



City of Grand Island

Tuesday, October 13, 2009

Council Session

Item J3

Approving Payment of Claims for the Period of September 23, 2009 through October 13, 2009 for the State Fair Recreation Building

The Claims for the Period of September 23, 2009 through October 13, 2009 for the Recreational Building for the following requisitions.

#4 \$8,754.80

A MOTION is in order.

Staff Contact: Mary Lou Brown

Exhibit A to Escrow Agreement
(FORM OF PAYMENT REQUEST)

Payment Request No. 004

The City of Grand Island, Nebraska, as lessee (the "Lessee") under that Lease-Purchase Agreement dated as of July 1, 2009 (the "Lease") between Lessee and Wells Fargo Brokerage Services, LLC, (the "Lessor"), hereby requests Wells Fargo Bank, National Association, as escrow agent (the "Escrow Agent") under the Escrow Agreement dated as of July 1, 2009 (the "Escrow Agreement") among the Escrow Agent, the Lessor and the Lessee, to make payment from the Escrow Fund (as defined in the Escrow Agreement) to the following party or parties, at the addresses set forth below:

<i>Payee</i>	<i>Address</i>	<i>Amount To Be Paid</i>	<i>Cost of Issuance or Project Description</i>
Grand Island Abstract, Escrow & Title Co.	704 West 3 rd Street Grand Island, NE 68801	\$8,754.80	Title policy for the State Fair Building; initiated by Wells Fargo

In connection therewith, the undersigned officer of the Lessee hereby certifies as follows:

1. All of the provisions of the Lease and the Escrow Agreement are incorporated herein by reference and capitalized terms used herein and not defined shall have the meanings assigned to them in the Loan Agreement and the Escrow Agreement.
2. The payments to be made to the payees set forth above are for costs of construction and/or acquisition of the Project (as defined in the Escrow Agreement) described above, or reimbursement to Lessee therefor, and the payments have not been the basis for a prior request which has been paid. Any amounts to be reimbursed to the Lessee are for advances made by the Lessee from its own funds not earlier than May 1, 2009.
3. All of Lessee's representations, covenants and warranties contained in the Lease and the Certificate with Respect to Tax Matters (the "Tax Certificate") were true and accurate in all material respects as of the date made, and remain true and accurate in all material respects as of the date of this Payment Request, and the Lessee has fully and satisfactorily performed all of its covenants, representations and obligations to date required under the Lease, the Escrow Agreement and the Tax Certificate. No Default Event has occurred under the Lease.
4. The Lessee understands that the Lessor is relying on the certifications herein with regard to and in connection with approving the disbursement requested hereby.

5. Please indicate if this Payment Request relates to the final disbursement from the Escrow Fund: Yes X No.

If this Payment Request relates to the final disbursement from the Escrow Fund, the Lessee and the Lessor hereby instruct Escrow Agent to disburse to Lessor the remaining moneys held in the Escrow Fund to be applied to make a partial prepayment on the Rental Payments as set forth in the Lease.

6. Please indicate if this Payment Request reimburses Lessee for any payment or payments previously made by Lessee: Yes X No.

If this Payment Request requests such a reimbursement, the payment or payments for any obligations originally paid by Lessee, for federal income tax purposes, was after May 1, 2009.

7. Lessee attaches hereto the following items:

(a) invoices and/or bills of sale and/or contractor's payment certifications relating to the Project and, if such invoices have been paid by Lessee, evidence of payment thereof;

(b) an insurance certificate showing coverages as required by the Lease if such insurance certificate has not been previously provided by Lessee to the Lessor.

LESSEE:

THE CITY OF GRAND
ISLAND, NEBRASKA

By: Mary Jane Brown
Title: Finance Director
Date: September 16, 2009

REQUEST APPROVED BY WELLS FARGO BANK, NATIONAL ASSOCIATION (Grand Island Branch, as assignee)


Authorized Officer

Attachments: 1. Invoices/Certificates for Payment
2. Insurance Certificate (if not previously provided)

GRAND ISLAND ABSTRACT, ESCROW & TITLE CO.
704 West 3rd Street
Grand Island, NE 68801
(308) 382-4651
(308) 382-7782(fax)

Date: September 04, 2009

Invoice #: 3179

Reference: 09-5744

To: City of Grand Island
P.O.Box 1968
Grand Island, NE 68802

Attn: Mary Lou Brown

Legal: Part of the S1/2 22-11-9, Hall County

DEBIT DESCRIPTION	DEBIT	PAID	CREDIT DESCRIPTION	CREDIT	BALANCE
OWNER POLICY	\$8,276.80		OWNER POLICY-HALL COUNTY LIVESTOCK IMPROVEMENT/THE CITY OF GRAND ISLAND		\$8,276.80
RECORDING DOCUMENTS	\$478.00				\$478.00
TOTALS:	\$8,754.80	\$0.00		\$0.00	\$8,754.80

*Title policy for State Fair Bldg
was requested by Wells Fargo*