

**Resolution of the City of Franklin Board of Public Works**

**Resolution No.: 2022-07**

**A RESOLUTION APPROVING LEASE WITH OPTION TO  
PURCHASE AGREEMENT DATED AS OF DECEMBER 1<sup>st</sup>, 2022, BETWEEN  
MUNICIPAL CAPITAL FINANCE (Lessor) AND CITY OF FRANKLIN (Lessee)**

This Resolution entered into this 19<sup>th</sup> day of December, 2022 authorizing and approving a Lease With Option to Purchase Agreement dated as of December 1<sup>st</sup>, 2022, between Municipal Capital Finance (hereinafter "Lessor") and City of Franklin (hereinafter "Lessee") is as follows:

**WHEREAS**, the City of Franklin, by and through its Board of Public Works has determined that a true and real need exists for the acquisition of the equipment described on Exhibit "A" of the Lease With Option to Purchase Agreement dated as of December 1<sup>st</sup>, 2022, between City of Franklin ("Lessee") and Municipal Capital Financing ("Lessor") as presented at a public meeting this date; and

**WHEREAS**, the City of Franklin, by and through its Board of Public Works, has taken all necessary steps as required by law to permit entering into a lease agreement for said equipment; and

**WHEREAS**, the City of Franklin, by and through its Board of Public Works has the authority necessary to manage the assets of the City of Franklin.

**BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF  
CITY OF FRANKLIN, INDIANA**, as follows:

1. The terms of the Lease with Option to Purchase Agreement dated as of December 1<sup>st</sup>, 2022, between Municipal Capital Finance ("Lessor") and the City of Franklin ("Lessee") is in the best interest of Lessee for the acquisition of such equipment and the Board of Works does hereby designate and confirm that the Mayor of the City of Franklin is authorized to execute and deliver the Lease With Option to Purchase Agreement, the Schedule and any related documents necessary to consummate the transaction contemplated by the Lease Agreement and the Schedule.

2. The Board of Works further resolves that the Mayor or his designee is authorized to execute and deliver the Agreement on Lessee's behalf with such changes thereto as such person deems appropriate. Such approval and authorization extends to any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement.

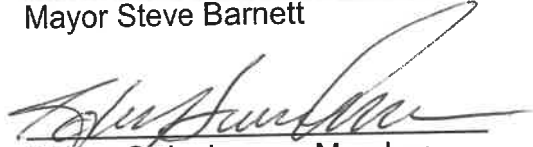
**BE IT THEREFORE ORDERED AND APPROVED** this 19<sup>th</sup> day of December, 2022.

**City of Franklin, Indiana, By its Board of Public Works and Safety:**

Voting Affirmative:



Mayor Steve Barnett



Robert Swinehamer, Member



Kenneth Austin, Member

Voting Opposed:

\_\_\_\_\_  
Mayor Steve Barnett

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Robert Swinehamer, Member

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Kenneth Austin, Member

**Attest:**



Jayne Rhoades,  
City Clerk-Treasurer

Prepared by:  
Lynnette Gray, City Attorney