

RESOLUTION 1994-67

RESOLUTION OF GOVERNING BOARD

WHEREAS, the Department of General Services, Property Utilization Division, by authority of the Federal Property and Administrative Services Act of 1949, as amended, makes available federal surplus personal property to public agencies for public purposes and nonprofit, tax-exempt health and educational institutions, and

WHEREAS, Weakley County Government, hereafter referred to as the Applicant, is (Applicant Organization) desirous of utilizing the services and resources of the Department of General Services, Property Utilization Division, hereafter referred to as the State Agency, and

WHEREAS, the Applicant certifies that it is a public agency or nonprofit educational health institution exempt from taxation under Section 501 of the U.S. Internal Revenue Code of 1954, and

WHEREAS, the Applicant further certifies that the property is needed and will be used for carrying out or promoting for the residents of a given political area one or more public purposes and for no other purpose, or be used for public health or educational purposes including research and for no other purpose, and

WHEREAS, the Applicant agrees that all items of property shall be placed in use for the purposes for which acquired within one year of receipt and shall be continued in use for such purposes for one year from the date the property was placed in use, and in the event the property is not so placed in use, or continued in use, the donee shall immediately notify the State Agency, and return said property to the State Agency, as directed, and

WHEREAS, the Applicant further agrees to adhere to any additional periods of restrictions placed on the property by the State Agency which shall include a total period of these restrictions for at least 18 months on all passenger motor vehicles and other items of property with a unit acquisition cost of \$5000 or more; and additional special terms, conditions, reservations and restrictions on aircraft, vessels, special limited or restricted use items, and other items as specified in a Conditional Transfer Document or written on the face of the distribution document, and

WHEREAS, the Applicant further agrees that during the period of restriction, it will not sell, trade, lease, lend, bail, encumber, or otherwise dispose of such property without prior approval of the General Services Administration or the State Agency, and in the event property is so disposed of without prior approval of the General Services Administration or the State Agency, the Applicant will be liable for the fair market value or the fair rental value of such property as determined by the General Services Administration or the State Agency, and

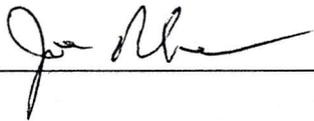
WHEREAS, the Applicant further certifies that it has the necessary funds to pay the handling or service charges or fees assessed by the State Agency and will remit such handling or services charges or fees within 90 days of receipt, and

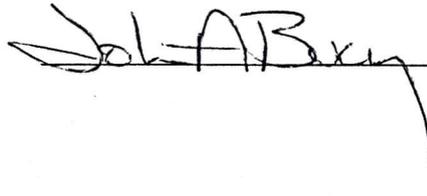
WHEREAS, it is understood that all property acquired regardless of acquisition cost or service charges will be on an "as is", "where is" basis, without warranty of any kind, and

SECTION 2. BE IT RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict to this resolution are hereby repented.

SECTION 3. BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

PURSUANT TO THE RULES OF THE COMMISSION, THIS RESOLUTION IS SPONSORED BY THE FOLLOWING MEMBERS OF THE WEAKLEY COUNTY BOARD OF COMMISSIONERS:





ACKNOWLEDGED AND APPROVED:



Chairman, Finance, Ways & Means Committee

Motion made by Commissioner Vernon Dunn that the foregoing amendment be approved. Seconded by Commissioner David Rooks.
Upon being put to a role call vote, motion carried.

ATTEST:



Faye Butts, County Court Clerk

APPROVED:



Ron Gifford, County Executive