**RESOLUTION 2019-95**

THE VALLEY GRANDE CITY COUNCIL

**BE IT RESOLVED** by the City Council of the City of Valley Grande (the "Granting Authority"), as follows:

Section 1. The Granting Authority does hereby find, declare and ascertain as follows: that Dallas County Solar, LLC, a Delaware limited liability company (the "Company"), is considering the leasing, development, equipping, and installation of a new solar photovoltaic generating facility located on those certain parcels of land in Dallas County, Alabama (the "County") described on Exhibit A to the application attached hereto, a portion of which are located inside the corporate limits and/or police jurisdiction of the City of Valley Grande (the "City", and such project, the "Project"); that the Project would promote trade and commerce in the State of Alabama, and in the jurisdiction of the Granting Authority and surrounding areas; that it is desirable and appropriate for the Granting Authority to consent to the abatement of certain City sales

and use taxes by the County with respect to the Project, pursuant to Chapter 9B of Title 40 of the Code of Alabama (1975), as amended (herein called the "Tax Abatement Act") as provided in the "Application to Granting Authority for Abatement of Taxes" presented to the meeting at which this resolution is adopted (such application is attached hereto as Exhibit A and made a part of this resolution as if fully and completely set forth herein); and therefore it is desirable and appropriate for the Granting Authority to consent to the granting of said tax abatements.

Section 2. Pursuant to the provisions of the Tax Abatement Act, and specifically Alabama Code § 40-9B-5(b), the Granting Authority hereby consents to the County granting to the Company abatements of the City's Construction Related Transaction Taxes associated with the Project to the fullest extent allowed under the Tax Abatement Act. The term "Construction Related Transaction Taxes" shall have the same meaning herein as in the Tax Abatement Act.

Section 3. General Authorization. The Mayor and the Clerk are hereby further authorized and directed to execute, deliver, seal, and attest such other ancillary documents and certificates as may be necessary to effect the transaction authorized by this resolution, and their signatures thereon shall be conclusive evidence of the due exercise of this authority.

Section 4. Severability Provisions. The various provisions of this resolution are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this resolution.

Section 5. Contract. The terms of this resolution shall be deemed a contract with the Company and may not be rescinded or amended by the Granting Authority without the express, written consent of the Company.

Adopted on this \_\_\_\_\_\_\_ day of May, 2019.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Matt Dobbs, Mayor

ATTESTED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Janet Frasier, City Clerk