

**RESOLUTION NO. 13-2017**

**A RESOLUTION AUTHORIZING THE SALE DURING THE CALENDAR YEAR 2017 OF MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council of the Village of Loudonville wishes to adopt a Resolution expressing its intent to sell municipally owned property by internet auction, pursuant to Ohio Revised Code Section 721.15(D); and

**WHEREAS**, the Council of the Village of Loudonville wishes to utilize the services of GovDeals, Inc. at GovDeals.com, as the Village's contracted representative to conduct internet auctions on its behalf.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF LOUDONVILLE, STATE OF OHIO:**

**Section 1.** That during calendar year 2017, municipally owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired may be sold at internet auction.

**Section 2.** That any such auction sales shall be conducted by GovDeals, Inc. at GovDeals.com pursuant to the rules and regulations promulgated and in effect for GovDeals.com. GovDeals, Inc. is located at 5907 Carmichael Place, Montgomery, Alabama, 36117 and its phone number is (334) 387-0516. The sales fees to be paid by the Village of Loudonville shall, in no event, exceed the amount of eight (8%) per cent of the accepted auction bid, except that there shall be a minimum fee of five dollars (\$5.00).

**Section 3.** For all such auction sales, the bidding shall remain open for not less than fifteen (15) days, including Saturdays, Sundays and legal holidays. The terms of payment shall be cash, cashier's check, money order or bank check, with payment in full on or before the date of delivery to the successful bidder; further, the successful bidder shall be solely responsible for all acts and expenses associated with the transport and/or delivery of such item(s) so purchased.

**Section 4.** All property sold at auction shall be sold "As is, where is and with all faults". The Village shall offer no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Village shall reserve the right to reject any and all bids and to withdraw from sale of any of the items listed.

**Section 5.** The Mayor is hereby empowered enter into a Seller's Agreement with GovDeals, Inc. that is consistent with the terms set forth herein.

**Section 6.** The Fiscal Officer of the Village of Loudonville shall advertise this internet auction policy as required by Ohio Revised Code Section 721.15(D).

**Section 7.** That this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety, and welfare, because the sale of certain personal property is necessary to create needed space in the Loudonville Fire Department and impound lot and other Village facilities, and as an emergency measure this Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Stephen Stricklen, Mayor

Attest:

\_\_\_\_\_  
Elaine Van Horn, Fiscal Officer

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Thomas R. Gilman, Village Solicitor