

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS  
RESOLUTION NO. 1-2022

**A RESOLUTION OF THE CLARK COUNTY, INDIANA  
BOARD OF COMMISSIONERS  
APPROVING EXECUTION OF LEASE AND RELATED MATTERS**

WHEREAS, the Board of Commissioners (the "Board") of Clark County (the "County") has previously examined and approved a form of lease (the "Lease") with the Clark County Building Corporation (the "Corporation") for the (i) acquisition of a site or sites appropriate for a governmental building or buildings including, without limitation, two (2) floors of a to-be-developed office building; and (ii) financing, planning, renovating, repairing, erecting, building, constructing or equipping and development within such building or buildings suitable government offices, including the necessary equipment and appurtenances, to be located at or near 300 Corporate Drive, Jeffersonville, Indiana, and State Tax Parcel ID Number: Part of 042-8-0010, State Tax Number: Part of 10-42-02-600-001.000-039, Clark County, Indiana, and any related improvements (collectively, the "Project"); and

WHEREAS, notice of a public hearing on the proposed Lease was given by publication as required by law; and

WHEREAS, on February 17, 2022, a public hearing was conducted in accordance with IC 36-1-10-13 as to whether the execution of the Lease is necessary and whether the rentals in the Lease are fair and reasonable for the Project; and

WHEREAS, the Board has considered the testimony and other evidence presented at the public hearing.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF CLARK COUNTY, INDIANA RESOLVES THE FOLLOWING:

Section 1. Providing for the financing, acquisition, construction, improvement, and/or equipping of the Project by the Building Corporation and the leasing of the same to County, as lessee, is in the public interest of the citizens of this County, and is a proper public purpose for which this Board agrees to cooperate with the Building Corporation and to assist in fulfilling the requirements of all agencies of federal, state and county governments.

Section 2. The drawings, plans, specifications and estimates for the cost of the Project, including, but not limited to, all costs of acquisition associated with the Project, provide for necessary facilities for the County and the same are hereby approved.

Section 3. The proposed Lease be, and hereby is, confirmed in accordance with IC 36-1-10-13. The Lease provides for a fair and reasonable rental, and further, the execution of the Lease is necessary and wise.

Section 4. The Auditor of the County is authorized and directed to initial and date a copy of the proposed Lease and to place the same in the record book immediately following the minutes of this meeting, and further, the Lease is hereby made a part of this Resolution as fully as if the same were set forth herein.

Section 5. The members of this Board are authorized and directed to execute, in the name and on behalf of the County, the Lease, including the addenda attached as exhibits to the Lease, with such changes as the members of this Board deem necessary or advisable, and the Auditor of the County, is hereby authorized and directed to attest such execution of the Lease.

Section 6. The Auditor of the County be, and hereby is, authorized and directed, on behalf of the County to publish notice of the execution of the Lease as required by law.

Section 7. Ad valorem property taxes to be levied on all taxable property in the County and legally available revenues of the County shall be authorized in each year during the term of Lease to provide the necessary funds with which to pay the rent under the Lease.

Section 8. The issuance, sale and delivery by the Building Corporation of its lease rental revenue bonds (the "Bonds"), in the aggregate principal amount not to exceed \$10,000,000, is hereby approved.

Section 9. Upon the retirement or prepayment of all of the outstanding principal amount of the Bonds, the County, as lessee, will accept from the Building Corporation title to such facility, including any additions thereto, free and clear of any and all liens and encumbrances thereon except as otherwise permitted by the Lease.

Section 10. The Building Corporation may issue, sell and deliver such Bonds, pursuant to the applicable laws of the State of Indiana, may encumber any property acquired by it for the purpose of financing such facilities, and may enter into contracts for the sale of the Bonds and the Project.

Section 11. If necessary, the Board is authorized to execute and deliver one or more Continuing Disclosure Undertaking Agreements in favor of the holders of the Bonds (the "Continuing Disclosure Undertaking Agreement") in compliance with Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, which will be in such a form as may be deemed necessary, appropriate or desirable by the President and any other officer of the Board upon the advice of counsel, with such changes in form or substance as the officers of the Board executing the same may hereafter approve.

Section 12. The members of the Board be, and hereby are, authorized and directed for and on behalf of the County, to transfer to the Corporation, the County's interests in any real estate or building related to the completion of the Project.

Section 13. Any member of the Board of Commissioners or the County Council, the Auditor of the County, and the County Attorney are hereby authorized, empowered and


directed, on behalf of the County to take any other action as such individual deems necessary or desirable to effectuate the foregoing resolutions, and any actions heretofore made or taken be, and hereby are, ratified and approved.

So RESOLVED this 17<sup>th</sup> day of February, 2022.

BOARD OF COMMISSIONERS OF CLARK  
COUNTY, INDIANA

  
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Jack Coffman, Commissioner

  
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Connie Sellers, Commissioner

  
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Bryan Glover, Commissioner

ATTEST:

  
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Danny Yost, Clark County Auditor

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