

RESOLUTION NO. 05-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH THE CITY OF ORTING FOR THE PURCHASE OF SURPLUS AERATORS FOR THE COST OF \$1.00.

WHEREAS, in accordance with RCW 39.33.010, the City may acquire surplus property from another government entity without regard to bid laws; and

WHEREAS, the City of Orting has surplus treatment plant aerator equipment which is described as follows: 3 Floating Aerators; model 1010-SF-1 Aqua-Lator Aerators -10 HP motors, manufactured by Aerators Inc. Roscoe, Illinois; and

WHEREAS, Orting has determined that this equipment has no practical fair market value; and

WHEREAS, Orting is willing to provide this equipment to the City of Vader for \$1.00; and

WHEREAS, the City of Vader has an emergent need for the use of the surplus aerators and wishes to purchase these aerators from the City of Orting; and


WHEREAS, the City Council finds it is in the public interest to authorize the Mayor to execute the Purchase and Sale Agreement to obtain this surplus equipment from the City of Orting; **NOW, THEREFORE,**

THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute the Purchase and Sale Agreement with the City of Orting to purchase the surplus aerator equipment for \$1.00 in substantially the form attached to this Resolution as Exhibit "1".


RESOLVED this 11th day of April, 2019.

APPROVED:



Kenneth Smith, Mayor

ATTEST/AUTHENTICATED:



Jill Nielson, City Clerk

PASSED BY THE CITY COUNCIL: 4-11-19
RESOLUTION NO.: 05-2019

EXHIBIT - 1

Purchase and Sale Agreement

With

City of Orting

ORIGINAL

Purchase and Sale Agreement

WHEREAS, the City of Orting has determined that certain aerator equipment is surplus with no practical fair market value and is no longer needed by the City of Orting; and

WHEREAS, the City of Vader has an emergent need for the use of the surplus aerators and wishes to purchase the aerators from the City of Orting.

NOW THEREFORE, IT IS HEREBY DECLARED, for and in consideration of the sum of One Dollar (\$1.00) and other good and sufficient consideration, receipt whereof is hereby acknowledged, the undersigned Seller(s) City of Orting, Washington, a municipal corporation do(es) hereby convey, set over, assign, transfer and sell to the Purchaser(s) City of Vader, Washington, a municipal corporation, the surplus treatment plant aerator equipment as described as follows 3 Floating Aerators; model 1010-SF-1 Aqua-Lator Aerators – 10 HP motors, manufactured by Aerators Inc. Roscoe, Illinios.


Seller warrants that he/she, they, it, is/are the sole owner(s) of all the property above described and has/have full power to convey all rights herein conveyed.

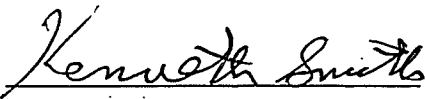
Buyer agrees to hold the City of Orting harmless from any and all claims which might result from execution of this document.

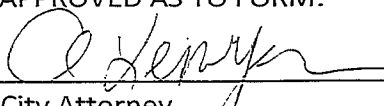
This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the Parties and supersedes all prior negotiations, representations, or agreements written or oral. No amendment or modification of this Agreement shall be of any force or effect unless it is in writing and signed by the parties.

By accepting this instrument, the City of Orting conveys and the City of Vader accepts the above described treatment plant aerator equipment.

IN WITNESS WHEREOF the Seller(s) has/have executed these presents this 27th day of March, 2019.

Seller: 
JOE PENNER
MAYOR

Purchaser: 
Kenneth Smith, Mayor

APPROVED AS TO FORM:

City Attorney