

(For Town of Ledgeview)
RESOLUTION NO. 2017-02

**APPROVING THE SEVENTH AMENDMENT TO
CENTRAL BROWN COUNTY WATER AUTHORITY
WATER PURCHASE AND SALE CONTRACT**

WHEREAS, the Central Brown County Water Authority (the “Authority”), and the City of De Pere, the Village of Allouez, the Village of Bellevue, the Village of Howard, the Town of Lawrence, and Ledgeview Sanitary District No. 2 (hereinafter jointly known as “Authority Customers”) have entered into the Central Brown County Water Purchase and Sale Contract (the “Contract”) with an effective date of November 24, 2003; and

WHEREAS, the Contract was subsequently amended effective December 20, 2004, November 14, 2007, September 22, 2008, January 5, 2010, September 24, 2012, and May 28, 2014; and

WHEREAS, it is proposed that the Contract be amended again to remove provisions that are outdated and no longer relevant; and

WHEREAS, one amendment would remove the contractual provision establishing how Authority costs are to be paid prior to the availability of potable water; and

WHEREAS, another amendment would remove the contractual provision that addresses the potential to terminate construction of the Authority’s waterworks system prior to completion; and

WHEREAS, all other amendments would remove provisions related to the Authority’s 2005 and 2013 bonds which are no longer outstanding; and

WHEREAS, pursuant to Article 16 of the Contract, this amendment must be approved by the Authority and three-fourths of the Authority Customers in order to be effective; and

WHEREAS, Ledgeview Sanitary District No. 2 is an Authority Customer, and is purportedly willing to approve this amendment; and

WHEREAS, pursuant to Article 29 of the Contract, the obligations of Ledgeview Sanitary District No. 2 under the Contract must be guaranteed by the Town of Ledgeview; and

WHEREAS, the Town of Ledgeview has previously guaranteed the obligations of Ledgeview Sanitary District No. 2 under the Contract so that its residents located in Ledgeview Sanitary District No. 2 have a reliable long-term supply of water; and

WHEREAS, the Town of Ledgeview is willing to continue this guarantee under the proposed amendment.

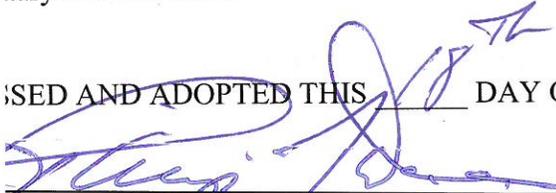
NOW THEREFORE, IT IS HEREBY RESOLVED, as follows:

The Town of Ledgeview approves the Seventh Amendment to Central Brown County Water Authority Water Purchase and Sale Contract, a copy of which is attached to this resolution, as a Town Signatory for Ledgeview Sanitary District No. 2.

The Town of Ledgeview shall provide a certified copy of this resolution approving the amendment to the Secretary-Treasurer of the Central Brown County Water Authority.

This resolution shall have no effect unless Ledgeview Sanitary District No. 2 approves the amendment. Ledgeview Sanitary District No. 2's approval shall not be effective until the Town of Ledgeview has approved the amendment as a Town Signatory for Ledgeview Sanitary District No. 2.

The Seventh Amendment to Central Brown County Water Authority Water Purchase and Sale Contract shall become effective on the first day that the amendment is approved by the Authority and five of the following six Authority Customers: the City of De Pere, the Village of Greer, the Village of Bellevue, the Village of Howard, the Town of Lawrence, and Ledgeview Sanitary District No. 2.

RESOLVED AND ADOPTED THIS 18th DAY OF April, 2017

Philip J. Danen, Town Chairman

Sarah K. Burdette, Clerk/Administrator