

CERTIFICATE FOR RESOLUTION

The undersigned officer of the Killeen Public Facility Corporation, a Texas nonprofit corporation created pursuant to the laws of the State of Texas ("KPFC") hereby certifies as follows:

1. In accordance with its bylaws, the Board of Directors of KPFC (the "Board") held a meeting on December 1, 2021, (the "Meeting") of the duly constituted officers and members of the Board, at which a duly constituted quorum was present. Whereupon among other business transacted at the Meeting, a written

**RESOLUTION AUTHORIZING THE TRANSFER OF THE \$350,000
STRUCTURING FEE FROM THE NORTH KILLEEN APARTMENTS
PROJECT TO THE CITY OF KILLEEN; AND OTHER MATTERS IN
CONNECTION THEREWITH**

(the "Resolution") was duly introduced for the consideration of the Board and discussed. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by a majority vote of the Board.

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the Board's minutes of the Meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting; and the Meeting was held and conducted in accordance with the Bylaws of KPFC.

SIGNED December 1, 2021.

Kent Cagle, Assistant Secretary

RESOLUTION

RESOLUTION AUTHORIZING THE TRANSFER OF THE \$350,000 STRUCTURING FEE FROM THE NORTH KILLEEN APARTMENTS PROJECT TO THE CITY OF KILLEEN; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Killeen Public Facilities Corporation (KPFC) adopted its bylaws on February 2, 2021; and

WHEREAS, NRP and the PFC closed on the North Killeen Project in November 2021; and

WHEREAS, the agreements provide for a structuring fee of \$350,000 to be paid to the KPFC upon closing; and

WHEREAS, the KPFC may use the funds for designated purposes, or it may transfer the funds to the City of Killeen for its use; and

WHEREAS, this Board of Directors has determined that the action herein authorized is in the best interests of KPFC;

**BE IT THEREFORE RESOLVED BY THE BOARD OF DIRECTORS OF THE
KILLEEN PUBLIC FACILITY CORPORATION, THAT:**

Section 1. The \$350,000 structuring fee received during closing of the North Killeen Apartment Project shall be transferred to the City of Killeen.

Section 2. If any section, paragraph, clause, or provisions of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

Section 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. This Resolution shall be in force and effect from and after its passage.