

# ALLEN COUNTY CODE TITLE 1 GENERAL PROVISIONS

## ARTICLE 9 DISPOSAL OF REAL OR PERSONAL PROPERTY TO NOT FOR PROFIT ORGANIZATIONS

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### 1-9-1 Chapter 1: Definitions

#### 1-9-1-1

For the purpose of this Ordinance, the following definitions shall apply:

“**Disposal**” means sale, exchange, transfer or lease of property.

“**Disposal agent**” means the Board of Commissioners of the County of Allen or its designee.

“**Key number**” has the meaning set forth in I.C. 6-1.1-1-8.5

“**Tract**” has the meaning set forth in I.C. 6-1.1-1-22.5. As added by Acts 1981, P.L. 57, Sec. 37. Amended by P.L. 60-1988, Sec. 23.

“**Not-for-Profit Corporation**” means an Indiana Not-for-Profit Corporation, in good standing, organized for educational, literary, scientific, religious, or charitable purposes, that is exempt from federal taxation under Section 501 of the Internal Revenue Code or its successor.

#### 1-9-1-2

The disposing agent may determine to dispose of real property or personal property pursuant to this ordinance to any Indiana not-for-profit corporation. The said property without conducting a public hearing after giving notice under I.C. 5-3-1. Said notice shall include a recitation that members of the public are invited to attend and comment on the proposed transfer. If the transfer is of real property, the notice shall include the street address of the subject property, the Key Number of said property and the legal description as maintained by the Auditor for tax purposes. If the personal property, the notice shall include nature of the property, the notice shall include a synopsis of the disposal terms.

### **1-9-1-3**

At the hearing called for in the preceding chapter, the Commissioners shall determine under what terms and conditions the subject property may be transferred. The disposing agent may transfer the property on such terms and conditions shall be made of record at the public hearing.

### **1-9-1-4**

Upon the compliance with the terms and conditions set forth above by the not-for-profit corporation, the disposing agent shall execute a deed or other appropriate document to transfer the property.

(McComb, Worthman, Rousseau)

Amended on March 24, 1993