

REDEVELOPMENT AUTHORITY OF THE CITY OF LANCASTER

RESOLUTION NO. _____

A RESOLUTION

OF THE BOARD OF THIS AUTHORITY REQUESTING AN INFRASTRUCTURE AND FACILITIES IMPROVEMENT PROGRAM GRANT FOR THE LANCASTER CONVENTION CENTER HOTEL PROJECT; AND AUTHORIZING PROPER OFFICERS OF THIS AUTHORITY, THE SOLICITOR, AND BOND COUNSEL TO TAKE CERTAIN ACTION ON BEHALF OF THIS AUTHORITY.

WHEREAS, This Authority is a redevelopment authority incorporated pursuant to appropriate action of the City of Lancaster, Lancaster County, Pennsylvania (the "City"), and is existing under and is governed by provisions of the Urban Redevelopment Law, Act of May 24, 1945, P.L. 991, of the General Assembly of the Commonwealth of Pennsylvania (the "Commonwealth"), as amended and supplemented (the "Act"); and

WHEREAS, The Commonwealth has established the Infrastructure and Facilities Improvement Program under the provisions of Chapter 33 of Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa. C.S. Ch. 33 (the "IFIP Law"), and under the IFIP Law a qualified applicant, which may be a redevelopment authority such as this Authority, may make application for financial assistance in the form of a multiyear grant to be used to service debt incurred to pay the costs of a project involving the acquisition or construction of buildings, structures, improvements or infrastructure for a "convention center" or a "hotel establishment," as those phrases are defined in the IFIP Law; and

WHEREAS, The Lancaster County Convention Center Authority heretofore determined to undertake the planning, design, acquisition, and construction of a convention center (the "Lancaster Convention Center") to be situate in the City on the block bordered on the north by King Street, on the east by Christian Street, on the south by Vine Street, and on the west by Queen Street; and

WHEREAS, This Authority desires to undertake a redevelopment project that includes, *inter alia*, planning, designing, acquiring, constructing and financing a hotel adjacent to, and integrated with, the Lancaster Convention Center (the "Lancaster Convention Center Hotel Project"); and

WHEREAS, This Authority will issue debt to pay for the costs of the Lancaster Convention Center Hotel Project; and

WHEREAS, The Board of this Authority, in contemplation of undertaking the Lancaster Convention Center Hotel Project and the issuance of bonds or other obligations to finance the costs thereof, desires to authorize certain action.

NOW, THEREFORE, BE IT RESOLVED, by the Board of this Authority, as follows:

Section 1. The Board of this Authority hereby requests an annual Infrastructure and Facilities Program grant for a period of twenty (20) years from the Department of Economic and Community Development of the Commonwealth in the maximum amount available to used for the Lancaster Convention Center Hotel Project.

Section 2. The Board of this Authority hereby designates Charles H. Simms, Jr., Chairman of this Authority, or his successor in office, to execute all documents and agreements between this Authority and the Department of Economic and Community Development of the Commonwealth to facilitate and assist in obtaining the requested grant.

Section 3. The officers of the Board of this Authority, the Solicitor of this Authority, and Bond Counsel to this Authority are hereby authorized and directed to do such other things on behalf of this Authority as may be necessary and appropriate to implement the intent and purposes of this Resolution.

CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Redevelopment Authority of the City of Lancaster (the "Authority"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Board of this Authority at a meeting of said Board duly convened and held according to law on February 24, 2005, at which meeting a quorum was present; that said Resolution duly has been recorded in the minutes of this Authority; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board of this Authority met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. §701 *et seq.*, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of this Authority or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to taking action upon such Resolution, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of this Authority, this 24th day of February, 2005.

(SEAL)

(Assistant) Secretary

REDEVELOPMENT AUTHORITY OF THE CITY OF LANCASTER

RESOLUTION NO. ____

A RESOLUTION

OF THE BOARD OF THIS AUTHORITY DETERMINING TO RECOMMEND THE ESTABLISHMENT OF A TAX INCREMENT DISTRICT IN THE CITY OF LANCASTER; AND AUTHORIZING PROPER OFFICERS OF THIS AUTHORITY, THE SOLICITOR, AND BOND COUNSEL TO TAKE CERTAIN ACTION ON BEHALF OF THIS AUTHORITY.

WHEREAS, This Authority is a redevelopment authority incorporated pursuant to appropriate action of the City of Lancaster, Lancaster County, Pennsylvania (the "City"), and is existing under and is governed by provisions of the Urban Redevelopment Law, Act of May 24, 1945, P.L. 991, of the General Assembly of the Commonwealth of Pennsylvania (the "Commonwealth"), as amended and supplemented; and

WHEREAS, The Pennsylvania Tax Increment Financing Act, 53 P.S. §6930.1, *et seq.*, as amended (the "TIF Act" or the "Act"), authorizes local taxing bodies to cooperate in providing financing for public facilities and residential, commercial and industrial development and revitalization in their jurisdictions for the purposes of providing new employment opportunities, arresting and alleviating substandard conditions, increasing the tax base, and improving the general economy of the Commonwealth; and

WHEREAS, This Authority is an "Authority" within the meaning of the TIF Act; and

WHEREAS, The Board of this Authority has determined that it is desirable to establish a tax increment district in the City of Lancaster, Lancaster County, Pennsylvania (the "City"), bordered on the north by King Street, on the east by Christian Street, on the south by Vine Street, and on the west by Queen Street (the "District"); and

WHEREAS, The District is situate in an area heretofore certified by the planning commission of the City as a "redevelopment area," within the meaning of the Act; and

WHEREAS, The City, the County of Lancaster (the "County") and the School District of Lancaster (the "School District") are all of the municipalities and school districts that levy property taxes in the District; and

WHEREAS, The Board of this Authority has determined that the establishment of the District and the issuance of tax increment bonds or notes to finance costs of public works or improvements and residential, commercial or industrial development within the District, and costs incidental thereto, will further the purposes of the TIF Act; and

WHEREAS, A draft project plan (the "Plan") has been prepared for the District in accordance with the Act, and a copy of such Plan has been presented to the Board of this Authority at this meeting; and

WHEREAS, The Plan contemplates development or redevelopment of the District by demolishing, altering, remodeling, repairing or reconstructing certain existing buildings, structures and fixtures in the District; constructing, reconstructing, rehabilitating or otherwise improving certain public works and improvements; and constructing a new convention center and a new convention center hotel; and

WHEREAS, The Plan further contemplates the issuance by this Authority of certain bonds and other debt obligations, including tax increment bonds or notes, to finance costs of the undertakings and activities of this Authority in the District, or of direct benefit to the District, in accordance with the Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of this Authority, as follows:

Section 1. The Board of this Authority does hereby adopt and approve the Plan in the form submitted to this meeting, and does hereby direct that a copy of the Plan, in the form so submitted and approved, be placed on file with the Secretary of this Authority and made available for public inspection as required by law.

Section 2. The Board of this Authority does hereby recommend to the City that it create a tax increment district within the City in the area bordered on the north by King Street, on the east by Christian Street, on the south by Vine Street, and on the west by Queen Street, in accordance with the Plan as approved in Section 1.

Section 3. The Board of this Authority does hereby express its intention to issue tax increment bonds or notes to finance the development or redevelopment of properties and public infrastructure within the District and, if applicable and appropriate, construction, rehabilitation or repair of publicly owned infrastructure improvements located outside the boundaries of the District which are of direct benefit to the undertakings and activities of this *Authority within the District*, all as contemplated by the Plan as approved in Section 1.

Section 4. This Authority, acting by and through its Chairman or Vice Chairman, its Solicitor and Bond Counsel, shall make a formal presentation of the Plan to the City, the County, and the School District.

Section 5. This Authority, acting by and through its Chairman or Vice Chairman, shall request that the City, the County and the School District each designate a representative to meet with this Authority to discuss the Plan and the proposed tax increment financing for the District.

Section 6. The Chairman and Vice Chairman of this Authority are each hereby authorized and directed to represent this Authority in discussions with the designated representatives of the City, the County and the School District concerning the creation of the District and the implementation of the Plan.

Section 7. The Chairman and Vice Chairman of this Authority are each hereby authorized and directed to submit the Plan to the Council of the City and to the governing bodies of the County and the School District on behalf of this Authority, as contemplated by the TIF Act.

Section 8. The officers of this Authority, the Solicitor of this Authority and Bond Counsel for this Authority are each hereby authorized and directed to execute and to deliver such documents and to do such other things as may be necessary to implement the intent and purpose of this Resolution.

Section 9. This Resolution shall become effective immediately.

Section 10. If any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this Authority that such remainder shall be and shall remain in effect.

Section 11. All resolutions or parts of resolutions inconsistent herewith expressly are repealed.

CERTIFICATE

I, the undersigned, (Assistant) Secretary of Redevelopment Authority of the City of Lancaster (the "Authority"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Board of this Authority at a meeting of said Board duly convened and held according to law on February 24, 2005, at which meeting a quorum was present; that said Resolution duly has been recorded in the minutes of this Authority; and that said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Board of this Authority met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. §701 *et seq.*, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of this Authority or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to taking action upon such Resolution, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of this Authority, this 24th day of February, 2005.

(SEAL)

(Assistant) Secretary

CERTIFICATE

I the undersigned (Assistant Secretary of Redevelopment Authority of the City of Lancaster (the "Authority"), certify that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Board of the Authority at a meeting of said Board duly convened and held according to law on February 24, 1962, at which meeting a question was presented that said Resolution duly has been recorded in the minutes of the Authority and that said Resolution is in full force and effect without amendment, alteration or repeal as of the date of this Certificate.

I further certify that the Board of the Authority met the above stated date and duly convened pursuant to the provisions of the Statute in A.C.S. 2-1701 et seq., by adjourning said meeting by presenting a notice of said meeting at the principal office of the Authority or at the place of holding in which said meeting was held, and by providing a reasonable opportunity for comment at said meeting prior to taking action upon such Resolution, all in accordance with said Statute.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Authority.

24th day of February, 1962.

Assistant Secretary

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