

RESOLUTION NO. 2015 - ____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LORAIN PORT AUTHORITY AUTHORIZING THE DIRECTOR TO TRANSFER REAL ESTATE FROM THE LORAIN PORT AUTHORITY LOCATED AT BROADWAY AVENUE, LORAIN, OHIO (HEALTH AND FAMILY DENTISTRY SIGN SITE) TO HEALTH AND FAMILY DENTISTRY DESCRIBED IN EXHIBIT "A" AND THE AGREEMENT ATTACHED HERETO, SUBJECT TO LEGAL COUNSEL FINAL REVIEW.

WHEREAS, the Port Authority is an agency of the City of Lorain authorized to carry out the policy of the City to foster development within the City of Lorain, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 4582.22, the Lorain Port Authority is an instrumentality of the State of Ohio conferred with powers considered to be essential government functions to further development within the jurisdiction of the City of Lorain; and

WHEREAS, the Board of Directors authorized acceptance of transfer of the parcel from the City of Lorain on February ____, 2015 through Resolution No.2015-____, subject to legal counsel review; and

WHEREAS, said Environmental Phase I Studies have been completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lorain Port Authority:

SECTION I. That the Board authorizes the transfer of real estate to Health and Family Dentistry, 1201 Broadway Avenue, Lorain, Ohio and as per the attached Agreement subject to legal counsel final review. Said real estate described in the deed attached hereto and incorporated herein as Exhibit "A", Health and Family Dentistry Sign Site – Broadway Avenue, Lorain, Ohio.

SECTION II. That the Executive Director or his designee is hereby authorized and directed to enter into an Agreement in substantially the form of that document as now on file with this Board. The form of that document for use in connection with the Project is approved by this Board with such changes therein as are not inconsistent with this Resolution and not substantially adverse to the Lorain Port Authority and shall be approved by the officer or officers executing that document, as well as by legal counsel to the Lorain Port Authority. The approval of such changes, and that such changes are not substantially adverse to the Lorain Port Authority, shall be conclusively evidenced by the execution of the document by that officer or officers.

SECTION III. It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees

that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

Ayes:

Nays:

Abstain:

Adopted:

Carl Nielsen, Chairman

Richard M. Novak, Executive Director