

RESOLUTION NO. 2020-01

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF SPECULATIVE HOUSING AND AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR 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 or Executive Director 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 or Executive Director of the Agency, Joe Peplitsch, 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 said contracts be with the lowest responsible bidder.

Section 2. The Chairman of the Agency or Executive Director of the Agency is further authorized and directed to borrow money and accept advances, and any other form of financial

assistance, from Homestead Bank of Lexington, Nebraska, for the purposes of the construction of speculative housing, pursuant to the terms identified in Exhibit A. The Chairman or Executive Director 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 or Executive Director, Joe Peplitsch, 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 Joe Peplitsch as an additional party who may request advances on any lines of credit with Homestead Bank.

PASSED AND APPROVED this ___ day of _____, 2020.

COMMUNITY DEVELOPMENT
AGENCY OF LEXINGTON, NEBRASKA

By: _____
Chairman

ATTEST:

By: _____
Secretary

(S E A L)

Exhibit A

MAXIMUM BORROWED FUNDS: \$480,000.00

TERM: One (1) Year

INTEREST: 0.99% interest

PRE-PAYMENT: The loan shall be eligible for pre-payment.

ORIGINATION FEE: NONE

FILING FEES: Paid by Borrower.