

RESOLUTION NO. 2024-37

**A RESOLUTION REGARDING SCHEDULE OF EQUIPMENT NO. 02, DATED 9/23/2024,
TO MASTER EQUIPMENT PURCHASE AGREEMENT, DATED AS OF 2/19/2023,
BETWEEN COMMUNITY FIRST NATIONAL BANK AS LESSOR AND THE CITY OF
MILLS, WYOMING AS LESSEE**

WHEREAS, Lessee, the City of Mills did, at a meeting of the governing body of the City of Mills held on October 8, 2024, by motion duly made, seconded and carried, in accordance with all requirements of law, approve and authorize the execution and delivery of the above referenced Schedule of Equipment No. 02 (the "Schedule") on its behalf by the following named representative of the Lessee, to witness: _____

Authorized Signer: Leah Juarez, Mayor

WHEREAS, The above named representative of the Lessee held at the time of such authorization and holds at the present time the office set forth above.

WHEREAS, The meeting of the governing body of the Lessee at which the Schedule was approved and authorized to be executed was duly called, regularly convened and attended throughout by the requisite majority of the members thereof or by other appropriate official approval and that the action approving the Schedule and authorizing the execution thereof has not been altered or rescinded.

WHEREAS, No event or condition that constitutes, or with the giving of notice or the lapse of time or both would constitute, an Event of Default (as such term is defined in the above referenced Master Equipment Lease Purchase Agreement) exists at the date hereof.

WHEREAS, All insurance required in accordance with the above referenced Master Equipment Lease Purchase Agreement is currently maintained by the Lessee.

WHEREAS, Lessee has, in accordance with the requirements of law, fully budgeted and appropriated sufficient funds for the current budget year to make the Rental Payments scheduled to come due during the Original Term and to meet its other obligations for the Original Term (as such terms are defined in the above referenced Master Equipment Lease Purchase Agreement) and such funds have not been expended for other purposes.

WHEREAS, The fiscal year of Lessee is from July to June.

WHEREFORE, The City of Mills, through its governing body, hereby provides and resolves.

1. Intent to Reimburse. Lessee reasonably intended to reimburse itself for the expenditure(s) made by Lessee as listed on Exhibit 1 attached hereto from the proceeds of the tax-exempt financing which is in the form of the above referenced Agreement.

2. Lessee hereby officially resolves it intended at the outset to finance the Project and/or Equipment purchased by Lessee and listed on Exhibit 1 with the proceeds from the above

referenced Agreement. This Reimbursement Resolution is officially made by the Lessee with the intent of satisfying the requirements set forth in Treasury Regulations Section 1.150-2.

PASSED, APPROVED AND ADOPTED THIS 8th Day of October 2024.

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Tim Sutherland, Council

Cherie Butcher, Council

Brad Neumiller, Council

ATTEST:

Sarah Osborn, City Clerk