

RESOLUTION NO. 450-99

Approving a Lease-Purchase Agreement

WHEREAS, the Rural Division of the St. Ansgar Community Fire Department, consisting of the Townships of Mitchell, Newburg, Otranto, Rock and St. Ansgar (the "Townships") and the City of Carpenter (the "City") (the Townships and the City shall be referred to as the "Rural Division") has requested that the Board of Supervisors of Mitchell County, Iowa (the "County") enter into a lease with option to purchase agreement (the "Lease-Purchase Agreement") in a principal amount not to exceed \$130,000, for the purpose of acquiring a fire truck for the Rural Division;

WHEREAS, the County has previously adopted proceedings approving the Lease-Purchase Agreement;

WHEREAS, the Townships have each adopted a resolution approving a levy in an amount sufficient to pay to the County each Township's proportionate share of payments due under the Lease-Purchase Agreement;

WHEREAS, the City has adopted a resolution approving the payment to the County from the City's general fund the City's proportionate share of payments due under the Lease-Purchase Agreement; and

WHEREAS, the County desires to acknowledge its acceptance of the above-referenced payments and further agrees to take all monies received from the Townships and the City and pay said sums to the named Lessor in the Lease-Purchase Agreement.

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Mitchell County, Iowa, as follows:

Section 1. The County agrees to accept all monies received from the Townships and the City for the purpose of making lease and/or purchase payments pursuant to the Lease-Purchase Agreement, and to transfer said sums to Kansas State Bank of Manhattan, Manhattan, Kansas, or an assignee or successor in interest, all as required by the Lease-Purchase Agreement.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved January 26, 1999.


Chairperson, Board of Supervisors

Attest:


County Auditor

• • • •

On motion and vote, the meeting adjourned.

William B. Buehler, Jr.
Chairperson, Board of Supervisors

Attest:

Sandra Heckstein
County Auditor

STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned, County Auditor of the aforementioned County, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Board of Supervisors of the County relating to the hearing on the acceptance of funds from the St. Ansgar Community Fire District and the payment of said funds to the Lessor under the Lease-Purchase Agreement.

I further certify that no appeal has been taken to the District Court from the decision of the Board to enter into the Lease-Purchase Agreement.

WITNESS MY HAND and the seal of the County hereto affixed this 26th day of January, 1999.

Sandra Heckstein
County Auditor

(Seal)

For Your Records

Approval

Osage, Iowa

January 26, 1999

The Board of Supervisors of Mitchell County, Iowa, met on January 26, 1999, at _____ o'clock a.m., at the Mitchell County Courthouse, Osage, Iowa. The Chairperson presided and the roll was called showing the following Supervisors present and absent:

Present: William Squier, Cheryl Jahnel

Absent: Bob Pennington

This being the time and place specified for taking action on the proposal to enter into a lease-purchase agreement, the County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there were none.

After due consideration and discussion, Supervisor Jahnel introduced the following resolution and moved its adoption, seconded by Supervisor Squier. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

Ayes: Squier, Jahnel

Nays: None

Whereupon, the Chairperson declared the resolution duly adopted, as follows: