

ALLEN COUNTY CODE TITLE 12 FINANCIAL

ARTICLE 20 COURTHOUSE PRESERVATION

12-20-1 Chapter 1: Recognition and Adoption

The Allen County Courthouse Preservation Trust, Inc. (the “Trust”) has been established and formed for the purpose of assisting and engaging in activities which serve charitable and educational purposes, which are permitted by the Indiana Not-for-Profit Corporation Act under which are permitted to be carried on by an organization exempt from federal income tax under the provisions of Section 501 © (3) of the Internal Revenue Code of 1986 as amended and the Board of Commissioners (“the Board”) recognize the following:

- (a) The trust exists for charitable and educational purposes to restore and preserve the extraordinary artistic features of the Allen County, Indiana Courthouse which is recognized in the National Register of Historic Places and is one of the nation’s most outstanding public buildings; and,
- (b) The Board is charged with responsibility for maintaining the Allen County Courthouse; and,
- (c) Th Allen County Council (“the Council”) oversees the financial and requirements for the maintenance of the Allen County Courthouse; and,
- (d) The Board recognizes the charitable and educational purpose of the Trust to be compatible and consistent with the responsibilities of the Board and Council; and,
- (e) The Allen County Courthouse is an extraordinary and integral part of the heritage of Allen County and of the State of Indiana; and
- (f) The constitution of membership of the Board and the Council will change from time to time in accordance with the elective process and will of the electorate;
- (g) The Board is desirous of providing continuity in the relationship between the Board, the Council and the Trust; and,
- (h) The Board and the Board of Directors of the Trust reasonable foresee that the maintenance, restoration and preservation of the Allen County Courthouse will exceed a term of 10 years; and,
- (i) The Board desires and intends to provide continuity in the discharge of their respective responsibilities and the charitable and educational purpose of the Trust, during the foreseeable term required to necessarily and properly maintain, restore and preserve the Allen County Courthouse.

12-20-1-2

The Board does hereby adopt and ordain the charitable and educational purposes of the Allen County Courthouse Preservation Trust, Inc. (the "Trust") as a necessary and proper purpose of the Board and for Allen County.

12-20-2 Chapter 2: Contracts

Funds raised by the Trust may be used presently and in the future for the preservation and maintenance of the Allen County Courthouse. Subject to the prior approval of the Board and in accordance with public improvement statutes, if then applicable, the Trust may contract directly with such consultants, architects, preservationists, contractors, and such other individuals, corporations or entities necessary to carry out such preservation work. Said contracts shall provide that no claim may be made against the County arising out of said contract and that the contractor, his suppliers, employees, and subcontractors shall look only to the Trust for a payment.

Dated this _____ day of _____, 1994.

ADOPTED BY:

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF ALLEN, INDIANA

Jack R. Worthman, President

Jack C. McComb, Vice-President

Edwin J. Rousseau, Secretary

ATTEST:

Auditor of Allen County

Original adopted on November 9, 1994.