

RESOLUTION NO. 17-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILMER, TEXAS, AFFIRMING AND UPHOLDING THE DECISIONS OF PAST UPSHUR COUNTY, TEXAS COMMISSIONERS COURT AND THE CITY COUNCIL OF GILMER, TEXAS, SPECIFICALLY, THE SEPTEMBER 28, 2004 COMMISSIONERS COURT AND OCTOBER 12, 2004 CITY COUNCIL, RESPECTIVELY ACCEPTING AND TRANSFERRING SOLE OWNERSHIP AND OPERATIONS OF THE LIBRARY BUILDING AND LAND TO THE COUNTY THEREBY TERMINATING THE EXISTING COST-SHARING CONTRACT WITH THE CITY OF GILMER.

WHEREAS, on September 28, 2004, the Upshur County Commissioners Court re-convened from Executive Session at 6:30 to accept Library property for \$118,837 owed by the City for past funding and to terminate the existing contract between the County and the City concerning the Library. Motion carried; and

WHEREAS, on October 12, 2004, the City Council of the City of Gilmer, Texas unanimously authorized the Mayor to execute the transfer of the Library building and Land to the County thereby relieving the City of any cost sharing arrangement and designating Upshur County as sole operator; and

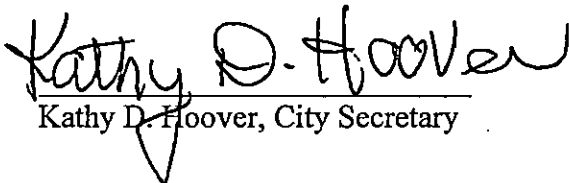
WHEREAS, a Warranty Deed was entered into by and between the City of Gilmer, Texas and Upshur County, Texas on October 12, 2004 conveying the library building and land to Upshur County (Grantee) from the City of Gilmer, Texas (Grantor); and

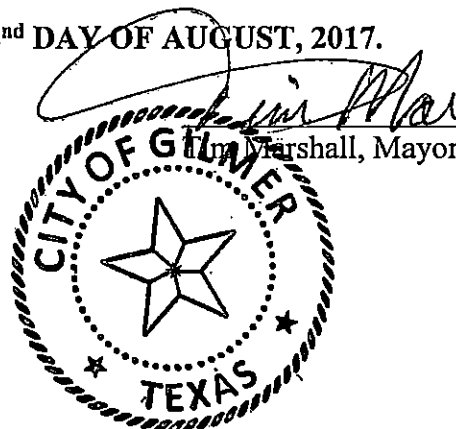
WHEREAS, an interlocal agreement, entered into by and between the County of Upshur, Texas acting by and through the Commissioner's Court and the City of Gilmer, Texas, acting by and through the City Council; dated October 12, 2004, signed by R.D. Cross, Mayor, and each Council Member, City of Gilmer, Texas; dated November 15, 2004, signed by Dean Fowler, County Judge, and each Commissioner's Court Member, Upshur County, Texas; that in consideration of the premises and by reason of the fact that the City transfers its interest and ownership of the Upshur County Library to the County, is agreed and further; the interlocal agreement written in 1986 shall be declared terminated and any and all monies owed by the City to the County shall be hereby forgiven in exchange for the transfer of the property;

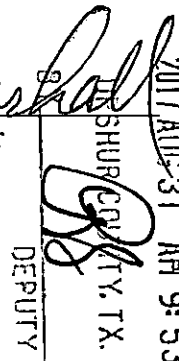
NOW THEREFORE, be it resolved by the City Council of the City of Gilmer, Texas that Upshur County continue to be sole owner and operator of the Upshur County Library and in so doing honor and abide by said agreements made in the past between Upshur County, Texas and the City of Gilmer, Texas regarding the Upshur County Library.

PASSED AND APPROVED THIS THE 22nd DAY OF AUGUST, 2017.

ATTEST:


Kathy D. Hoover, City Secretary




DEPUTY
UPSHUR COUNTY, TX.
2017 AUG 31 AM 9:53
FILED
TERRI ROSS
COUNTY CLERK