

RESOLUTION 1982- /

BOROUGH OF WEST NEWTON
WESTMORELAND COUNTY, PENNSYLVANIA

WHEREAS, the Yough School District has been desirous of conveying the vacant former West Newton auditorium and gymnasium building and the real estate upon which it is erected located in the Borough of West Newton to the Borough of West Newton; and

WHEREAS, the Yough School District has also been desirous of conveying the former West Newton High School building which last housed seventh and eighth grade students and the real estate upon which it is erected and surrounding real estate located in the Borough of West Newton to the Borough of West Newton; and

WHEREAS, the Borough of West Newton has been desirous of receiving the said buildings and real estate from the Yough School District; and

WHEREAS, the Yough School District by Resolutions dated October 12, 1981 and January 13, 1982 have resolved to convey the aforesaid buildings and surrounding real estate to the Borough of West Newton under the terms and conditions as contained in the said Resolutions (copies attached); and

WHEREAS, it is the desire of the Borough Council of the Borough of West Newton that they accept the conveyances from the Yough School District and it is their further desire to accept the said conveyances under and subject to all the terms and conditions contained in the written Resolutions (copies attached).

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Borough of West Newton hereby accepts the conveyance of the vacant former West Newton auditorium and gymnasium building and the real estate upon which it is erected located in the Borough of West Newton and the former West Newton High School building which last housed seventh and eighth grade students and the real estate upon which it is erected and surrounding real estate located in the Borough of West Newton as contained in the Resolutions by the Yough School Board dated October 12, 1981 and January 13, 1982 (copies attached).
2. That the proper officers of the Borough of West Newton are hereby authorized and directed to execute any and all documents required to be executed in order to effectuate the purposes herein and to take whatever actions are required in order to effectuate the said purposes.
3. That the Secretary of the Borough of West Newton is hereby authorized and directed to make this resolution and the vote thereon a part of the minutes of the Adjourned Borough Council Meeting of West Newton Borough of Friday, January 15, 1982.

ADOPTED this 15th day of January, 1982.

BOROUGH OF WEST NEWTON

BY:

Edward J. Portex
Edward J. Portex, President of
Council

ATTEST:

Mary K. Willis
Mary K. Willis, Secretary

APPROVED this 18th day of January, 1982.

Walter B. Klich
Walter B. Klich, Mayor

RESOLUTION
YOUGH SCHOOL DISTRICT

WHEREAS, Yough School District is the owner of the former West Newton High School Buildings which includes a certain real estate upon which is erected the former auditorium and gymnasium building; and

WHEREAS, the said real estate and former auditorium and gymnasium building is presently unused and unnecessary lands and buildings in terms of the educational program of the Yough School District; and

WHEREAS, the Yough School District desires to convey the said unused and unnecessary former auditorium and gymnasium building and the real estate upon which it is erected in accordance with §707(3) of the School Code to the Borough of West Newton, the said real estate and former auditorium and gymnasium building being situate in the Borough of West Newton which borough is located within the boundaries of the Yough School District; and

WHEREAS, the conveyance to the Borough of West Newton is to be without consideration, but shall contain the reverter clause contained in §707(8) of the School Code to the effect that "all such conveyances (under §707[8] of the School Code) shall contain a clause whereby the lands and buildings will revert to the school district if they are no longer being used for municipal or authority purposes"; and

WHEREAS, the Board of Education of the Yough School District wishes to authorize and direct its Superintendent and Solicitor to take whatever actions are required to prepare a deed for the aforesaid unused and unnecessary former auditorium and gymnasium building and the real estate upon which it

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is erected including the obtaining of a survey of the said property if it is required to prepare the said deed; and

WHEREAS, the Board of Education of the Yough School District wishes to authorize and direct its President, John Soroka, and its Secretary, Mario Rua, to execute the aforesaid deed on behalf of the Yough School District and to further authorize its Secretary, Mario Rua, to be its attorney and in its name and as and for its corporate act and deed to acknowledge the said deed, before any person having authority by the laws of the Commonwealth of Pennsylvania to take such acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- (1) That the Yough School Board hereby formally declares the said former auditorium and gymnasium building and the ground upon which it is erected to be unused and unnecessary lands and buildings of the Yough School District.
- (2) That the Superintendent of the Yough School District and the Solicitor are authorized and directed to take whatever actions are required to prepare a deed from the Yough School District to the Borough of West Newton for the aforesaid unused and unnecessary former auditorium and gymnasium building and the real estate upon which it is erected including the obtaining of a survey of the said property if it is required to prepare the said deed.
- (3) That the conveyance to the Borough of West Newton shall be without consideration, but shall contain the reverter clause required by

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§707(8) of the School Code.

- (4) That the Yough School Board hereby authorizes and directs the President, John Soroka, and its Secretary, Mario Rua, to execute the aforesaid deed to the Borough of West Newton on behalf of the Yough School District.
- (5) That Mario Rua, Secretary of the Yough School District, is hereby authorized and directed to be the Yough School District's attorney in fact in this transaction and in its name and as and for its corporate act and deed to acknowledge the said deed before any person having authority by the laws of the Commonwealth of Pennsylvania to take said acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton.
- (6) That the Secretary of the Yough School Board is hereby authorized and directed to make this resolution and the vote thereon a part of the minutes of the Regular School Board Meeting of Monday, October 12, 1981.

Adopted this _____ day of October, 1981

BOARD OF SCHOOL DIRECTORS OF THE
YOUGH SCHOOL DISTRICT, WESTMORELAND
COUNTY, PENNSYLVANIA

BY _____
John Soroka, President

ATTEST:

Mario Rua, Secretary

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RESOLUTION
YOUGH SCHOOL DISTRICT

WHEREAS, Yough School District by Resolution adopted the 12th day of October, 1981 resolved to convey the unused and unnecessary former auditorium and gymnasium building and the real estate upon which it is erected in the Borough of West Newton in accordance with §707(8) of the School Code to the Borough of West Newton; and

WHEREAS, at that time the Board of Education of the Yough School District authorized its then president John Soroka and its then secretary Mario Rua to execute the proper deed from the Yough School District to the Borough of West Newton on behalf of the Yough School District and further then authorized its then secretary Mario Rua to be its attorney and in its name and as and for its corporate act and deed to acknowledge the said deed before any person having authority by the laws of the Commonwealth of Pennsylvania to take such acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton; and

WHEREAS, subsequent to the 12th day of October, 1981 and subsequent to the reorganization meeting of the Yough Board of School Directors, Leonard C. Sayers was elected President of the Yough School Board and Andrew Fraicola was named the Secretary of the Yough School District; and

WHEREAS, the Board of Education of the Yough School District now wishes to authorize and direct its new President Leonard C. Sayers and its new Secretary Andrew Fraicola to execute the aforementioned deed on behalf of the Yough School District and to further authorize its new Secretary Andrew Frai-

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cola to be its attorney and in its name and as and for its corporate act and deed to acknowledge the said deed, before any person having authority by the laws of the Commonwealth of Pennsylvania to take such acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- (1) That the Yough School Board hereby authorizes and directs its new President Leonard C. Sayers and its new Secretary Andrew Fraicola to execute the aforesaid deed to the Borough of West Newton on behalf of the Yough School District.
- (2) That Andrew Fraicola, the new Secretary of the Yough School District, is hereby authorized and directed to be the Yough School District's attorney in fact in this transaction and in its name and as and for its corporate act and deed to acknowledge the said deed before any person having authority by the laws of the Commonwealth of Pennsylvania to take such acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton.
- (3) That all other parts of the said Resolution adopted the 12th day of October, 1981 shall remain in full force and effect.
- (4) That the Secretary of the Yough School Board is hereby authorized and directed to make this resolution and the vote thereon a part of the minutes of the Regular School Board Meeting of Wednesday, January 13, 1982.

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Adopted this _____ day of January, 1982.

BOARD OF SCHOOL DIRECTORS OF THE YOUGH
SCHOOL DISTRICT, WESTMORELAND COUNTY,
PENNSYLVANIA

BY _____
Leonard C. Sayers, President

ATTEST:

Andrew Fraicola, Secretary

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RESOLUTION
YOUGH SCHOOL DISTRICT

WHEREAS, Yough School District is the owner of the former West Newton High School Buildings which include real estate upon which it is erected the former auditorium and gymnasium building and also real estate upon which is erected the former West Newton High School building which last housed Yough seventh and eighth grade students; and

WHEREAS, by Resolution dated the 12th day of October, 1981 the Board of Education of the Yough School District declared the real estate upon which is erected the former auditorium and gymnasium building to be presently unused and unnecessary lands and buildings in terms of the educational program of the Yough School District, and further resolved to convey the said unused and unnecessary former auditorium and gymnasium building and the real estate upon which it is erected in accordance with §707(8) of the School Code to the Borough of West Newton; and

WHEREAS, the Board of Education of the Yough School District has decided after reviewing the situation that the real estate upon which is erected the former West Newton High School building which last housed Yough seventh and eighth grade students is presently unused and unnecessary lands and buildings in terms of the educational program of the Yough School District; and

WHEREAS, the Yough School District desires to convey the said unused and unnecessary former West Newton High School building which last housed Yough seventh and eighth grade students and the real estate upon which it is erected in accordance with §707(8) of the School Code to the Borough of West

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Newton, the said real estate and former West Newton High School building which last housed Yough seventh and eighth grade students being situate in the Borough of West Newton, which Borough is located within the boundaries of the Yough School District; and

WHEREAS, the Borough of West Newton has advised the Board of Education of the Yough School District that it desires to have the former West Newton High School building razed and replaced with a park after the property is turned over to the Borough of West Newton; and

WHEREAS, the Board of Education of the Yough School District did by motion made on the 14th day of December, 1981 move to turn the West Newton High School building over to West Newton Borough with the understanding that it may be razed and replaced with a park; and

WHEREAS, the conveyance to the Borough of West Newton is to be without consideration, but shall contain the reverter clause contained in §707(8) of the School Code to the effect that "all such conveyances (under &707[8] of the School Code) shall contain a clause whereby the lands and buildings will revert to the school district if they are no longer being used for municipal or authority purposes"; and

WHEREAS, the Board of Education of the Yough School District wishes to authorize and direct its Superintendent and Solicitor to take whatever actions are required to prepare a deed for the aforesaid unused and unnecessary former West Newton High School building which last housed Yough seventh and eighth grade students and the real estate upon which it is erected including the obtaining of a survey of the said property if it is required to prepare

the said deed; and

WHEREAS, the Board of Education of the Yough School District wishes to authorize and direct its President, Leonard C. Sayers, and its Secretary, Andrew Fraicola, to execute the aforesaid deed on behalf of the Yough School District and to further authorize its Secretary, Andrew Fraicola, to be its attorney and in its name and as and for its corporate act and deed to acknowledge the said deed, before any person having authority by the laws of the Commonwealth of Pennsylvania to take such acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- (1) That the Yough School Board hereby formally declares the said former West Newton High School building which last housed Yough seventh and eighth grade students and the ground upon which it is erected to be unused and unnecessary lands and buildings of the Yough School District.
- (2) That the Superintendent of the Yough School District and the Solicitor are authorized and directed to take whatever actions are required to prepare a deed from the Yough School District to the Borough of West Newton for the aforesaid unused and unnecessary former West Newton High School building which last housed Yough seventh and eighth grade students and the real estate upon which it is erected including the obtaining of a survey of the said property if it is required to prepare the said deed.

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- (3) That the conveyance to the Borough of West Newton shall be without consideration, but shall contain the reverter clause required by &707(8) of the School Code.
- (4) That the Yough School Board hereby authorizes and directs the President, Leonard C. Sayers, and its secretary, Andrew Fraicola, to execute the aforesaid deed to the Borough of West Newton on behalf of the Yough School District.
- (5) That Andrew Fraicola, Secretary of the Yough School District, is hereby authorized and directed to be the Yough School District's attorney in fact in this transaction and in its name and as and for its corporate act and deed to acknowledge the said deed before any person having authority by the laws of the Commonwealth of Pennsylvania to take such acknowledgement, to the intent that the same be duly recorded, and to further deliver the said deed to the Borough of West Newton.
- (6) That the Secretary of the Yough School Board is hereby authorized and directed to make this resolution and the vote thereon a part of the minutes of the Regular School Board Meeting of Wednesday, January 13, 1982.

Adopted this _____ day of January, 1982.

BOARD OF SCHOOL DIRECTORS OF THE YOUGH
SCHOOL DISTRICT, WESTMORELAND COUNTY,
PENNSYLVANIA

BY _____

Leonard C. Sayers, President

ATTEST:

Andrew Fraicola, Secretary

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