

**AN ORDINANCE ACCEPTING
A DONATION OF LAND FOR THE
TOWN OF WINAMAC, INDIANA**

Ordinance No. 12 of 2019

WHEREAS, the Town Council of the Town of Winamac, Indiana (the “**Town Council**”), is responsible for the performance of various functions for the Town of Winamac (the “**Town**”); and

WHEREAS, the Town currently owns and operates the Winamac Cemetery, for the purpose of overseeing the burial, preservation, maintenance, and operation of burial grounds, in a prudent and dignified manner; and

WHEREAS, pursuant to Ind. Code § 36-1-4-5, a unit may acquire interests in real property, within four (4) miles outside of the unit’s corporate boundaries; and

WHEREAS, due to a generous donation by the McKinley Cemetery Association, Inc., the Town is now desirous of accepting a gift of real property from the aforementioned entity, for the purposes of expanding and continuing to operate and maintain the Winamac Cemetery; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winamac, Indiana, that this Ordinance Accepting a Donation of Land for the Town of Winamac, Indiana, is hereby adopted as follows:

SECTION I.
Acceptance

1. **Acceptance of Land Donation.** The Town hereby accepts the donation of real property, whose legal descriptions are attached hereto as Exhibit A, and incorporated herein by reference (the “**Real Property**”).

2. **Transfer of Title and Authorization.** The Town shall take title to the Real Property via Warranty Deed. The Town Clerk-Treasurer is hereby authorized to execute any and all documentation to effectuate the transfer of the Real Property.

3. **Closing Costs.** Should this transaction, and the transfer hereto, be set for an insured closing, the Town Clerk-Treasurer is hereby authorized to cover any closing costs, title insurance, or any other costs customary to transactions of this kind.

4. **Acceptance of Funds.** The Town Clerk-Treasurer is further hereby authorized to accept any donation of funds from McKinley Cemetery Association, Inc., and any and all such donations shall be deposited in the *Special Cemetery Fund*, Fund # 205, and used for the purposes of care, preservation, modification and maintenance of the Winamac Cemetery, including the Real Property.

SECTION II.

Effective Date and Repeal of Conflicts

1. This Ordinance shall become effective immediately upon its passage, in a meeting that has been properly advertised, and open to the general public.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF WINAMAC, INDIANA, THIS 12th DAY OF AUGUST, 2019.

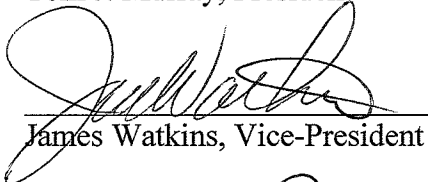
THE WINAMAC, INDIANA TOWN COUNCIL

APPROVED:

OPPOSED:

Tom J. Murray, President

Tom J. Murray, President



James Watkins, Vice-President

James Watkins, Vice-President



Alvin R. Parish, Council Member

Alvin R. Parish, Council Member



David Chambers, Council Member

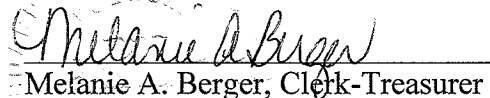
David Chambers, Council Member



Judy Heater, Council Member

Judy Heater, Council Member

ATTEST:



Melanie A. Berger, Clerk-Treasurer