

RESOLUTION NO. 12192022-2

A RESOLUTION REGARDING THE TRANSFER OF PROPERTY

WHEREAS, the City of New Castle, Indiana (“New Castle”) has established and operates a professional fire department (“Fire Department”); and

WHEREAS, New Castle and Henry Township of Henry County, Indiana (“Henry Township”) have for many years entered into contracts under which the Fire Department provides fire protection services for the areas of Henry Township outside of New Castle; and

WHEREAS, as part of this cooperative effort to promote public safety, Henry Township has acquired a 2014 Dodge Ram Model 3500, VIN 3C7WRLAJGEG252454 apparatus used to extinguish grass fires (“Grass Rig”), and New Castle and Henry Township have jointly acquired and jointly own a 2010 KME GSO(7744) Firetruck, VIN 1K9AF4287ANO58941, a 2010 KME GSO (7622), VIN 1K9AF4289ANO58875 and a 2010 KME GSO(8166) 1K9AF4280BNO58135 (the Grass Rig and trucks described in this paragraph are referred to collectively as “Vehicles”); and,

WHEREAS, prior to the acquisition of the Vehicles, one or more firefighting apparatus owned by New Castle was traded in to assist with the acquisition of the Vehicles; and

WHEREAS, one or more of the Vehicles is in need of replacement in the near future and it is anticipated that one or more of the Vehicles will be traded in to acquire new firefighting vehicles; and,

WHEREAS, to ensure that the Fire Department can continue to provide quality fire protection service throughout Henry Township and to simplify the process of trading in one or more of the Vehicles and acquiring a suitable replacement apparatus, New Castle and Henry Township have agreed that Henry Township will transfer ownership of and all of its interests in the Vehicles to New Castle for a nominal sum and that New Castle will be the sole owner of the Vehicles; and

WHEREAS, Indiana Code § 5-22-22-10 permits units of local government to exchange personal property upon terms evidenced by the adoption of substantially identical resolutions by each of the local governmental units; and,

WHEREAS, New Castle and Henry Township have agreed upon the terms for the transfer of Henry Township’s interest in the Vehicles to New Castle.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of New Castle, Indiana, as follows:

New Castle shall pay the sum of Forty Dollars (\$40.00) to Henry Township in exchange for Henry Township's ownership interests in the Vehicles and New Castle shall be the sole owner of the Vehicles.

The Clerk-Treasurer is authorized to make payment as described in this Resolution and to take all other steps necessary to effectuate the transfer of Henry Township's ownership interests in the Vehicles to New Castle.

EFFECTIVE DATE: This Resolution shall be effective upon passage.

REPEALER: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be deemed unenforceable, shall be omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS
____ DAY OF _____, 2022.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

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NAY

ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2022.

Greg York, Mayor of the City
of New Castle, Indiana