

RESOLUTION NO. 2020-027

A RESOLUTION OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS MAKING A FINAL DETERMINATION TO TRANSFER CERTAIN PROPERTIES TO NONPROFIT ENTITIES PURSUANT TO IND. CODE § 6-1.1-24-6.7 AND IND. CODE § 36-1-11-1 *ET SEQ.*

WHEREAS, Ind. Code § 6-1.1-24-6.7 sets out the procedures the Board of Commissioners may utilize to transfer property to a nonprofit entity; and

WHEREAS, the Board of Commissioners previously adopted Resolution No. 2020-020, which identified multiple properties for which the Board of Commissioners acquired tax deeds and desires to transfer to nonprofit entities for use for the public good; and

WHEREAS, the properties the Board of Commissioners desires to transfer to nonprofit entities for use for the public good are identified in Resolution No. 2020-020; and

WHEREAS, the Board of Commissioners received written applications from eligible nonprofit entities and, on July 6, 2020, conducted a public hearing to consider all submitted applications and hear any opposition to a proposed transfer of the identified properties; and

WHEREAS, having considered the submitted applications and public comments presented at the public hearing, the Board of Commissioners now desires to make a final determination on the transfers of the identified properties.

IT IS THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA THAT:

SECTION 1. Having received and considered the applications from nonprofit entities, copies of which are attached hereto, the Board of Commissioners issue the final determinations described in Exhibit A, attached hereto, regarding proposed transfers to nonprofit entities of the properties identified in Resolution No. 2020-020.

SECTION 2. The transfer of each identified property shall be completed according to the specific terms and conditions described in the Commissioners' final determination for each individual property.

SECTION 3. If any grantee nonprofit entity fails to comply with the terms and conditions of the Commissioners' final determination, title to the subject property shall revert to Delaware County to be retained or disposed of by the Board of Commissioners as permitted by law.

SECTION 4. By or before Monday, August 31, 2020, each grantee shall:

- (a) Pay, for each property to be transferred, an amount equal to Six Hundred and 00/100 (\$600.00) Dollars to the Board of Commissioners, an

amount equal to Ten and 00/100 (\$10.00) to the Delaware County Auditor, and an amount equal to Twenty-Five and 00/100 (\$25.00) Dollars to the Delaware County Recorder; and


(b) Sign all required documents and forms necessary to complete the transfer of each property.

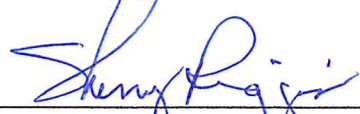
SECTION 5. If any grantee fails to pay the amounts stated herein or sign the required documents and forms necessary to complete a transfer by or before Monday, August 31, 2020, title to the applicable property or properties shall be retained by Delaware County to be used or disposed of by the Board of Commissioners as permitted by law.

SECTION 6. The President of the Board of Commissioners is hereby authorized to executed all documents necessary to carry out the terms of this Resolution.

PASSED AND ADOPTED ON THIS, THE 6 DAY OF JULY, 2020
BY THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS.

DELAWARE COUNTY
BOARD OF COMMISSIONERS


Shannon Henry, President


Sherry Riggin, Commissioner


James King, Commissioner

ATTEST:



Steven Craycraft, Auditor
Delaware County, Indiana

Exhibit A

Final Determination of the Delaware County, Indiana Board of Commissioners

PROPERTY 1:

Parcel ID: 18-11-16-378-009.000-003

Common Address: 1000 BLK W 8TH ST
MUNCIE, IN 47302

Legal Description: Lot 63, except the North ten (10) feet thereof, and also the vacated North seventeen and one-half (17.5) feet of 9th Street lying adjacent to Lot 63 in Winton Place, an addition to the City of Muncie, Indiana

Total Applications Submitted: 1

Applications Received From: **FRIENDS OF ROSS COMMUNITY CENTER, INC.**

Property 1 is hereby awarded to _____ and shall be transferred according to the following terms and conditions:

1. The property shall be used only for those purpose(s) described in the grantee's application, which is attached hereto and incorporated herein by reference.
2. The use must be implemented and maintained within _____ days/months/years from the date the grantee receives title to the property.
3. Other terms and conditions (optional): _____

4. Title to the property shall revert to Delaware County if the grantee fails to comply with any of these terms and conditions and the grantee shall execute any and all documents necessary to facilitate this reversion.

PROPERTY 2:

Parcel ID: 18-11-10-308-020.000-003
Common Address: 649 N MADISON ST
MUNCIE, IN 47305
Legal Description: Lot Number Three (3) in Block Number Twenty-seven (27) in the Whitely Land Company's Second Addition to the City of Muncie, Indiana.

Total Applications Submitted: 1

Applications Received From: **EAST CENTRAL INDIANA (ECI) REGIONAL PLANNING DISTRICT, INC.**

Property 2 is hereby awarded to _____ and shall be transferred according to the following terms and conditions:

1. The property shall be used only for those purpose(s) described in the grantee's application, which is attached hereto and incorporated herein by reference.
2. The use must be implemented and maintained within _____ days/months/years from the date the grantee receives title to the property.
3. Other terms and conditions (optional): _____

4. Title to the property shall revert to Delaware County if the grantee fails to comply with any of these terms and conditions and the grantee shall execute any and all documents necessary to facilitate this reversion.

PROPERTY 3:

Parcel ID: 18-11-10-494-009.000-003
Common Address: 1339 E MAIN ST
MUNCIE, IN 47305
Legal Description: Lot Number Three (3) in Block Number Ten (10) in Thomas H. Kirby's Addition to the City of Muncie, Indiana.

Total Applications Submitted: 1

Applications Received From: **MUNCIE HOME OWNERSHIP & REVITALIZATION, INC.**

Property 3 is hereby awarded to _____ and shall be transferred according to the following terms and conditions:

1. The property shall be used only for those purpose(s) described in the grantee's application, which is attached hereto and incorporated herein by reference.
2. The use must be implemented and maintained within _____ days/months/years from the date the grantee receives title to the property.
3. Other terms and conditions (optional): _____

4. Title to the property shall revert to Delaware County if the grantee fails to comply with any of these terms and conditions and the grantee shall execute any and all documents necessary to facilitate this reversion.

PROPERTY 4:

Parcel ID: 18-11-16-259-045.000-003

Common Address: 900 BLK S MOUND ST
MUNCIE, IN 47302

Legal Description: A part of the WS Hall's Addition to the City of Muncie, as shown in Plat Book 2 page 75, records of Delaware County, Indiana, described as follows: Beginning at the southwest corner of Lot 27 in WS Hall's Addition to the City of Muncie; thence north 00 degrees 12 minutes 00 seconds west 66.56 feet (assumed bearing) along the west line of said Lot 27 and Lot 26; thence north 90 degrees 00 minutes 00 seconds east 167.64 feet parallel with the south line of said Lot 27 and along the north side of a block wall; thence north 00 degrees 16 minutes 45 seconds east 50.05 feet along the center of a common wall; thence south 89 degrees 57 minutes 15 seconds east 25.85 feet along the north face of a building wall; thence north 00 degrees 02 minutes 45 seconds east 23.43 feet along the building wall; thence south 89 degrees 57 minutes 15 seconds east 99.94 feet along the building wall to a point; thence south 00 degrees 13 minutes 33 seconds east 4.37 feet along a building wall; thence north 89 degrees 46 minutes 27 seconds east 26.46 feet; thence south 00 degrees 12 minutes 00 seconds east 130.68 feet parallel with the east line of Lot 20 in said addition to a point on the south line of Lot 19 in said addition; thence south 90 degrees 00 minutes 00 seconds west 145 feet along the south line of Lots 19, 20 and 21 in said addition; thence south 00 degrees 12 minutes 00 seconds east 5.00 feet; thence south 90 degrees 00 minutes 00 seconds west 175 feet along the south line of said Lot 27 to the point of beginning, containing 0.73 acres, more or less.

Total Applications Submitted: 1

Applications Received From: **EAST CENTRAL INDIANA (ECI) REGIONAL PLANNING DISTRICT, INC.**

Property 4 is hereby awarded to _____ and shall be transferred according to the following terms and conditions:

1. The property shall be used only for those purpose(s) described in the grantee's application, which is attached hereto and incorporated herein by reference.
2. The use must be implemented and maintained within _____ days/months/years from the date the grantee receives title to the property.
3. Other terms and conditions (optional): _____

4. Title to the property shall revert to Delaware County if the grantee fails to comply with any of these terms and conditions and the grantee shall execute any and all documents necessary to facilitate this reversion.

PROPERTY 5:

Parcel ID: 18-11-16-376-001.000-003

Common Address: 1300 BLK W 8TH ST
MUNCIE, IN 47302

Legal Description: A part of the Southwest Quarter of Section 16, Township 20 North, Range 10 East of the State of Indiana, more particularly described as follows, to-wit: Commencing at the southwest corner of the Southwest Quarter of Section 16, Township 20 North, Range 10 East in the City of Muncie, County of Delaware, in the State of Indiana; running thence south 89 degrees 12 minutes 19 seconds east a distance of 1084.64 feet to a point; thence north 00 degrees 57 minutes 19 seconds west 962.02 feet to the point of beginning of the tract of land herein being described: running thence north 00 degrees 58 minutes 43 seconds west a distance of 301.70 feet along the east line of Sampson Avenue to a point along the south line of west 8th Street; thence north 89 degrees 58 minutes 21 seconds east a distance of 858.80 feet along the south line of west 8th Street to a point along the west line of south Birch Street; thence south 00 degrees 31 minutes 52 seconds east a distance of 182.50 feet along the west line of south Birch Street to a point 17.50 feet south of the north line of west 9th Street; thence north 89 degrees 02 minutes 51 seconds west parallel with the north line of said west 9th Street a distance of 350.00 feet to a point; thence south 00 degrees 30 minutes 34 seconds east a distance of 3.82 feet to a point; thence in a southerly and westerly direction on a curve, said curve having a radius of 137.5 feet and an arc distance of 153.74 feet to its intersection with the north line of west 9th Street extended; thence south 89 degrees 37 minutes 39 seconds west a distance of 210.00 feet to a point; thence south 00 degrees 33 minutes 10 seconds east a distance of 10.00 feet to a point; thence south 89 degrees 54 minutes 40 seconds west along the north line of west 9th Street a distance of 200 feet to the point of beginning.

Total Applications Submitted: 1

Applications Received From: **FRIENDS OF ROSS COMMUNITY CENTER, INC.**

Property 5 is hereby awarded to _____ and shall be transferred according to the following terms and conditions:

1. The property shall be used only for those purpose(s) described in the grantee's application, which is attached hereto and incorporated herein by reference.
2. The use must be implemented and maintained within _____ days/months/years from the date the grantee receives title to the property.
3. Other terms and conditions (optional): _____

4. Title to the property shall revert to Delaware County if the grantee fails to comply with any of these terms and conditions and the grantee shall execute any and all documents necessary to facilitate this reversion.

**Delaware County Board of Commissioners
Nonprofit Application for County-Owned Real Property**

Name of Nonprofit Entity: East Central Indiana Regional Planning District, Inc.

Description of the Nonprofit Entity's Nonprofit Purposes: ECIRPD seeks to foster a vision for regional growth through grant writing, facilitating infrastructure improvements, and supporting economic development projects and programs throughout east-central Indiana.

Parcel ID of Desired Property: 18-11-10-308-020.000-003 & 18-11-16-259-045.000-003

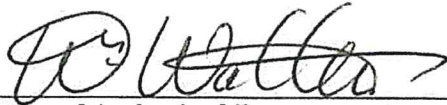
Common Address of Desired Property: 649 N Madison St & 900 Blk S Mound St

Proposed Use of Desired Property: ECIRPD will issue an RFP seeking qualified entities able to clean and remediate any blight and/or environmental contamination on the properties at the expense of the selected respondent in an attempt to reduce the financial burden on the County while also returning the properties to the tax rolls.

Time Period for Implementing Proposed Use: Fall 2020 through Spring 2021

By signing below, I hereby affirm that I am a duly authorized representative of the above-referenced Nonprofit Entity and that the foregoing representations are true.

Dated as of this, the 23 day of JUNE, 2020



Signature of Authorized Representative

William Waters

Printed Name of Authorized Representative

Executive Director

Title of Authorized Representative

***** Documentation verifying the nonprofit status of the nonprofit entity must be included with each application. Applications that fail to include documentation verifying the nonprofit entity's nonprofit status will NOT be considered by the Board of Commissioners. *****

Completed applications may be submitted to the Board of Commissioners either in person, or by mail, and must be received on, or before the applicable deadline.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: APR 26 2011

ENERGIZE-ECI REGIONAL PLANNING
DISTRICT
C/O MARLENE PULLEY
PO BOX 1912
MUNCIE, IN 47308

Employer Identification Number:
27-3248175
DLN:
300326297
Contact Person: MRS T FARR ID# 52404
Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
October 19, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

ENERGIZE-ECI REGIONAL PLANNING

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in cursive script that reads "Lois G. Lerner". The signature is written in dark ink and is positioned above the printed name and title.

Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

**Delaware County Board of Commissioners
Nonprofit Application for County-Owned Real Property**

Name of Nonprofit Entity: Friends of Ross Community Center, Inc.

Description of the Nonprofit Entity's Nonprofit Purposes: _____

See Attachment A

Parcel ID of Desired Property: 18-11-16-378-001.000-003; 18-11-16-378-009.000-003; 18-11-16-376-001.000-003

Common Address of Desired Property: 1025 W. 8th St.; 1000 Blk W. 8th St.; 1300 Blk W 8th St.

Proposed Use of Desired Property: To serve the charitable puproses of the non-profit,
and support the work on the Ross Community Center and further neighborhood development.

Such development to include athletic fields and green space.

Time Period for Implementing Proposed Use: Immediate and ongoing.

By signing below, I hereby affirm that I am a duly authorized representative of the above-referenced Nonprofit Entity and that the foregoing representations are true.

Dated as of this, the 22 day of June, 2020


Signature of Authorized Representative

Nicholas Toker
Printed Name of Authorized Representative

Authorized Agent / Regol Counsel
Title of Authorized Representative

***** Documentation verifying the nonprofit status of the nonprofit entity must be included with each application. Applications that fail to include documentation verifying the nonprofit entity's nonprofit status will NOT be considered by the Board of Commissioners. *****

Completed applications may be submitted to the Board of Commissioners either in person, or by mail, and must be received on, or before the applicable deadline.

ATTACHMENT A

The Corporation is organized as a nonprofit corporation exclusively for charitable purposes as authorized under Section 501(c)(3) of the Internal Revenue Code (the "Code"). The Corporation will raise funds to be used to support the Ross Community Center, Inc., Muncie, IN, and other charitable purposes involved in the redevelopment of the underprivileged community surrounding the Ross Community Center, Inc.

To meet its purpose, the Corporation is to have and exercise all the powers conferred by the laws of the State of Indiana upon nonprofit corporations as such laws are now in effect or may at any time hereafter be amended. No part of the Corporation's assets, net earnings, or profits shall inure to the benefit of or pecuniary or financial gain of any member, director, officer or employee, but this provision shall not be deemed to prohibit payment of reasonable compensation to such persons for services actually rendered to carry out the exempt purposes of the Corporation.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. The Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Code or by a corporation, contributions to which are deductible under Section 170 of the Code.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **APR 21 2020**

FRIENDS OF ROSS COMMUNITY CENTER
INC
400 SOUTH WALNUT STREET - SUITE 200
MUNCIE, IN 47305-0000

Employer Identification Number:
85-0524435
DLN:
26053493002550
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
March 24, 2020
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

FRIENDS OF ROSS COMMUNITY CENTER

Sincerely,

Stephen a. martin

Director, Exempt Organizations
Rulings and Agreements

**Delaware County Board of Commissioners
Nonprofit Application for County-Owned Real Property**

Name of Nonprofit Entity: Muncie Home Ownership and Revitalization
Description of the Nonprofit Entity's Nonprofit Purposes: Low income housing and neighborhood revitalization in neighborhoods surrounding downtown Muncie
Parcel ID of Desired Property: 18-11-10-494-009.000-003
Common Address of Desired Property: 1339 East Main street
Proposed Use of Desired Property: Muncie Home Ownership constructed a home on this property in 2016. Property was to be transferred to Muncie Home Ownership. The transfer was not properly completed by our Attorney (Orlasky) This property is part of our low income housing program.
Time Period for Implementing Proposed Use: immediately

By signing below, I hereby affirm that I am a duly authorized representative of the above-referenced Nonprofit Entity and that the foregoing representations are true.

Dated as of this, the 22nd day of June, 2020

Penny Leach
Signature of Authorized Representative

Penny Leach
Printed Name of Authorized Representative

Executive Director
Title of Authorized Representative

*** Documentation verifying the nonprofit status of the nonprofit entity must be included with each application. Applications that fail to include documentation verifying the nonprofit entity's nonprofit status will NOT be considered by the Board of Commissioners. ***

Completed applications may be submitted to the Board of Commissioners either in person, or by mail, and must be received on, or before the applicable deadline.

Muncie Urban Enterprise Association Inc.

EIN: 35-1765399 | , --, United States

Other Names

MUNCIE HOME OWNERSHIP AND REVITALIZATION INC

Publication 78 Data

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC