RESOLUTION 2016-03

A RESOLUTION ACKNOWLEDGING THE TRANSFER OF ASSETS BY THE MOUND REST CEMETERY ASSOCIATION TO THE TOWN OF CORTLAND, AND AUTHORIZING THE ESTABLISHMENT OF A MUNICIPAL CEMETERY TO CONTINUE OPERATION OF THE MOUND REST CEMETERY

WHEREAS, while the Mound Rest Cemetery Association has owned and operated the Mound Rest Cemetery since 1917, the Association has, in recent years, suffered from lack of funds to sustain the ongoing maintenance and operational needs of the cemetery; and

WHEREAS, the Association in recognition of its inability to sustain operation, passed a Resolution on June 21, 2016, petitioning the Town of Cortland for Annexation of the cemetery to the Town, and authorizing Association officers to fully pursue the transfer of cemetery operations and all assets and contracts to the Town; and

WHEREAS, the Town of Cortland deems it in the best interest of its citizens and the community to accept such transfer of assets of the cemetery, assignment of existing contracts, and to undertake operation of a municipal cemetery which will continue to be known as the Mound Rest Cemetery.

NOW THEREFORE, BE IT RESOLVED by the President and the Board of Trustees of the Town of Cortland, DeKalb County, Illinois, as follows:

1. That the Town acknowledges the actions of the Mound Rest Cemetery Association in pursuing surrender of its cemetery license, transfer of ownership of assets to the Town, annexation of the Mound Rest Cemetery to the Town, conveyance of land, and assignment of existing contracts and funds held to the Town.

2. That the Town, through this Resolution, hereby accepts transfer of all assets held by the Mound Rest Cemetery Association, accepts assignment of all existing contracts, and authorizes the establishment of a municipal cemetery in accordance with the laws of the State of Illinois in order to continue the ongoing operation of the Mound Rest Cemetery.

3. That the officials and officers of the Town of Cortland are hereby authorized to take all necessary actions to fulfill the intent and requirements of Paragraph 2 above, including but not limited to accepting and recording a deed to the real estate, accepting a Bill of Sale for personal property owned by the Association, accepting assignment of existing lot contracts, accepting transfer of control over any cemetery trust funds or other funds held by the Association, registering a municipal cemetery with appropriate officials of the State of Illinois, applying for necessary licenses to operate a municipal cemetery, and engaging in all matters associated with the Town's undertaking of responsibility for operation of the Mound Rest Cemetery.

4. That the officials and officers of the Town of Cortland are hereby vested with specific authority to carry on all necessary day-to-day cemetery operations, pending further action

by the Town to establish specific policies, ordinances, rules and regulations governing the operation of the Mound Rest Cemetery

PASSED by the Board of Trustees of the Town of Cortland, DeKalb County, Illinois, at its regular Board meeting held on July 11, 2016.

Ayes: _____

Nays: _____

Absent: _____

APPROVED by the Mayor on the ____ day of July, 2016.

(SEAL)

_____
Russell Stokes, Mayor

ATTEST:

_____
Cheryl Aldis, Town Clerk

R

Mound Rest Cemetery Association
DeKalb County Illinois

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A RESOLUTION PETITIONING THE TOWN OF CORTLAND FOR ANNEXATION OF MOUND REST CEMETERY; AUTHORIZATION TO GRANT OFFICERS THE AUTHORITY TO EXECUTE AFFIDAVIT FOR SURRENDER OF LICENSE; AND AUTHORIZATION TO EXECUTE ASSIGNMENT OF CONTRACTS TO THE TOWN OF CORTLAND

WHEREAS, the Mound Rest Cemetery Association has been maintaining the Mound Rest Cemetery since 1917; and

WHEREAS, the income from the Mound Rest Cemetery investments is no longer sufficient to sustain the required upkeep; and

WHEREAS, the upkeep has been performed by volunteers for the past eleven years and is no longer sustainable; and

WHEREAS, the Town of Cortland seeing the need has expressed interest in taking over maintenance of the cemetery and is able to do so pursuant to the Illinois Cemetery Care Act (760 ILCS 100/1 et seq.)

WHEREAS, annexation of the property would be deemed appropriate; and

WHEREAS, the officers would take necessary actions regarding annexation, transfer of land, transfer of funds, directing surrender of license and transfer of lawn mowing equipment.

NOW, THEREFORE, BE IT RESOLVED that the Mound Rest Cemetery Association supports the possibility of the Town of Cortland's assumption of the responsibilities of Mound Rest Cemetery pursuant to the Illinois Cemetery Care Act (760 ILCS 100/1 et seq.) and authorizes its officers to take all necessary actions regarding annexation to the Town, and transfer of assets of the Cemetery Association. The Association further directs surrender of its license with the State of Illinois upon completion of the transfer to the Town..

PASSED by the Board of Trustees of the Mound Rest Cemetery Association, DeKalb County, Illinois, at is regular Board meeting held on June 21, 2016.

Ayes: Robert Coyle, Robert Ewing, Robert Seyller, Mary Benson, Cheryl Aldis

Nays: None

Absent: Daniel Bryant

Robert M. Coyle
Robert M Coyle, President

ATTEST:

Cheryl Aldis
Cheryl Aldis, Secretary/Treasurer