

RESOLUTION R-2017-6

A RESOLUTION AUTHORIZING TRANSFER OF LAND TO THE WVFD JOINT FIRE DISTRICT

WHEREAS, the Village of Windham is a member of the WVFD Joint Fire District, (hereinafter the "WVFDJFD"); and

WHEREAS, since before the time the WVFDJFD was established the land on which the Windham fire station is located was and continues to be owned by the Village of Windham; and

WHEREAS, since before the time the WVFDJFD was established the fire station was built with Windham Village and Windham Township funds which were obtained through a levy authorized in 1983; and

WHEREAS, since the fire station and the land on which it is located is used solely for and by the WVFDJFD, the WVFDJFD has requested both the Village and the Township to transfer their respective interests in the fire station to the WVFDJFD; and

WHEREAS, the Township has indicated it intends to transfer its interest in the fire station to the WVFDJFD, but upon advice of legal counsel has concluded the underlying real estate must first be owned by the WVFDJFD; and

WHEREAS, in reliance on the representation of Windham Township that upon transfer of the land underlying the fire station to the WVFDJFD the Township will then transfer the fire station building to the WVFDJFD, the Council of the Village of Windham has decided to take the action necessary to transfer the fire station land to the WVFDJFD; and

WHEREAS, the transfer authorized in this Resolution may be accomplished without competitive bidding pursuant to the provisions of Ohio Revised Code Section 723.121.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Windham, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: That the Village Council directs the Mayor and the Fiscal Officer to execute a deed in substantial conformity with that attached hereto and marked for identification as Exhibit "A" to transfer the land on which the fire station is located to the WVFDJFD.

Section 2: It is hereby found and determined that all actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

First Reading January 24, 2017

Second Reading February 28, 2017

Passed in Council on Third Reading March 28, 2017

Vote of Council: Ayes: 5
 Nays: 0

By: _____
Deborah Blewitt, Mayor

Attest:

Fiscal Officer – Cheree Taylor

Approved as to form:

Village Solicitor – Thomas Reitz