

RESOLUTION 2023- 25

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF ZIONSVILLE FOR
TRANSFER OF REAL PROPERTY
IN THE TOWN OF ZIONSVILLE, INDIANA**

WHEREAS, the Town Council of the Town of Zionsville, Indiana (“Town Council”) is the fiscal body for the Town of Zionsville, Indiana (“Town”); and

WHEREAS, the Town received an approximately .65 acre parcel of real estate, more particularly described on the attached Exhibit A (“Real Estate”), from the Zionsville Playground Association on May 31, 1962, and since that date, the Town has owned this Real Estate and in recent years, the Parks Department has improved this parcel with a Tot Lot Playground, water fountain, resurfaced tennis courts and added pickle ball courts; and

WHEREAS, the Real Estate is within Lions Park and adjacent to other parcels of real estate owned by the Zionsville Lions Park, Inc.; and

WHEREAS, in order to allow for continuity in ownership of the tracks of real estate in Lions Park, and to allow the Parks Department to reallocate maintenance resources, the Town has determined that it is in the best interest of the public to transfer the real estate to Zionsville Lions Park, Inc.; and

WHEREAS, Zionsville Lions Park, Inc. is an Indiana non-profit corporation that is exempt from federal taxation under section 501C3 of the Internal Revenue Code by the Internal Revenue Service; and

WHEREAS, pursuant to Ind. Code § 36-1-11-1(b)(7), the Town may transfer real estate to an Indiana non-profit corporation organized for educational, literary, scientific, religious, or charitable purposes that is exempt from federal income taxation under section 501 of the Internal Revenue Code.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Zionsville, Indiana as follows:

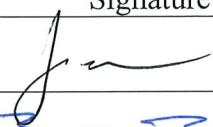
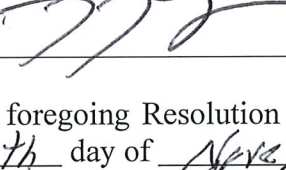
1. The foregoing recitals are fully incorporated herein by this reference.
2. The Town will transfer the Real Estate to Zionsville Lions Park, Inc. The transfer of the real estate shall be by Quitclaim Deed and the Town shall execute all other usual and customary conveyance documents.

3. The conveyance is subject to the following provision - Zionsville Lions Park, Inc. must maintain its section 501C3 tax exempt status and its status as an Indiana non-profit corporation.
4. The parties shall take all steps necessary to affect the transfer of the Real Estate from the Town to Zionsville Lions Park, Inc. as provided herein. Such transfer shall take place at a time and date mutually agreed upon by the Town and Zionsville Lions Park, Inc.
5. The Town Council authorizes the Mayor and other Town Officials to execute all documents required in connection with the transfer of the Real Estate pursuant to this Resolution and to take all other lawful actions necessary to complete the transfer of the real estate as contemplated herein.

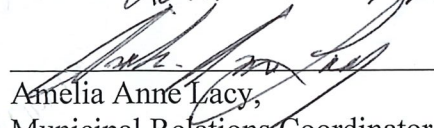
(Signatures on following page.)

DULY PASSED AND ADOPTED this 20th day of November 2023, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 6 in favor and 0 opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

	YEA Signature	NAY Signature
Jason Plunkett, President		
Brad Burk, Vice-President		
Alex Choi, Member		
Joe Culp, Member		
Josh Garrett, Member		
Craig Melton, Member		
Bryan Traylor, Member		

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Emily Styron on the 20th day of November, 2023, at 10:30 A.m.

ATTEST: 
Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL



Emily Styron, Mayor

11/27/2023

Date

MAYOR'S VETO

Emily Styron, Mayor

Date

EXHIBIT A

A part of the west half of the northwest quarter of Section 1, and a part of the east half of the northeast quarter of Section 2, all in Township 17 North, Range 2 east of the Second Principal Meridian, more particularly described as follows:

Begin at the intersection of the north line of State Road 334 as now established and the east line of Elm Street in the Town of Zionsville, run thence north $11^{\circ} 59'$ west along and with the east line of Elm Street a measured distance of 887.56 feet to a point being described by deed as 885.06 feet north $11^{\circ} 59'$ west of the original right-of-way line of said Road 334, formerly State Road 329; thence eastwardly deflecting right $97^{\circ} 58'$ a distance of 222.50 feet to the point of beginning of this description; thence continue on the last described course 216.56 feet to a point; thence northwardly deflecting left $84^{\circ} 40'$ a distance of 129.24 feet to a point in the north line of the south half of the northwest quarter of aforesaid Section 1, Township 17 North, Range 2 East; thence westwardly deflecting left $95^{\circ} 20'$ along and with the aforesaid north line 224.02 feet; thence southwardly deflecting left $89^{\circ} 53'$ a distance of 128.60 feet to the place of beginning, containing 0.65 acres, more or less.