

IC 4-3-9

Chapter 9. Transfer of Land to United States Government for Location of Federal Projects in Indiana

IC 4-3-9-1

Definitions

Sec. 1. As used in this chapter:

- (1) "Agency of the state" means any officer, agency, department, board, bureau, commission, division or institution of the state of Indiana, the trustees or board of directors of any corporation of the state or body politic of the state supported in whole or in part by appropriations from the state, and the trustees of any state-supported university.
- (2) "Land" means both unimproved and improved land.
- (3) "Title" and "interest in land" means both legal and equitable title and interest in land.
- (4) "Transfer" means a gift, grant, conveying, exchange, lease, or sale.
- (5) "United States of America" shall include the United States government and any agency or entity thereof.

As added by Acts 1977, P.L.25, SEC.1.

IC 4-3-9-2

Location of federal educational, scientific, or research projects within state; transfer of lands to United States

Sec. 2. Whenever the governor of the state of Indiana deems it necessary or desirable for the purposes of securing the location in the state of a proposed educational, scientific, or research project or facility, the governor is authorized to transfer to the United States of America any interest in lands which the state holds if that land is utilized for the proposed project or facility. The state, by its governor, may transfer such interest without consideration, or for a nominal or substantial sum, or for a period of years, or in exchange for lands of the United States, or on such other terms as the governor shall find advantageous to the state of Indiana in obtaining the location of the project or facility within the state of Indiana.

As added by Acts 1977, P.L.25, SEC.1.

IC 4-3-9-3

Instruments of conveyance; execution; requisites

Sec. 3. The governor is authorized to execute all deeds or other instruments of conveyance which, in his judgment, are proper or necessary for the transfer of title to land or any interest therein by the state of Indiana to the United States of America pursuant to section 2 of this chapter, in the following form and manner: Every such deed or conveyance shall be executed in the name of the state of Indiana, signed by the governor of the state of Indiana, with the seal of the state of Indiana affixed thereto and shall be approved as to legality and form by the attorney general of Indiana.

As added by Acts 1977, P.L.25, SEC.1.

IC 4-3-9-4

State lands; transfer; valuation; allocation of funds to controlling agencies; revenue bonds; payment; separate sinking fund; damages

Sec. 4. (a) When title to land which is to be transferred to the United States of America pursuant to this chapter is held in the name of the state of Indiana, and that land has not been declared surplus and is under the jurisdiction and control of any agency of the state, the state budget agency, with approval of the governor, shall allocate and transfer to that agency of the state from any funds which may be appropriated for use to accomplish the purposes of this chapter, an amount of money which equals the value of the land transferred.

(b) The value shall be determined by three (3) disinterested appraisers appointed by the governor. The appraisers shall be residents of the state of Indiana. The allocation of funds shall be in addition to any other appropriations made to that agency of the state. In the event that revenue from the land described in this section and transferred to the United States of America pursuant to this chapter is pledged as security for bonds issued and outstanding, the money appropriated by this section shall be held by the treasurer of the state of Indiana in a separate sinking fund to be used only for the purposes of paying the interest and principal of the bonds as they become due, and for no other purpose, until such time as the bonds are retired. The funds shall be deposited by the treasurer of the state of Indiana, pursuant to the provisions of IC 5-13, at interest, and interest earned by reason of deposit shall be credited to and belong to the fund. Any person, firm, limited liability company, or corporation who is the holder of any such bonds at the time the governor announces his intention to transfer the land to the United States of America and who is aggrieved by the amount of money allocated and transferred to a sinking fund created pursuant to this section, shall have the right to seek bondholders' damages which may not exceed the face value of the bonds.

As added by Acts 1977, P.L.25, SEC.1. Amended by P.L.19-1987, SEC.1; P.L.8-1993, SEC.8.

IC 4-3-9-5

University lands; transfer to state; allocation of funds

Sec. 5. In the event that any land or interest in land which the governor determines necessary or desirable to transfer to the United States of America pursuant to this chapter is in the name of the board of trustees of a state-supported university, the board of trustees of that university may, if not inconsistent with the terms and conditions of the gift, bequest or devise, if any, by which the university received the land or interest in land, transfer such interest to the state of Indiana without consideration, or for a nominal or substantial sum, or for a period of years, or in exchange for lands of the state, or on such other terms as the governor and the board of trustees of the university may agree. The state budget agency, with the approval of the governor, shall allocate and transfer to the university from any funds which may be appropriated for use to accomplish the purposes

of this chapter any sum of money agreed upon by the governor and the board of trustees pursuant to this section. The allocation of funds shall be in addition to, and not a part of, any other appropriation made to the university.

As added by Acts 1977, P.L.25, SEC.1.

IC 4-3-9-6

Title to land not in state; acquisition

Sec. 6. If the title to any land which the governor determines necessary or desirable to transfer to the United States of America pursuant to this chapter is not in the name of the state of Indiana at the time of the determination, the governor is authorized to acquire that land by gift, bequest, devise, exchange, purchase, or other agreement.

As added by Acts 1977, P.L.25, SEC.1.

IC 4-3-9-7

Repealed

(Repealed by P.L.17-1986, SEC.15.)

IC 4-3-9-8

Repealed

(Repealed by P.L.17-1986, SEC.15.)