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2 **WHEREAS**, it is proposed that the Conduit will utilize the Financing Proceeds to
3 pay to the Developer the purchase price for the Project; and
4

5 **WHEREAS**, the City Council hereby finds that the foregoing transaction is in the
6 best interests of the City and its residents.
7

8 **NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of
9 Albany as follows:

10 SECTION 1. The transactions recited in the "Whereas" clauses are hereby
11 approved.

12 SECTION 2. The forms of the following documents (the "Transaction
13 Documents"), heretofore submitted to the City, are hereby approved:

- 14 a. The Site Lease
15 b. The Lease Purchase Agreement
16 c. The Assignment Agreement

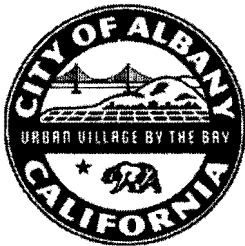
17 SECTION 3. the City Manager, and the Director of Finance (the "Authorized
18 Officers"), each acting alone, are hereby authorized and directed to execute the
19 Transaction Documents to which the City is a party, with such changes, insertions and
20 omissions as may be approved by such official and City Attorney.

21 SECTION 4. The Authorized Officers are hereby authorized and directed, jointly
22 and severally, to do any and all things, and to execute and deliver any and all documents
23 which they or any of them may deem necessary or advisable in order to consummate the
24 transactions contemplated by the Financing Documents and otherwise to carry out, give
25 effect to and comply with the terms and intent of this Resolution and the documents
26 referred to herein.

27 SECTION 5. The acts of the Authorized Representatives of the City and of any
28 person or persons designated and authorized to act by any such officer or agent of the
29 City, which acts would have been authorized by the foregoing resolutions except that
such acts were taken prior to the adoption of such resolution, are hereby separately
ratified, confirmed, approved and adopted as acts in the name of and on behalf of the
City.



PETER MAASS, MAYOR



City of Albany

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RESOLUTION NO. 2016-5

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 19th day of January , 2016, by the following votes:

AYES: Council Members McQuaid, Nason, Pilch and Mayor Maass

NOES: none

ABSENT: Council Member Barnes

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 20th
day of January , 2016.

Eileen Harrington
DEPUTY CITY CLERK