

**RESOLUTION** # 1379

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COMANCHE COUNTY AND THE BOARD OF COUNTY COMMISSIONERS OF TILLMAN COUNTY, TO ENTER INTO AN AGREEMENT TO TRADE CERTAIN PROPERTY BETWEEN COMANCHE COUNTY ROAD DISTRICT NO. 1 TO TILLMAN COUNTY ROAD DISTRICT NO. 2 (TITLE 19 O.S. § 421.1(E))**

**WHEREAS**, Oklahoma law and statutes permit a county to, "... by resolution, enter into an agreement with any ... other county ... for the purpose of selling, transferring, trading or otherwise disposing of equipment ...", 19 O.S. § 421.1(E);

**WHEREAS**, Comanche County District 1 has certain equipment in its possession that is no longer necessary for the operation of District 1 or the other road districts of Comanche County, specifically a 1999 Bomag MPH 100, Serial Number 86289V, with an appraised value of \$25,000.00;

**WHEREAS**, Tillman County District 2 has certain equipment in its possession that is no longer necessary for the operation of District 2 or the other road districts of Tillman County, specifically a 2006 Rosco RA 300 Spray Patcher mounted on a Sterling SC 8000 truck VIN 49GHADB6DX0233, with an appraised value of \$45,000.00;

**WHEREAS**, Comanche County has need of the 2006 Rosco RA 300 Spray Patcher and Tillman County has need of the 1999 Bomag MPH 100;

**WHEREAS**, each County, by virtue of the signatures and dates affixed hereto, said County having afforded proper public notice of this Resolution and Agreement on its agenda, and having supported the action taken in a properly noticed public meeting of the respective Board of County Commissioners, believes that the terms of this Resolution and Agreement are action taken in the best interest of the citizens of Comanche and Tillman Counties;

**WHEREAS**, in consideration of difference in appraised values of the items being traded and transferred between the Counties, Comanche County agreed to pay Tillman County Twenty Thousand Dollars and 00/100 (\$20,000.00) in order to have transfers of approximately equal values.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of the Comanche and Tillman Counties, Oklahoma, that the Counties agree as follows:

Section 1. Comanche County and Tillman County shall agree upon a mutually convenient time and manner to transfer the following from Comanche County Road District No. 1 to Tillman County Road District No. 2: 1999 Bomag MPH 100, Serial Number 86289V, along with the monetary payment of Twenty Thousand Dollars

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**CARRIE TUBBS**  
COMANCHE COUNTY CLERK

and 00/100 (\$20,000.00) in consideration for an approximately equal trade, as described *supra*.

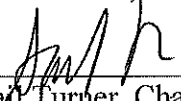
Section 2. Upon the mutually agreeable time and manner described *supra* in Section 1, Tillman County Road District No. 2 shall transfer to Comanche County Road District No.1: 2006 Rosco RA 300 Spray Patcher, as described *supra*.


Section 3. The transfer of property/equipment and consideration of the monetary payment for an approximate equal trade are done by mutual agreement of the Counties.


Section 4. Each County shall properly notice consideration of this Resolution and agreement on the Agenda of its Board of County Commissioners, shall take action on the Agenda item regarding this transaction in a public meeting in accordance with the Oklahoma Open Meetings Act, and shall preserve a fully executed copy of this Resolution and agreement in its respective county records.

Section 5. The transaction contemplated in this Resolution shall be complete when the property/equipment is transferred to the possession of the other county at the time and manner mutually agreed upon.


**PASSED, APPROVED, AND AGREED** this 5<sup>th</sup> day of March, 2018 by the Board of County Commissioners of the County of Comanche, Oklahoma.


  
\_\_\_\_\_  
Gail Turner, Chairman

  
\_\_\_\_\_  
Don Hawthorne, Vice Chairman

  
\_\_\_\_\_  
Johnny Owens, Member

Attest:

  
\_\_\_\_\_  
Carrie Tubbs, County Clerk




Approved as to form:


  
\_\_\_\_\_  
Taren Lord-Halvorson, OBA No. 31626  
Assistant District Attorney

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COMANCHE COUNTY CLERK


PASSED, APPROVED, AND AGREED this 20<sup>th</sup> day of February, 2018 by the Board of County Commissioners of the County of Tillman, Oklahoma.

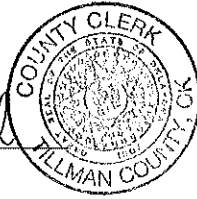
\_\_\_\_\_  
Jimmie Smith, Commissioner Dist. 1

  
\_\_\_\_\_  
Joe Don Dickey, Commissioner Dist. 2


  
\_\_\_\_\_  
Kent Smith, Commissioner Dist. 3

Attest:

  
\_\_\_\_\_  
Cacy Caldwell, County Clerk



Approved as to form:

  
\_\_\_\_\_  
Deanna Hansell  
Assistant District Attorney

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COMANCHE COUNTY CLERK