

RESOLUTION 2022-R-002
GOVERNMENTAL LEASE-PURCHASE AGREEMENT NO. 001-0863778-300
DATED AS OF April 4, 2022

A resolution authorizing the negotiation, execution, and delivery of Governmental Lease-Purchase Agreement No. 001-0863778-300 dated April 4, 2022 (the "Lease"), in principal amount not to exceed \$363,800.00, between Town of Sellersburg, 316 E. Utica Street, Sellersburg, IN 47172 and The Huntington National Bank, 1405 Xenium Lane North (PCC180), Plymouth, MN 55441; and prescribing other details in connection therewith.

WHEREAS, Town of Sellersburg, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of Indiana; and

WHEREAS, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

WHEREAS, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in Attachment 2 to the Lease is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, The Huntington National Bank, (the "Lessor") shall act as Lessor under said Lease; and

WHEREAS, the Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF Town of Sellersburg:

Section 1. The Lease, in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the President of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver the Lease and related documents in substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and which Lease will be available for public inspection at the offices of Lessee.

Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.

Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of Indiana.

Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.

Section 5. Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the current calendar year and hereby designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 6. This resolution shall take effect immediately upon its adoption and approval.

CERTIFIED AS TRUE AND CORRECT this 27th day of June, 2022.



Signature of Clerk, Secretary or Assistant Secretary

Michelle D. Miller, Clerk Treasurer

Printed Name of Clerk, Secretary or Assistant Secretary