

RESOLUTION NO. 2021-R-03

**A RESOLUTION AUTHORIZING THE SALE  
OR DONATION OF SURPLUS PERSONAL PROPERTY OF  
THE WEST CHICAGO FIRE PROTECTION DISTRICT**

**WHEREAS**, the Board of Trustees of the West Chicago Fire Protection District (the "District"), DuPage County, Illinois, has authority pursuant to Section 10a of the Illinois Fire Protection District Act ("Act"), 70 ILCS 705/10a, to sell or donate personal property no longer needed for fire protection purposes; and

**WHEREAS**, the Board of Trustees has determined that it is in the District's best interest to sell or donate the personal property identified below.

**NOW, THEREFORE**, Be It Resolved by the Board of Trustees of the West Chicago Fire Protection District, DuPage County, Illinois, as follows:

**Section One**: The District hereby finds that the personal property identified on EXHIBIT A attached hereto and made a part hereof is no longer needed for fire protection purposes.

**Section Two**: The identified personal property shall be sold or donated, whichever is determined by the Fire Chief to be in the best interests of the District. The property shall be sold or donated "AS IS". In particular, **THE SELLER / DONOR MAKES NO WARRANTIES OR REPRESENTATIONS EXPRESSED OR IMPLIED ABOUT THE PERFORMANCE ABILITY OF THE SUBJECT PROPERTY, ABOUT ITS PRESENT STATE OF REPAIR, ABOUT ITS CONDITION OR MAINTENANCE, ITS MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.** The Buyer / Donee may take the property upon execution of an "indemnification and hold harmless agreement" in substantially the same form as that attached hereto as EXHIBIT A.

**Section Three**: This Resolution shall be in full force and effect upon its adoption and shall supersede any resolution or motions or parts of resolutions or motions in

conflict with any part herein and any such resolutions or motions or parts of resolutions are hereby repealed to the extent of the conflict.

**Section Four:** If any section, paragraph or provision of this Resolution shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Resolution.

**ADOPTED** this 28th day of October, 2021.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

  
\_\_\_\_\_  
President, Board of Trustees  
West Chicago Fire Protection District

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Trustees  
West Chicago Fire Protection District

EXHIBIT A

SURPLUS EQUIPMENT

1 – 2000 Zodiac International Boat, Model MK2-GR, Serial Number 2423

EXHIBIT B

EQUIPMENT DONATION RELEASE AND HOLD HARMLESS AGREEMENT

In consideration for the sale/donation of the personal property described herein, the \_\_\_\_\_ (the "Buyer" or "Donee") agrees to the following conditions in consideration of the sale by the West Chicago Fire Protection District's (the "Seller" or "Donor") of the following personal property to the Buyer / Donee:

Buyer / Donee represents that it is accepting the personal property described above "AS IS." In particular, **THE SELLER / DONOR MAKES NO WARRANTIES OR REPRESENTATION EXPRESSED OR IMPLIED ABOUT THE PERFORMANCE ABILITY OF THE SUBJECT PROPERTY, ABOUT ITS PRESENT STATE OF REPAIR, ABOUT ITS CONDITION OR MAINTENANCE, OR ITS MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

Further, that Buyer / Donee agrees to indemnify and save harmless the Seller / Donor against any and all law suits, judgments, decrees, costs, expenses (including reasonable attorney's fees) or any other loss the Donor might sustain by reason of the donation of the subject property by the Buyer / Donee, included, but not limited to, any liability resulting from the use of the ambulance.

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**Buyer / Donee:** \_\_\_\_\_

BY:

ATTESTED BY:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF DUPAGE        )        SS

**SECRETARY'S CERTIFICATE**

I, **JAMES GROBE**, the duly qualified Secretary of the Board of Trustees of the West Chicago Fire Protection District, DuPage County, Illinois, do hereby certify that the attached hereto is a true and correct copy of a Resolution entitled:

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which Resolution was adopted by the Board of Trustees of the West Chicago Fire Protection District at a meeting held on the 28th day of October, 2021.

I do further certify that a quorum of said Board was present at said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 28th day of October, 2021.

  
\_\_\_\_\_  
Secretary / Board of Trustees  
West Chicago Fire Protection District