

Record of Resolutions

Resolution No.: 2011-30

Passed: July 11, 2011

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF WEST LAFAYETTE TO SIGN THE ATTACHED NOTE IN ORDER TO OBTAIN A LOAN FROM OHIO HERITAGE BANK FOR PURCHASE OF REAL ESTATE AT 115 E. RAILROAD STREET, WEST LAFAYETTE, OHIO

WHEREAS the Village of West Lafayette, Ohio desires to purchase said property located at 115 E. Railroad Street, West Lafayette, Ohio; and,

WHEREAS the Mayor has signed a purchase contract and closing is scheduled pursuant to said purchase; and,

WHEREAS the note is in accordance with Ohio Revised Code, Section 133.15 and 133.21 with an amortization schedule included as part of the note; now therefore,

BE IT RESOLVED by the Council of the Village of West Lafayette, Coshocton County, State of Ohio as follows:

SECTION I. The Mayor be and hereby is authorized and directed to sign on behalf of the Village of West Lafayette, Ohio the note attached hereto as Exhibit 1 and incorporated herein by reference.

SECTION II. . That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation for the public peace, welfare and safety, for reason that the Village needs to complete the acquisition of the referenced property as soon as possible, and this resolution shall, therefore, take effect and be in force immediately upon its passage by Council and approval by the Mayor.

PASSED IN COUNCIL THIS 11th day of July 2011

Jack L. Patterson, Mayor

ATTEST:

APPROVED AS TO FORM:

Lisa Stiteler, Fiscal Officer

William M. Owens, Solicitor for the Village
of West Lafayette, Ohio

CERTIFICATE OF POSTING

The foregoing Resolution was posted according to law this _____ day of _____, 2011

Fiscal Officer

OPINION OF COUNSEL

William M. Owens, Solicitor for the Village of West Lafayette, Ohio certifies as follows.

William M. Owens has reviewed the enabling legislation for said purchase of real estate description attached as Exhibit 1, and the note securing the loan to the Village by Ohio Heritage Bank. He certifies all such documents are in legal and proper form and encumber the Village of West Lafayette, Ohio legally for said purchase and debt. He certifies the Mayor has been authorized and directed to sign the note.

He certifies the note is executed pursuant to Ohio Revised Code, Section 133.15 and 133.21 and is executed in anticipation of current revenues to be collected by the Village of West Lafayette, Ohio. The Clerk-Fiscal Officer has certified the availability of funds and that the real estate being purchased and public improvements will be in usable and operating condition for a period in excess of the loan.

He has examined the title to the real estate and has certified that title is in compliance with the Ohio Marketability Laws.

OWENS & MANNING

Dated: July 11, 2011

By _____
William M. Owens
Village Solicitor

CLERK-FISCAL OFFICER CERTIFICATE

Lisa Stiteler, Clerk-Fiscal Officer, certifies that all enabling legislation authorizing purchase of real estate, description attached as Exhibit 1, has been properly passed by Village Council for West Lafayette, Ohio together with legislation authorizing and directing the Mayor to sign the Ohio Heritage Bank note for purchase money.

Lisa Stiteler further certifies the funds to repay the note will be available to pay from current revenue expected to be collected in the normal course of business as due the Village of West Lafayette, Ohio.

Date: July 11, 2011

By _____
Lisa Stiteler, Clerk-Fiscal Officer