

AMENDED RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A
LEASE AGREEMENT AND RELATED DOCUMENTS AND CERTIFICATES

BE IT RESOLVED by the City of Rapid City, State of South Dakota, as follows:

- 1) The Lease Agreement (the “Agreement”) Supplement and Escrow Agreement are hereby approved substantially in the form presented to this board and on file in the office of the Secretary/Clerk.
- 2) The Mayor or Council President is hereby authorized to execute the Agreement, Supplement, and Escrow Agreement on behalf of the City, and to execute such other certificates and documents as may be necessary and appropriate to effectuate the transactions contemplated by the Agreement. The Agreement, Supplement and the related documents may contain such necessary and appropriate variations, omissions and insertions as the Mayor or Council President shall determine to be necessary, and the execution thereof by the Mayor or Council President shall be conclusive evidence of such determination and its approval by the Council.
- 3) Lessee reasonably anticipates that it will issue tax-exempt obligations (not including “private activity bonds” as defined in Section 141 of the Internal Revenue Code of 1986, as amended) in an aggregate amount not to exceed \$10 million during the calendar year in which the Lease commences. The lease is designated as a qualified tax-exempt obligation for purposes of Section 265(b)(c) of the Internal Revenue Code of 1986, as amended, relating to deductibility of interest by financial institutions.

Dated this 7th day of July 2008.

CITY OF RAPID CITY
s/ Alan Hanks
Mayor

ATTEST:
s/ James F. Preston
Finance Officer

(SEAL)