitation, the powers to represent School and its interests before any governmental entity, to receive and inspect confidential information, and to perform acts School can perform with respect to the quitclaim deed and Parcel.
8. Superintendent, Chief Financial Officer, Treasurer, and Assistant Superintendent are hereby authorized and directed to take any and all actions necessary or appropriate to affect the foregoing resolutions and to comply with applicable laws and regulations.

ADOPTED AND APPROVED at a meeting held on the 20th day of June, 2022.

Kellie Freeman, President Chad Gray, 1st Vice President

Tony May, 2nd Vice President Phil Edwards, Assistant Secretary

Shannon Walls, Secretary

ATTEST:

Shannon Walls, Secretary