RESOLUTION OF THE CITY OF CONWAY CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003).

WHEREAS, in order to be considered for participation in the Tax Back Program, the local government must endorse a business to participate in the Tax Back Program; and

WHEREAS, the local government must authorize the refund of local sales and use taxes as provided in the Consolidated Incentive Act of 2003; and

WHEREAS, said endorsement must be made on specific form available from the Arkansas Department of Economic Development; and

WHEREAS, Southwestern Energy Company located at 2070 Harkrider Street has sought to participate in the program and more specifically has requested benefits accruing from expansion of the specific facility; and

WHEREAS, Southwestern Energy Company has agreed to furnish the local government all necessary information for compliance.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF CONWAY, ARKANSAS, THAT:

1. Southwestern Energy Company be endorsed by the City of Conway for benefits from the sales & use tax refunds as provided by Section 15-4-2706(d) of the Consolidated Incentive Act of 2003.

2. The Department of Finance and Administration is authorized to refund local sales and use taxes to Southwestern Energy Company.

3. This resolution shall take effect immediately.

Title of head of governing body

Date Passed: January 13th, 2009

Attest: City Clerk/Treasurer