

RESOLUTION 2009 - 144

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A  
GOVERNMENTAL LEASE-PURCHASE AGREEMENT AND  
SUPPLEMENTS THERETO AND RELATED DOCUMENTS AND CERTIFICATES IN RELATION  
TO THE PURCHASE OF TEN NEW GARBAGE TRUCKS

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

1.) The Governmental Lease-Purchase Agreement (the "Agreement" or the "Lease") and the Supplement or Supplements thereto and the Escrow Agreement, if any, are hereby approved substantially in the form presented to this Common Council and on file in the office of the Finance Officer.

2.) The Mayor and Council President of the City are hereby authorized to execute the Agreement and any Supplement or Supplements thereto 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 and said Supplement or Supplements. The Agreement, the Supplement or Supplements 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 and 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 in excess of \$30 million during the calendar year in which the Lease commences. The lease is not 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 \_\_\_\_ day of \_\_\_\_\_, 2009

CITY OF RAPID CITY

\_\_\_\_\_  
Alan Hanks, Mayor

ATTEST:

\_\_\_\_\_  
James F. Preston, Finance Officer

SEAL