

RESOLUTION NO. 2018-47

A RESOLUTION APPROVING TWO SALES AGREEMENTS BY AND BETWEEN THE TOWN OF KEENESBURG AND WAGNER EQUIPMENT CO.

WHEREAS, there have been proposed two Sales Agreements for the Town's lease of equipment for use by the Town's Public Works Department; and

WHEREAS, the Town's execution of the Sales Agreements is a prerequisite to receiving financing through Caterpillar Financial Services Corporation ("Cat Financial") to finance the equipment to be leased under the Sales Agreements; and

WHEREAS, by the terms of the Sales Agreements, if the Town is unable to secure financing for the Sales Agreements through Cat Financial on the terms set forth in the Caterpillar Financial Services Corporation Finance Proposal, dated November 29, 2018 ("Finance Proposal"), then the Sales Agreements are null and void; and

WHEREAS, the Board of Trustees finds that no Town funds are committed under the Sales Agreements unless the Town is able to secure financing for the equipment to be leased under the Sales Agreements through Cat Financial on the terms set forth in the Finance Proposal; and

WHEREAS, the Board of Trustees desires to approve the Sales Agreements in essentially the same form as the versions accompanying this resolution.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

Section 1. The proposed Sales Agreements by and between the Town of Keenesburg and Wagner Equipment Co. are hereby approved in essentially the same form as the versions accompanying this resolution.

Section 2. The Mayor is hereby authorized to execute the Sales Agreements, and is further authorized to negotiate and approve on behalf of the Town such revisions to the Sales Agreements as the Mayor determines are necessary or desirable for the protection of the Town, so long as the essential terms and conditions of the Sales Agreements are not altered.

INTRODUCED, READ, and ADOPTED this 10th day of December, 2018.

TOWN OF KEENESBURG, COLORADO

Ken Gfeller, Mayor

ATTEST:

Christina Fernandez, Clerk Pro Tem

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