

RESCINDED by Resolution No. 0068-15 on January 27, 2015

Resolution No. 0819-14

November 18, 2014

Resolution authorizing the execution of a third amendment to an agreement of sublease with the Ohio Department of Rehabilitation and Correction and accepted and consented to by the Ohio Building Authority pertaining to the financing of a portion of the cost of the Franklin County Community Based Correctional Facility. (Community Based Correctional Facility)

WHEREAS, the County of Franklin, Ohio (the "County") entered into an Agreement of Sublease (the "Sublease") with the Department of Rehabilitation and Correction of the State of Ohio (the "Department"), made as of March 1, 1992, as amended by the First Amendment to Agreement of Sublease dated as of February 1, 1995, as amended by the Second Amendment to Agreement of Sublease dated as of July 21, 2009; and

WHEREAS, the Department and the County desire to amend the Sublease with the consent of the Ohio Building Authority (the "Authority") in accordance with the terms thereof; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO:

Section 1. The Sublease shall be amended as provided in the Third Amendment to Agreement of Sublease (the "Third Amendment") in the form on file with the Clerk of this Board and by this reference made part hereof as if fully rewritten herein.

Section 2. Any two or more members of the Board are authorized and directed, for and in the name and on behalf of the County, to execute, acknowledge and deliver the Third Amendment in substantially the form on file with the Clerk of this Board. That instrument is approved with changes therein not inconsistent with this Resolution and not substantially adverse to the County which shall be approved by the members of the Board executing the Third Amendment; provided that the approval of those changes by those members of the Board and the character of such changes as not being substantially adverse to the County shall be evidenced conclusively by their execution of those instruments.

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Section 3. The Prosecuting Attorney of the County is hereby authorized and directed to deliver his opinion addressed to the Authority and the Department, with respect to the due authorization, execution and delivery of the Third Amendment by the County and such other matters with respect to the authority of and actions taken by the County in respect thereto, as such addressees may reasonably request.

Section 4. The proper officers of the County and this Board, as appropriate, are each authorized and directed to execute and deliver any additional certificates, documents or instruments and to take such further actions which are necessary or appropriate to effect the intent and purposes of this Resolution and Third Amendment.

Section 5. It is found and determined that all formal actions of this Board concerning and relating to the adoption 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 those formal actions, were in meetings open to the public in compliance with the law.

Section 6. This Resolution shall take effect and be in force immediately upon its adoption.

Submitted by: Adam Luckhaupt

cc: Auditor
Commissioners-OMB
Community Based Correctional Facility
Prosecuting Attorney