

RESOLUTION NO. 2017-11

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA AUTHORIZING THE CHAIRMAN TO ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF SPECULATIVE HOUSING AND AUTHORIZING THE CHAIRMAN TO BORROW FUNDS FOR THE PURPOSES OF SPECULATIVE HOUSING

WHEREAS, the Community Development Agency of Lexington, Nebraska (the “Agency”), created pursuant to Nebraska Community Development Law (the “Act”), has the authority to do all things necessary or convenient to carry out and effectuate the purposes and provisions of the Act;

WHEREAS, said authority includes the power to engage in development activity including but not limited to speculative housing development in the City of Lexington, Dawson County, Nebraska;

WHEREAS, said authority of the Agency includes the power to borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from any sources, public or private, and to give such security as may be required, and to enter into and carry out contracts in connection therewith;

WHEREAS, the Agency will be requesting bids from multiple contractors for the provision of labor in regards to the speculative housing, and further the Agency has received bids for the borrowing of funds in relation to the construction of speculative housing;

WHEREAS, the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to authorize the Chairman to enter into contracts for the construction of speculative housing;

WHEREAS, the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to borrow funds for the purposes of speculative housing, and to give such security as may be required to borrow said funds;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA:

Section 1. The Chairman of the Agency is hereby authorized and directed on behalf of said Agency to enter into such contracts as are necessary for the construction of speculative housing, including but not limited to separate contracts for any and all portions of the construction process, subject to the requirement the Chairman enter into said contracts with the lowest responsible bidder.

Section 2. The Chairman of the Agency is further authorized and directed to borrow money and accept advances, and any other form of financial assistance, from Pinnacle Bank of Lexington, Nebraska, for the purposes of the construction of speculative housing, pursuant to the

terms identified in **Exhibit A**. The Chairman is further authorized to give such security as may be required, including a first lien on the real estate to be developed.

Section 3. The Chairman of the Agency is further authorized to execute all documents on behalf of the Agency in order to effectuate the financing of the project and the Agency further designates the City Manager, Joe Peplitsch, as an additional party who may request advances on any lines of credit with Pinnacle Bank.

PASSED AND APPROVED this ____ day of _____, 2017.

**COMMUNITY DEVELOPMENT AGENCY OF
LEXINGTON, NEBRASKA**

ATTEST:

By: _____
Chairman

By: _____
Secretary

(S E A L)

Exhibit A

MAXIMUM BORROWED FUNDS:	\$480,000.00
TERM:	One (1) Year
INTEREST:	3.49% interest or fixed at 0.75 under the NY Prime if loan originate date is beyond September 26, 2017.
PRE-PAYMENT:	The loan shall be eligible for pre-payment.
ORIGINATION FEE:	NONE
FILING FEES:	Paid by Borrower.