

TAB 4



City of Palmetto Agenda Item

Meeting Date

12/19/11

Presenter: Jim Freeman

Department: City Clerk

Title: Second Loan Amendment to CRA 2006 Promissory Note totaling \$4.395M

The attached Second Amendment modifies the definition of "project" to include redevelopment of the Riverside boat ramp and the purchase of four properties located at the corner of 8th Avenue and Riverside Drive. This amendment was required to broaden the definition of "project" in the loan agreement (2006 Promissory Note between CRA and Bank of America for \$4,395,000) which will allow the loan funds to be used to purchase the above mentioned real property.

The First amendment was approved in 2008 which also modified the definition of project to include the 7th Street extension, east of US41/301.

Budgeted Amount:	\$1,400,000	Budget Page No(s):		Available Amount:	\$1,400,000	Expenditure Amount:	\$1,400,000
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Additional Budgetary Information:

Funding Source(s):		Sufficient Funds Available:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amendment Required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Source:	
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City Attorney Reviewed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Advisory Board Recommendation:	<input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> N/A	Consistent With:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Potential Motion/Direction Requested: Motion to approve and authorize the CRA Presiding Officer to execute the Second Amendment to the original Loan Agreement dated July 26, 2006..

Staff Contact: Jim Freeman

Attachments:

RESOLUTION NO. 2011-01

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PALMETTO COMMUNITY
REDEVELOPMENT AGENCY AUTHORIZING THE
EXECUTION OF A SECOND AMENDMENT TO LOAN
AGREEMENT WITH BANK OF AMERICA, N.A.;
PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
PALMETTO COMMUNITY REDEVELOPMENT AGENCY:

Section 1: The Second Amendment to Loan Agreement, in substantially the form attached hereto as Exhibit A, is hereby approved. The CRA hereby authorizes the Presiding Officer to execute and deliver on behalf of the CRA the Loan Agreement, with such changes, insertions and additions as the Presiding Officer may approve, the execution thereof being conclusive evidence of such approval.

Section 2: *Effective Date.* This Resolution shall be in full force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 19th day of December, 2011.

CITY OF PALMETTO COMMUNITY
REDEVELOPMENT AGENCY

By: _____
Name: Shirley Groover Bryant
Title: CRA Presiding Officer

RESOLUTION NO. 2011-01
EXHIBIT A

SECOND AMENDMENT TO LOAN AGREEMENT

This SECOND AMENDMENT TO LOAN AGREEMENT (the "Agreement") is made and entered into as of December 19, 2011, by and between Community Redevelopment Agency of the City of Palmetto, Florida, a public body corporate and politic of the State of Florida, and its successors and assigns (the "CRA"), and Bank of America, N.A., a national banking association, and its successors and assigns as registered owner of the hereinafter defined Note (the "Bank") and amends the Loan Agreement (as previously amended, the "Original Agreement"), dated July 26, 2006, between the CRA and the Bank.

The definition of "Project" contained in Section 1.01 of the Original Agreement is amended to provide:

"Project" means any or all of (i) the acquisition by the CRA of the historic Olympia theater, located at 512-10th Avenue West in the City and the renovation thereof for use by the CRA and the City, (ii) the acquisition of property at 930-5th Street West in the City to be used as public parking and City, (iii) the acquisition of property adjacent to Palmetto Elementary School, including property located at 810, 814, 818, 820 and 902-10th Avenue West and 801, 809, 819, 821, 823 and 835-9th Avenue West in the City, to be conveyed to the School District of Manatee County, Florida for use for public education purposes, (iv) the extension of 7th Street east of US 301/41 and (v) the redevelopment of the Riverside boat ramp and the purchase of 301 8th Avenue West (PID# 3115600003), 325 8th Avenue West (PID# 3113800059), 320 9th Ave West (PID# 3115000006) and 834 Riverside Drive (PID# 3117300008)

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective between them as of the date first set forth above.

COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF PALMETTO, FLORIDA

By: _____
Name: Shirley Groover Bryant
Title: CRA Presiding Officer

BANK OF AMERICA, N.A.

By: _____
Name: Holly Kuhlman
Title: Senior Vice President