

VILLAGE OF WATERLOO
RESOLUTION NO. 07-30-13-01

WHEREAS, the Village of Waterloo acting as the Community Development Agency of the Village of Waterloo, Nebraska (the "Agency") and Homes at River Road, LLC (the "Developer") previously entered into a Redevelopment Contract dated January 14, 2004, and amendments dated February 9, 2005; July 17, 2006; July 9, 2007; June 23, 2008; July 16, 2009, November 8, 2011 and December 13, 2011 (together, the "Redevelopment Contract") to develop the Project; and,

WHEREAS, the Agency and the Developer desire that the Redevelopment Contract be amended and assigned to extend the right of the Developer to pledge the remaining unpledged lots in the Project Area for purposes of dividing *ad valorem* real estate taxes pursuant to § 18-2147 of the Revised Statutes of Nebraska and upon the fulfillment of certain conditions.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WATERLOO, NEBRASKA, AS FOLLOWS:

THAT, the Amended Redevelopment Contract between Community Development Agency of the Village of Waterloo, Nebraska (the "Agency") and Homes at River Road, LLC (the "Developer") is hereby approved.

PASSED THIS 30 DAY OF JULY, 2013

ATTEST:

Village of Waterloo

(SEAL)

Melissa Johnson
Village Clerk

Stanley E. Benke, Jr.
Chairperson
Stanley E. Benke, Jr.

AMENDED REDEVELOPMENT CONTRACT

This Amended Redevelopment Contract is made and entered into on this 30th day of July, 2013 between Community Development Agency of the Village of Waterloo, Nebraska (the "Agency") and Homes at River Road, LLC (the "Developer").

WITNESSETH:

WHEREAS, the Agency is a duly organized and existing Community Development Agency, a body politic and corporate under the laws of the State of Nebraska, with lawful power and authority to enter into the Amended Redevelopment Contract pursuant to Sections 18-2101 to 18-2154 Reissue Revised Statutes of Nebraska (collectively, the "Act"); and,

WHEREAS, the Agency and the Developer previously entered into a Redevelopment Contract dated January 14, 2004, and subsequent amendments thereto dated February 9, 2005; July 17, 2006; July 9, 2007; June 23, 2008; July 16, 2009; November 8, 2011; and, December 13, 2011 (collectively, the "Redevelopment Contract") to redevelop the Redevelopment Area; and

WHEREAS, the Agency and the Developer desire that the Redevelopment Contract be amended to pledge additional lots in the Redevelopment Area for the purpose of dividing taxes pursuant to § 18-2147 of the Act.

NOW, THEREFORE, in consideration of the promises, covenants, and agreements herein set forth, the Agency and the Developer do hereby amend the Redevelopment Contract as follows:

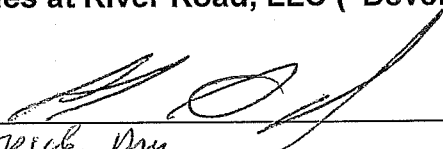
1. The Agency and the Developer hereby amend the Redevelopment Contract by adding lots, legally described in Exhibit A, attached hereto and made a

part hereof, to the Redevelopment Project; and, further providing that the *ad valorem* real estate taxes for the benefit of any public body on such additional lots be divided for a period of fifteen years as provided in § 18-2147 of the Act, with an effective date of January 1, 2013. The Agency hereby pledges such excess *ad valorem* real estate taxes available to the Agency for the fifteen-year period as security and payment for the Series A and B Bonds issued by the Agency on January 15, 2004.

2. The provisions of the Redevelopment Contract, not in conflict with the above provision, shall remain in full force and effect.

IN WITNESS WHEREOF, Developer and Agency have signed this Amended Redevelopment Contract effective at the date and year first above written.

Homes at River Road, LLC ("Developer")

BY: 
ITS: member

Community Development Agency of the Village of Waterloo, Nebraska ("Agency")

BY: Stanley E. Benke, Jr.
ITS: Chairperson

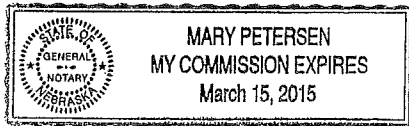
ATTEST:

Melissa Johnson
Secretary/Clerk

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 31 day of July, 2013, before me, a notary public in and for said county and state, personally came Patrick Day, member of Homes at River Road, LLC, a Nebraska corporation, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be the voluntary act and deed of said corporation.

WITNESS my hand and notarial seal at Omaha, in said county and state, the day and year last above written.

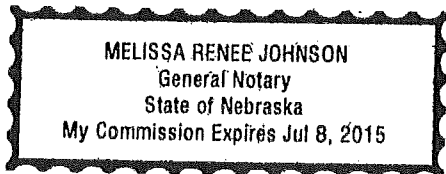


Mary Petersen
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 8 day of ^{August} ~~July~~, 2013, before me, a notary public in and for said county and state, personally came Stanley E. Benke, Jr., chairperson of Community Development Agency of the Village of Waterloo, Nebraska, a Nebraska public body, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be the voluntary act and deed of said Agency.

WITNESS my hand and notarial seal at Omaha, in said county and state, the day and year last above written.



Melissa Renee Johnson
Notary Public

EXHIBIT A

DESCRIPTION OF PREMISES

(Amended Project Area approved July 30, 2013)

Lots 69, 73, 88, 90 and 92 of Homes at River Road, 1st Addition, a subdivision to the Village of Waterloo, as platted and recorded in Douglas County, Nebraska; and,

Lots 2, 3, 4 and 5 Homes at River Road Replat 1, a subdivision to The Village of Waterloo, as platted and recorded in Douglas County, Nebraska.