

LEASE RESOLUTION 2018-R-011

A RESOLUTION OF THE **Pawnee County Board of Commissioners** OF THE STATE OF KANSAS AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT WITH AMERICAN STATE BANK & TRUST COMPANY AND OTHER DOCUMENTS AND AGREEMENTS IN CONNECTION THEREWITH.

WHEREAS, the **Board of Commissioners of Pawnee County** (hereinafter referred to as the "Issuer") is the governing body of and possesses the general legislative power of Pawnee County; and

WHEREAS, the Issuer is authorized to approve Lease-Purchase Agreements under Kansas Code; and

WHEREAS, the Issuer has heretofore determined that financing for the acquisition and leasing of certain equipment pursuant to the Lease-Purchase Agreement (as defined herein) is for the benefit of the inhabitants of **Pawnee County**, and the promotion of their welfare and prosperity, and

WHEREAS, the Lessee (as defined herein) desires to acquire the following described property pursuant to the Lease-Purchase Agreement:

2013 John Deere 772G Motor Grader; Serial Number: 1DW772GXJDE655849

WITH ALL ACCESSORIES & ACCESSIONS (hereinafter the "Equipment"); and

WHEREAS, the following documents or instruments have been presented to the Issuer at its meeting:

- (a) Lease-Purchase Agreement;
- (b) Equipment Lease Schedule to Lease Purchase Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Issuer as follows:

Section 1. The form, terms, and Provisions of the Lease-Purchase Agreement by and between **Pawnee County** as Lessee and American State Bank & Trust Company, as Lessor dated **October 9, 2018** with a term of **22 months and 23 days** and payments in the amount of **\$71,519.54 due annually, with the first payment due on September 1, 2019** (such agreement is referred to herein as the "Lease-Purchase Agreement"), are hereby approved, and all the terms, provisions and conditions of the Lease-Purchase Agreement are incorporated herein by reference as if set out in this Resolution, and such Lease-Purchase Agreement shall constitute a valid and binding obligation of the Issuer.

Section 2. The form, terms and provisions of the Lease-Purchase Agreement and Equipment Lease Schedule thereto are hereby approved, and all the terms, provisions and conditions of those documents are incorporated herein by reference as if set out in this Resolution.

Section 3. **Philip R. Hammeke, Chair, Board of Commissioners** is hereby authorized to execute the Lease-Purchase Agreement and any documents requiring execution and such person is hereby authorized to take any and all such action and execute such other documents as may be required to carry out and/or give effect to the transaction contemplated by the Lease-Purchase Agreement.

Section 4. This Resolution is made pursuant to the provisions of Kansas Code.

Section 5. This Resolution shall take effect immediately upon its adoption.

Adopted this the **8th** day of **October**, 2018.

By: Philip R. Hammeke
Philip R. Hammeke, Chair, Board of Commissioners

By: Deborah Lewis
Deborah Lewis, Commissioner

By: Robert Rein, Jr.
Robert Rein, Jr., Commissioner

Attest:

By: Ruth M. Seairight
Ruth M. Seairight, County Clerk
Laurina Quinn, Deputy II