

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF DIRECTING THE )  
COUNTY REPRESENTATIVES ON )  
THE BOARD OF THE LANCASTER )  
COUNTY FAIRGROUNDS JOINT PUBLIC )  
AGENCY TO VOTE ON THE PROPOSED )  
ENCUMBRANCE BY DEED OF TRUST AND )  
TRANSFER BY LONG TERM LEASE A )  
PORTION OF THE LANCASTER COUNTY )  
FAIRGOURNDS )

LANC. COUNTY CLERK

RESOLUTION NO. 209-0018

**WITHDRAWN**

Date 7/5/11

WHEREAS, on October 17, 2000, Lancaster County (County), acting pursuant to Neb. Rev. Stat. §13-2501 et seq., entered into an agreement with the Lancaster County Agricultural Society (Ag Society) to form the Lancaster County Fairgrounds Joint Public Agency (JPA), for purposes including the acquisition of land and improvements for the Lancaster County Fairgrounds.; and

WHEREAS, said Agreement provides that all property acquired pursuant thereto shall be held in the name of the Ag Society; and

WHEREAS, said Agreement further provides that whenever four affirmative votes are required for any action by the JPA, the representatives of the County on the JPA Board shall cast their votes as directed by the Lancaster County Board;

WHEREAS, in a separate agreement identified as the "Facilities Agreement" the JPA contracted with the Ag Society to manage the property held in its name pursuant to the JPA Agreement; and

WHEREAS, the Facilities Agreement provides, inter alia, that the Ag Society shall not transfer or encumber any of the property held in its name pursuant to the JPA Agreement without approval of the JPA Board by an affirmative vote of at least four of its representatives; and

WHEREAS, the Ag Society has proposed to encumber by deed of trust and transfer by long term lease a portion of the Lancaster County Fairgrounds described as Lot 37, Irregular Tracts, located in the North Half of Section 11, Townships 10, Range 7 E of the 6<sup>th</sup> P.M., Lancaster County, Nebraska (the Property).

WHEREAS, the Ag Society proposes to use the funds from the deed of trust and note to cover its portion of the initial development costs for improvements on the Property.

WHEREAS, it appears to the Board of County Commissioners that the transaction proposed by the Ag Society is within its legal authority and will serve its public purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the County's representatives on the JPA Board be and hereby are directed to vote affirmatively to allow the Ag Society to encumber by deed of trust and transfer by long term lease a portion of the Lancaster County Fairgrounds described as Lot 37, Irregular Tracts, located in the North Half of Section 11, Townships 10, Range 7 E of the 6<sup>th</sup> P.M., Lancaster County, Nebraska, and to use the funds from the deed of trust and note to cover its portion of the initial development costs on the Property.

DATED this 14<sup>th</sup> day of April, 2009.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Deputy County Attorney  
For GARY E. LACEY  
Lancaster County Attorney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_