

RESOLUTION 2007 - 066

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE PAYMENT IN FULL OF THE NOVEMBER 12, 2004 LOAN FROM COMMUNITY BANK OF BROWARD TO THE TOWN OF SOUTHWEST RANCHES, PURSUANT TO A LOAN AGREEMENT DATED NOVEMBER 12, 2004, PROVIDING FOR THE ACQUISITION OF TREES, PLANTS, AND ACCESSORIES (COLLECTIVELY "TREES") IN CONJUNCTION WITH THE TOWN'S PURCHASE OF THE COUNTRY ESTATES OPEN SPACE FISHING HOLE SITE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECUATE THE PAYMENT IN FULL OF THE LOAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Community Bank of Broward ("Lender") and the Town of Southwest Ranches ("Town") previously entered into a Loan Agreement on November 12, 2004, pursuant to which the Town issued, and the Lender agreed to purchase the Town's \$600,000 Promissory Note, Series 2004 (the "Note") (collectively, the "Loan"); and

WHEREAS, pursuant to Town Resolution No. 2007-16, adopted by the Town Council on December 7, 2006, the Town approved a supplement to the Loan Agreement and an addendum to the Note, which extended the maturity date of the Note to November 12, 2007, at an interest rate of 8.5%; and

WHEREAS, Town now desires to pay the Note in full prior to the extended maturity date of November 12, 2007, due to the amount of interest expense, and has requested a final payment amount from Lender; and

WHEREAS, Lender has provided a final payment amount of \$603,966.67, through May 10, 2007, and an additional \$141.67 per day in interest expense for each day thereafter until the Loan has been paid in full; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town to pay off the Loan, in full, prior to the extended maturity date of November 12, 2007.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1. The above referenced recitals are true and correct and are incorporated herein by this reference.

Section 2. The Town Council hereby approves the payment in full of the Loan from Lender to the Town and hereby appropriates such funds from the unappropriated fund balance in the debt service fund.

Section 3. The Town Council hereby authorizes the Mayor, Town Administrator, and Town Attorney to execute any and all documents necessary to effectuate the intent of this Resolution.

Section 4. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 10th day of May 2007, on a motion by Council Member Aster Knight and seconded by Vice Mayor Don Maines.

Fink	<u>Y</u>	Ayes	<u>5</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Breitkreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		



Mecca Fink, Mayor

ATTEST:



Susan A. Owens, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
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