



**City of Conway, Arkansas
Resolution No. R-13-08**

A RESOLUTION CONSENTING TO THE ASSIGNMENT OF THE LEASE BETWEEN THE CITY OF CONWAY AND THE BOYS AND GIRLS CLUB OF FAULKNER COUNTY, ARKANSAS, INC.

WHEREAS, the City of Conway has previously entered into a lease dated February 29, 2012, with the Boys and Girls Club of Faulkner County, Arkansas, Inc. (hereinafter referred to as "the club", and covering the following described property:

Part of the NW 1/4 NE 1/4 of Section 13, Township 5 North, Range 14 West, Faulkner County, Arkansas, being more particularly described as commencing at the Southeast corner of said NW 1/4 NE 1/4 and running thence North 01 degrees 58 minutes 42 seconds East along the East line of said NW 1/4 NE 1/4, 1088.77 feet; thence run North 88 degrees 10 minutes 06 seconds West, 28.89 feet to a set 1/2 " rebar on the West right of way of South German Lane and the point of beginning; thence run North 88 degrees 10 minutes 06 seconds West, 288.82 feet to a set 1/2" rebar; thence run North 01 degrees 53 minutes 26 seconds East, 191.61 feet to a set 1/2" rebar on the South right of way of Robbins street; thence run South 88 degrees 29 minutes 22 seconds East, along said right of way, 260.64 feet; thence along an arc to the right having a chord bearing and distance of South 43 degrees 17 minutes 58 seconds East 39.73 feet, arc length of 44.17 feet, and radius of 28.00 feet; thence run South 01 degrees 53 minutes 26 seconds West, 165.05 feet to the point of beginning. Said tract contains 1.27 acres more or less,

in order to allow the club to build a new facility; and

WHEREAS, the club is nearing completion of construction of the building, and seeks to obtain a bridge loan in the amount of \$700,000, structured as a closed-end line of credit, from Summit Bank of Conway, Arkansas, to satisfy the remaining construction costs, and

WHEREAS, Summit Bank requires the club's assignment of the lease for collateralization of the loan, and the lease requires the consent of the City of Conway to any assignment of the lease.

WHEREAS, the club has met its capital campaign of \$2,000,000 in financial pledges and gifts in kind, with the pledges to be paid over a three year period, providing more than an adequate source for repayment of the loan.

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

1. The City of Conway believes it to be in the best interest of the club, its patrons, and the city for the short-term loan to be approved, and accordingly hereby acknowledges its consent to the assignment.

2. The mayor and city clerk are authorized and directed to execute this resolution to confirm its consent to the assignment and enter it in the appropriate records of the City of Conway.

Passed this 22nd day of January, 2013.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett
City Clerk/Treasurer