

RESOLUTION #1

RESOLUTION FINDING PROPERTY NOT NEEDED FOR EDUCATIONAL PURPOSES

WHEREAS, the Kenmore-Town of Tonawanda Union Free School District (the “District”) is the owner of record of the Philip Sheridan School building of approximately 72,536 sq. ft. located at 3200 Elmwood Avenue, Kenmore, New York 14217, which includes approximately 8.0± acres of land located in the County of Erie, and State of New York, being known as Tax Map No. 66.21-7-17 (the “Property”); and

WHEREAS the Board of Education of the District has determined that the Property is no longer needed for school district purposes; and

WHEREAS, the cost of preserving and maintaining the Property is excessive and diverts funds which could otherwise be used for school purposes; and

WHEREAS, the Board of the District seeks to solicit offers for purchase of the Property by public bid, and any sale will require approval of the voters under Education Law § 1709(11); and

NOW, THEREFORE, be it resolved as follows:

1. The Board of Education of the Kenmore-Town of Tonawanda Union Free School District hereby finds that the Property is of no use or value to the District, and that the conveyance of the District’s interest therein is in the best interest of the District.
2. The Board of Education understands its fiduciary responsibility with respect to such sale and will make any and all further decisions with respect to the sale of such property in accordance with applicable provisions of law and its fiduciary obligations thereunder.
3. Any offer to purchase the premises shall be subject to Board of Education approval and the regulations of the State Environmental Quality Review Act.
4. Any offer to purchase the premises shall also be subject to the provisions of New York Education Law Section 1709(11), which requires the District to obtain approval of the voters.
5. The officers and employees of the District are authorized and directed to take all steps necessary or appropriate to solicit bona fide offers and complete the transaction.

MOTION MADE BY: _____

SECONDED BY: _____

Yes _____ **No** _____ **Abstain** _____ **Absent** _____

Date: _____, 2018 _____

District Clerk
Kenmore-Town of Tonawanda Union Free School District