RESOLUTION NO 32-00

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF EAGLE MOUNTAIN, COUNTY OF UTAH, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Town Council of the Town of Eagle Mountain, Utah County, Utah, will be held at the Town Council's regular meeting place at 4:00 p.m. on Thursday, the 21st day of December, 2000, for the purpose of adopting a resolution which authorizes the execution and delivery of an amendment to an Equipment Lease-Purchase Agreement, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Janet B. Valentine, CMC
Town Recorder

ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Mayor and members of the Town Council of the Town of Eagle Mountain, Utah County, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Mayor PRO TEM

Councilmember

Councilmember

Councilmember

Councilmember

Eagle Mountain, Utah
December 21, 2000

The Town Council of the Town of Eagle Mountain, Utah County, Utah (the "Town") met in special public session at the regular meeting place of the Council at 1680 East Heritage Drive, Eagle Mountain, Utah, on Thursday, the 21st day of December, 2000, at 4:00 p.m., with the following Councilmembers being present:

David A. Albrecht	Mayor Pro Tem
Greg D. Kehl	Councilmember
Brigham S. Morgan	Councilmember
BERT E. ANKKOM	COUNCIL MEMBER

Also present:

Janet B. Valentine	Town Recorder
John D Newman	Town Administrator
Gerald Kinghorn	Town Attorney

Absent:

Paul R. Bond	Mayor
~~Bert E. Ankrom~~	~~Councilmember~~

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Town Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this December 21, 2000 meeting, a copy of which is attached hereto as Exhibit "A".

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember BRIGHAM S. MORGAN and seconded by Councilmember BERT E. ANKROM adopted by the following vote:

AYE: 4

NAY: Ø

The resolution was then signed by the Mayor Pro Tem and recorded by the Town Recorder in the official records of the Town. The resolution is as follows:

RESOLUTION NO. 32-00

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAGLE MOUNTAIN, UTAH COUNTY, UTAH AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EQUIPMENT LEASE-PURCHASE AGREEMENT (THE "AGREEMENT") WITH FIRST NATIONAL BANK OF LAYTON FOR THE PURPOSE OF EXTENDING THE TERMINATION DATE OF THE AGREEMENT; AND RELATED MATTERS

WHEREAS, the Town of Eagle Mountain, Utah (the "Town"), a political subdivision of the State of Utah, is authorized to enter into contracts to acquire personal property in the public interest; and

WHEREAS, in order to finance the acquisition of one electric generator and transformers and other related equipment (the "Equipment"), the Town entered into that certain Equipment Lease-Purchase Agreement dated as of September 1, 2000 and related documents (collectively the "Agreement") with First National Bank of Layton (the "Bank"); and

WHEREAS, the Agreement is scheduled to terminate on December 28, 2000; and

WHEREAS, the Town and the Bank desire to extend the term of the Agreement until February 28, 2001; and

WHEREAS, in order to extend the termination date of the Agreement, it is necessary for the Town and the Bank to enter into an Amendment to Equipment Lease-Purchase Agreement dated as of December 15, 2000 (the "Amendment") in substantially the form attached hereto as Exhibit "B"; and

WHEREAS, the Town Council of the Town (the "Town Council") has determined that a true and very real need exists for the continued leasing of the Equipment; and

WHEREAS, the Town Council has reviewed the form of the Amendment and has found the terms and conditions thereof acceptable; and

WHEREAS, the Town Council deems it in the best interest of the Town and its inhabitants to enter into the Amendment:

NOW, THEREFORE, It is hereby Resolved by the Town Council of the Town of Eagle Mountain, Utah County, Utah as follows:

Section 1. The terms described or used in the recitals hereto shall have the same meanings assigned thereto when used in the body hereof.

Section 2. The terms of the Amendment are in the best interests of the Town and the Amendment is hereby authorized and approved for the purpose of extending the term of the Agreement and the Mayor and the Town Recorder or Deputy Town Recorder are authorized to execute and deliver the Amendment on behalf of the Town in the form attached hereto as Exhibit "B" with only such changes as shall be approved by the Mayor, the Mayor's signature thereto being conclusive evidence of such approval.

Section 3. If any provision hereof shall be invalid, such invalidity shall not affect any of the remaining provisions.

Section 4. This Resolution shall be effective immediately upon its adoption.

Adopted and approved this 21st day of December, 2000.

Mayor Pro Tem

ATTEST:

Janet B. Valentine, CMC
Town Recorder

(SEAL)

STATE OF UTAH)
: ss.
COUNTY OF UTAH)

I, Janet B. Valentine, the duly appointed and qualified Town Recorder of the Town of Eagle Mountain, Utah County, Utah (the "Town"), do hereby certify according to the records of said Town in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the Town Council of the Town held on December 21, 2000, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on December 21, 2000.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said Town of Eagle Mountain, Utah County, Utah this 21st day of December, 2000.

Janet B. Valentine, CMC
Town Recorder

EAGLE MOUNTAIN, UTAH SEAL Eagle Mountain, Utah INCORPORATED 3 DECEMBER 1996

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Janet B. Valentine, the undersigned Town Recorder of the Town of Eagle Mountain, Utah County, Utah (the "Town"), do hereby certify, according to the records of the Town in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the December 21, 2000 public meeting held by the Town as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "1", to be posted at the Town offices on December 19TH, 2000, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule "1", to be delivered to New Utah! on December 19TH, 2000, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, Notice of the 2000 Annual Meeting Schedule of the Town Council, in the form attached hereto as Schedule "2" was (and has remained) posted and available for public inspection and was made available to the local media correspondents as required by law.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 21st day of December, 2000.

Janet B. Valentine, CMC
Town Recorder

(SEAL)

SCHEDULE "1"

NOTICE OF MEETING

SCHEDULE "2"

ANNUAL MEETING NOTICE

EXHIBIT "B"

AMENDMENT TO
EQUIPMENT LEASE-PURCHASE AGREEMENT