



City of Grand Island

Tuesday, October 11, 2011

Council Session

Item H1

**Consideration of Request from Wyoming Financial Lenders, Inc.
dba Payday Express, 645 South Locust Street for a Pawnbroker's
License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: October 11, 2011

Subject: Request from Wyoming Financial Lenders, inc. dba Payday Express, 645 South Locust Street for a Pawnbroker's License

Item #'s: H-1

Presenter(s): RaNae Edwards, City Clerk

Background

Section 25-1 thru 25-9 of the Grand Island City Code sets out the policy of the City Council regarding Pawnbrokers licenses. City Council approval is required for all Pawnbroker licenses.

Discussion

Wyoming Financial Lenders, Inc. dba Payday Express has submitted an application for a Pawnbroker's license located at 645 South Locust Street. Submitted with their application was a bond in the amount of \$5,000 as required by City Code.

This application has been reviewed by the City Clerk and Police Department.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the request from Wyoming Financial Lenders, Inc. dba Payday Express, 645 South Locust Street for a Pawnbroker's License.

Sample Motion

Move to approve the request from Wyoming Financial Lenders, Inc. dba Payday Express, 645 South Locust Street for a Pawnbroker's License.



Pawnbroker's License Application

Business Owner Name: Wyoming Financial Lenders, Inc dba Payday Express

Business Owner Address: 11550 I Street, Suite 150 Omaha, NE 68137

Business Manager Name: Wanda Smith

Business Manager Address: 3605 Bronco Rd. Grand Island, NE 68801

Business Street Address: 645 South Locust Grand Island, NE 68801

Location of storage of goods if kept at location other than business location:

N/A

List all criminal convictions (except minor traffic infractions) of owner, manager, or all officers and shareholders (if applicant if a corporation):

Offense	Location of Court	Conviction Date
<u>N/A</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

If additional space is required, continue on back of the application.

Additional Documents Required:

1. All applicants must include bond to the City of Grand Island in the sum of \$5,000 with the application.
2. All corporate applicants must attach a copy of Articles of Incorporation and list of officers/shareholders.

All licenses expire on April 30th of each year. The City of Grand Island requires payment of an occupation tax in the amount of \$75.00 when the license is issued as well as a license fee in the amount of \$75.00.

All licenses are subject to approval and issuance by the City Council. Be sure you are familiar with the City Code and State Statutes pertaining to pawnbrokers.



Old Republic Surety Company

BOND NO. W150105461

LICENSE BOND

KNOW ALL MEN BY THESE PRESENTS, That we Wyoming Financial Lenders, Inc. D/B/A Payday Express
645 South Locust Grand Island, NE 68801

as Principal, and Old Republic Surety Company organized under the laws of the state of
Wisconsin, as Surety, are held and firmly bound unto City of Grand Island of Grand Island, NE

as Obligee in the sum of Five Thousand Dollars (\$5,000.00)

lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS, the said Principal has applied to said Obligee for a license to or permit as a Pawnbroker's License

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal shall indemnify said Obligee against all loss which the Obligee may be subject by reason of said Principal's non-compliance caused by said Principal's breach of any ordinance, rule or regulation relating thereto, then the above obligation shall be void, otherwise to be and remain in full force and effect.

This obligation may be canceled by said Surety by giving thirty (30) days notice in writing of its intention to do so to said Obligee; and provided further, that nothing herein shall affect any rights or liabilities which shall have accrued under this bond prior to the date of termination; and the said Surety shall be relieved of any further liability under this bond thirty (30) days after receipt of said notice by the said Obligee.

The term of this bond is for a period commencing September 20, 2011
and terminating September 20, 2014 provided, however, this bond may be continued from year to year by continuation certificate executed by said Surety.

Signed, sealed and dated the 20th day of September, 2011.

Wyoming Financial Lenders, Inc. D/B/A Payday Express
Principal

By [Signature]

Old Republic Surety Company

By [Signature]
Andrew C Bassett Attorney-in-fact





OLD REPUBLIC
Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:
Andrew C Bassett Of HASTINGS, NE

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows: Effective Date: 9/20/2011 12:00:00 AM

Bond Number: W150105461

Bond Amount: Five Thousand Dollars (\$5,000.00)

Principal Name: Wyoming Financial Lenders, Inc. D/B/A Payday Express

Obligee Name: City of Grand Island of Grand Island, NE

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

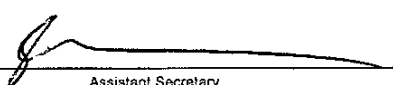
RESOLVED that the president, any vice president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

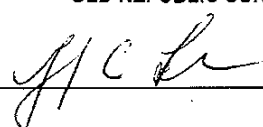
RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 20th day of September, 2011.


Assistant Secretary



OLD REPUBLIC SURETY COMPANY


Gerald C. Leach

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 20th day of September, 2011, personally came before me, Gerald C. Leach and Rick A. Johnson, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




Sharon A. Pizur
Notary Public

My Commission Expires: 12/2/2012 12:00:00 AM

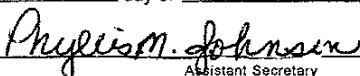
CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

0405437



Signed and sealed at the City of Brookfield, WI this 20th day of September, 2011.


Phyllis M. Johnson
Assistant Secretary

ARTICLES OF INCORPORATION
OF
WYOMING FINANCIAL LENDERS, INC.

FILED

497325864

KNOW ALL MEN BY THESE PRESENTS:

SECRETARY

That I, Richard J. Bratton, desiring to form a corporation for the purpose that hereinafter are set forth under and in conformity with the Wyoming Business Corporation Act of the State of Wyoming, hereby voluntarily form this Association and make this written certificate in duplicate, and certify that the Articles of Incorporation of said corporation are:

I.
NAME

The name of the corporation is: Wyoming Financial Lenders, Inc

II.
PERIOD OF DURATION AND PURPOSE

The term of this Corporation shall be perpetual. During the term, this Corporation is to have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be organized under the Wyoming Business Corporation Act.

III.
AMOUNT OF TOTAL AUTHORIZED STOCK

The aggregate number of shares which the Corporation shall have authority to issue is 50,000; all shares shall be with no par value per share and shall be voting, common stock. Such shares of stock may be issued by the Corporation from time to time by the Board of Directors, and any and all such shares so issued shall be deemed fully paid stock and not liable for any further call or assessment except to the extent of payment of the full consideration for which the stock is delivered.

Shareholders shall not be limited or denied their preemptive rights to acquire additional or treasury shares of the corporation.

IV.
COMMENCEMENT OF BUSINESS

The corporation will not commence business until consideration of the value of at least Five Hundred Dollars (\$500.00) has been received for the issuance of shares.

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SECRETARY OF
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V.
POWER OF DIRECTORS

The management of the corporation shall be vested in a Board of Directors, the number of Directors constituting the initial Board of Directors is three. The number of directors thereafter shall be as set forth from time to time by the By-Laws of the Corporation without restriction on the generality of the foregoing. The directors of this Corporation shall have the power to make and enact all such By-Laws as they shall deem proper for the management of , and the disposition of the business affairs of said Corporation, and after reasonable notice to all Directors, to repeal, amend or alter the By-Laws or to adopt new By-Laws; and shall have the power of fixing the salaries of its agents and officers, and appointment and removal of such officers and agents; and shall have such other powers not denied to them by Wyoming Law, as shall be set forth from time to time by the By-Laws of the corporation.

The internal affairs of the Corporation shall be regulated by the Board of Directors elected by the stockholders subject to the By-Laws of the Corporation.

VI.
INITIAL BOARD OF DIRECTORS

The initial board of Directors which shall serve until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Richard J. Bratton
Tia Moberly
Rose Piel

In case of a vacancy at any time in the Board of Directors by death, disability, resignation or otherwise, the remaining directors shall elect, by majority vote, a director to fill such vacancy and who shall serve until his successor is duly elected and qualified.

succeeding directors shall be elected at the annual meeting of the stockholders which shall be held after the first corporate year.

VII.
LIABILITY OF DIRECTORS

No Directors shall be personally liable to the Corporation or any shareholder for monetary damages for breach of fiduciary duty as a director, except for any matter in respect of which such director shall be liable under Sec. 17-16-833 of the Wyoming Statutes, or any amendment thereto or successor provision thereto, and except for any matter in respect of which such director shall be liable by reason the he (i) has breached his duty of loyalty to

the corporation or its shareholders, (ii) has not acted in good faith or, in failing to act, has not acted in good faith, (iii) has acted in a manner involving intentional misconduct or knowing violation of law, or (iv) has derived an improper personal benefit. Neither the amendment nor repeal of this Article VII, nor the adoption of any provision of the Articles of Incorporation inconsistent with this Article VII, shall eliminate or reduce the effect of this Article VII in respect of any matter occurring, or any cause of action, suit or clam that, but for this Article VII would accrue or arise prior to such amendment, repeal or adoption of an inconsistent provision.

VIII.
OFFICERS

The officers of the Corporation shall be a President, a Secretary, and a Treasurer, and such other officers as the By-Laws prescribe from time to time. Officers shall be elected in the manner prescribed by the By-Laws.

IX.
INITIAL REGISTERED OFFICE AND AGENT

The initial registered office address of the corporation is 400 E. 1st, Casper, Wyoming 82601, and the initial registered agent at such address is Bob Moberly. The business of the Corporation shall be transacted in the City of Casper, and County of Natrona, but the operations of the company may be carried on in such other counties of the State of Wyoming and outside of the state as the Board of Directors shall, from time to time, designate.

X.
NAME OF INCORPORATOR

The name of the incorporator of Wyoming Financial, Inc. is Richard J. Bratton, 400 E. 1st, Casper, Wyoming 82601.

IN WITNESS WHEREOF, the incorporator of Wyoming Financial, Inc. has hereunto set her hand this 28th day of August, 1997.

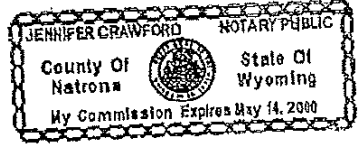

Richard J. Bratton

STATE OF WYOMING)
)SS:
COUNTY OF NATRONA)

On this 28th day of August, 1997, before me personally appeared Richard J. Bratton, known to me to be the person described in and who executed the foregoing Articles of Incorporation and verified said Articles in conformity with law.


Notary public

My Commission Expires: 5-14-2000



WFL - Corporate Officers

<i>NAME</i>	<i>TITLE</i>	<i>ADDRESS</i>
Quandahl, John	President	10602 Ridgemont Circle, Omaha, NE 68136
Chaney, Brian	VP	19505 Poppleton Circle, Omaha, NE 68130
Horner, Rich	Treasurer	809 Roland Drive, Papillion, NE 68046
Dunham, Ted	Secretary	18089 Jones St., Omaha, NE 68022

INTEROFFICE
MEMORANDUM



Police Department
Working Together for a
Better Tomorrow. Today.

DATE: 9-27-2011

TO: Chief Lamken, RaNae Edwards
FROM: Capt. Mehlin
RE: Pawnbrokers License App Payday Express

Chief,

After speaking with Wanda Smith the Manager at Payday Express and Brian Chaney at the Wyoming Financial Lenders Corporate office in Omaha I find no reason for any objections to this Pawn License. Payday Express, like many other institutions in Grand Island are planning on buying gold and silver and want the flexibility to loan money using these precious metals as collateral.

At this time they do not plan on pawning property, only gold and silver.

Capt. Kerry Mehlin



GIPD CID