

RESOLUTION NO. 96-05

A RESOLUTION APPROVING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO SERVICE AGREEMENT BETWEEN THE CITY OF Lexington, NEBRASKA, AND THE LEXINGTON AREA SOLID WASTE AGENCY; AUTHORIZING THE EXECUTION OF SUCH AMENDMENT TO SERVICE AGREEMENT BY THE OFFICERS OF THE CITY; APPROVING THE ISSUANCE OF BONDS BY SAID AGENCY AND RATIFYING AND CONFIRMING ALL PRIOR ACTIONS TAKEN BY THE CITY WITH RESPECT TO SUCH AGENCY.

BE IT RESOLVED by the Mayor and Council of the City of Lexington,

Nebraska, (the "City") as follows:

Section 1. The Mayor and Council hereby find and determine that the City is a member of the Lexington Area Solid Waste Agency (the "Agency") and has previously entered into a Service Agreement with the Agency (as amended to date, the "Service Agreement") and that it is necessary and advisable for the City to enter into an Amendment to Service Agreement with the Agency, amending the Service Agreement to provide for the issuance of bonds by the Agency as "Facility Bonds" in calendar 1996; that an Amendment to Service Agreement for such purpose has been prepared and submitted for approval by the Mayor and Council and that it is necessary and advisable that said Amendment to Service Agreement be approved and its execution authorized.

Section 2. The Mayor is hereby authorized to execute and deliver for and on behalf of the City the Amendment to Service Agreement with the Agency in substantially the form presented but with such changes as such officer shall deem appropriate for and on behalf of the City.

Section 3. The issuance of said Facility Bonds by the Agency, as proposed, in an amount not to exceed \$5,000,000, in accordance with the terms of the Service Agreement as amended by said Amendment to Service Agreement, is hereby approved.

Section 4. All prior actions taken by the City with respect to the Agency, membership of the City therein and the Service Agreement are hereby ratified and confirmed in all respects and the officers of the City, or any one of them, are hereby authorized to execute and deliver for and on behalf of the City any and all certifications requested by said Agency relating to said Service Agreement and said Amendment to Service Agreement as authorized by this resolution.

Section 5. This resolution shall be in force and take effect from and after its adoption as provided by law.

PASSED AND APPROVED this 27th day of February, 1996.

Robert L. Hawks
Mayor

John Skidmore
Council Member

Council Member

Council Member

George H. King
Council Member

Arnold Anderson
Council Member

John A. King
Council Member

ATTEST:

Paul E. Welch
City Clerk

