

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 2 – SERIES 2010

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF MINTURN TO SIGN FOR THE LEASE-PURCHASE OF A 2009 IT38H CATERPILLAR INTEGRATED TOOL CARRIER FOR AND BY THE TOWN OF MINTURN, COLORADO.

WHEREAS, The Town of Minturn desires to lease-purchase a new loader for the Town and the Town has sufficient funds available and budgeted, and;

WHEREAS, The Town of Minturn has received bids and tested loaders from several manufacture dealers, and;

WHEREAS, The Town has approved the Caterpillar bid for a 2009 IT38H Caterpillar Integrated Tool Carrier.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT THE MAYOR OR HIS DESIGNEE IS AUTHORIZED TO SIGN ON BEHALF OF THE TOWN OF MINTURN ANY AND ALL LEASE-PURCHASE DOCUMENTS REQUIRED TO ACQUIRE THE SAID EQUIPMENT.**

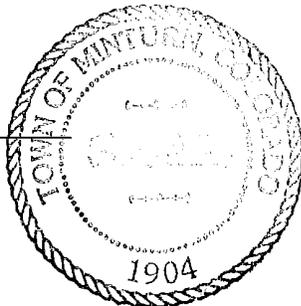
INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 6<sup>TH</sup> day of January, 2010.

TOWN OF MINTURN

By: Hawkeye Flaherty  
Mayor

ATTEST:

JM  
Town Clerk



ATTACHMENT B

LESSEE'S AUTHORIZING RESOLUTION

Whereas, TOWN OF MINTURN, COLORADO (the "Governmental Entity"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of Colorado (the "State"), is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into contracts with respect thereto; and

Whereas, in order to acquire such equipment, the Governmental Entity proposes to enter into a lease-purchase transaction pursuant to that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar Financial Services Corporation, the form of which has been presented to the governing body of the Governmental Entity at this meeting;

Now, Therefore, Be It And It Is Hereby Resolved:

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel of the Governmental Entity or other members of the governing body of the Governmental Entity executing the same, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below or any other officer of the Governmental Entity who shall have the power to execute contracts on its behalf are hereby authorized and directed to execute, acknowledge, countersign and deliver the Agreement and all exhibits attached thereto, and the Secretary/Clerk of the Governmental Entity is hereby authorized to attest to the foregoing and affix the seal of the Governmental Entity to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Governmental Entity shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement, or any other instrument shall be construed with respect to the Governmental Entity as incurring a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement.

Section 4. Authorized Signatories. Following are the true names, correct titles and specimen signatures of the incumbent officers referred to in the foregoing resolution:

Name (Print or Type)	Title (Print or Type)	Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____

Section 5. Effective Date. This Resolution shall be effective immediately upon its approval and adoption. This Resolution was adopted and approved on \_\_\_\_\_.

Signature: \_\_\_\_\_  
Secretary /Clerk

Name Printed: \_\_\_\_\_

Date: \_\_\_\_\_

