

including, but not limited to, a Continuing Disclosure Contract, if necessary, and closing certifications, in such forms as the President, Vice President or Secretary executing the same shall deem proper, such desirability to be conclusively evidenced by the execution thereof, and any and all actions previously taken by any member of the Commission or representatives of the Commission in connection with the foregoing resolutions, be, and hereby are, ratified and approved.

SECTION FIVE. This Resolution shall be deemed to supersede Resolution No. 2021-17, adopted by the Commission on May 11, 2021, and shall take effect and be in full force and effect after its approval and passage by the Commission.

ALL OF WHICH IS RESOLVED THIS 22nd DAY OF JUNE, 2021, BY THE GRIFFITH REDEVELOPMENT COMMISSION.

**GRIFFITH REDEVELOPMENT
COMMISSION**

President

Vice-President

Secretary

Commissioner

Commissioner

2021 Bonds are issued, by and between the Authority, as Lessor, and the Commission, as Lessee (the "2021 Addendum to Lease"); and

WHEREAS, pursuant to the 2014 Original Lease, as consideration for the Leased Premises (as such term is defined in the 2014 Original Lease), the Commission agreed to pay the Authority fixed annual rental payments in an amount sufficient to pay principal and interest due in each six (6) month period, on January 15 and July 15 of each year during the term of the 2014 Original Lease, rounded up to the next multiple of \$1,000, plus an additional sum each year to pay the 2014 Trustee, as applicable, and related expenses, payable in advance in semiannual installments on July 15 and January 15 of each year; and

WHEREAS, in connection with the Refunding, it is necessary for the Commission to approve the 2021 Addendum to Lease for the purpose of reducing the annual lease rental payments due under the 2014 Original Lease to correspond with the reduced debt service owed with respect to the 2014 Project, plus certain annual administrative costs and expenses related to the 2021 Bonds, thereby realizing savings achieved by refunding the Refunded Bonds; and

WHEREAS, the Commission reasonably expects to pay the rental payments under the 2014 Original Lease, as amended by the 2021 Addendum to Lease (collectively, the "Lease"), first from (a) funds pledged by the Town to the Commission consisting of the Town's storm water revenues and the Town's economic development distribution of its local income tax revenues (collectively, the "Pledged Funds"); and (b) tax increment revenues of the Commission from the Town's Consolidated Cline/Mall Allocation Area (the "TIF Revenues"); and, to the extent the Pledged Funds and the TIF Revenues are insufficient, from a pledge of a special tax levied and collected by the Commission on all taxable property within the geographical boundaries of the District pursuant to Indiana Code § 36-7-14-27;

NOW, THEREFORE, BE IT RESOLVED BY THE GRIFFITH REDEVELOPMENT COMMISSION, AS FOLLOWS:

SECTION ONE. The Commission hereby approves the issuance of the 2021 Bonds.

SECTION TWO. The President or Vice-President and the Secretary of the Commission are hereby authorized to approve, execute, attest and deliver on behalf of the Commission the 2021 Addendum to Lease, with such approval of the 2021 Addendum to Lease to be conclusively evidenced by the execution and attestation thereof by the President or Vice-President and Secretary of the Commission, respectively.

SECTION THREE. The Commission shall levy an annual special benefits tax pursuant to Indiana Code 36-7-14-27 during the term of the Lease to provide necessary funds from which to pay the rent under the Lease; provided, however, that the Commission reasonably expects to pay rentals under the Lease from funds other than the special benefits tax, including but not limited to the Pledged Funds and the TIF Revenues.

SECTION FOUR. The President, Vice President and Secretary of this Commission, and each of them, are hereby authorized and directed to take all such further actions and to execute all such instruments as are desirable to carry out the transactions contemplated by this Resolution,

RESOLUTION NO. 2021-33

A RESOLUTION OF THE GRIFFITH REDEVELOPMENT COMMISSION AUTHORIZING THE EXECUTION OF A SECOND ADDENDUM TO A CERTAIN LEASE AGREEMENT BETWEEN THE GRIFFITH REDEVELOPMENT AUTHORITY AND THE GRIFFITH REDEVELOPMENT COMMISSION, APPROVING THE ISSUANCE OF REFUNDING BONDS IN CONNECTION THEREWITH, AND APPROVING CERTAIN MATTERS RELATED THERETO

WHEREAS, the Griffith Redevelopment Authority (the “Authority”) has been established pursuant to the provisions of I.C. 36-7-14.5 (the “Act”) as a separate body corporate and politic serving as an instrumentality of the Town of Griffith, Indiana, to finance local public improvements for lease to the Griffith Redevelopment Commission (the “Commission”), the governing body of the Town of Griffith Department of Redevelopment and the Redevelopment District of the Town of Griffith, Indiana (the “District”); and

WHEREAS, the Authority, as Lessor, and the Commission, as Lessee, entered into a Lease Agreement, dated as of May 21, 2014, as amended by a First Addendum to Lease Agreement, dated as of July 31, 2014 (collectively, the “2014 Original Lease”); and

WHEREAS, the Authority previously issued its Town of Griffith Redevelopment Authority Lease Rental Revenue Bonds, Series 2014, dated July 31, 2014 (the “2014 Bonds”), in the original aggregate principal amount of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000), pursuant to a Trust Indenture, dated as of July 31, 2014, between the Authority and The Huntington National Bank, as Trustee (the “2014 Trustee”), to finance certain infrastructure improvements as set forth therein (the “2014 Project”), and pay costs incurred on account of the issuance and sale of the 2014 Bonds; and

WHEREAS, the provisions of I.C. 36-7-14.5 and I.C. 5-1-5 authorize the refunding of bonds issued by the Authority; and

WHEREAS, due to favorable market conditions, the Authority now seeks to refund all or a portion of the outstanding 2014 Bonds (the “Refunded Bonds”) in order to effect a savings in the interest costs on the Refunded Bonds; and

WHEREAS, the Authority has adopted (or is expected to adopt) a Resolution (i) authorizing the issuance of one (1) or more series of refunding bonds designated as the “Griffith Redevelopment Authority Taxable Lease Rental Refunding Revenue Bonds, Series 2021” (with such additional or different series designation as may be determined to be necessary or appropriate), in the aggregate principal amount not to exceed \$11,000,000 (the “2021 Bonds”), for the purpose of providing funds to (a) effect a refunding of all or a portion of the Refunded Bonds, (b) if necessary, fund a debt service reserve fund or pay the premium for a debt service reserve fund surety policy, and (c) pay the costs incurred on the account of the issuance and sale of the 2021 Bonds, including any premiums for a municipal bond insurance policy or other form of credit enhancement for the 2021 Bonds (clauses (a) through and including (c), collectively, the “Refunding”) and (ii) authorizing the officers of the Authority to approve, execute and deliver on behalf of the Authority the Second Addendum to Lease, to be dated as of the date on which the