

RESOLUTION NO. 2015-04-~~32~~R

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF TONTITOWN, ARKANSAS, TO EXECUTE AND DELIVER TO COMMUNITY FIRST NATIONAL BANK A PAYMENT REQUEST FORM PURSUANT TO THE EQUIPMENT LEASE PURCHASE AGREEMENT DATED OCTOBER 1, 2014.

WHEREAS, Resolution No. 2014-11-485R adopted November 4, 2014, authorized the execution of an Equipment Lease Purchase Agreement with Community First National Bank, Manhattan, Kansas (the "Agreement"); and

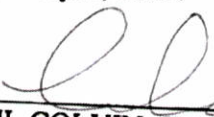
WHEREAS, the equipment, subject of said Agreement, has been delivered or arrangements made for such delivery and invoices issued to the city of Tontitown, Arkansas, for said equipment; and

WHEREAS, pursuant to the Agreement and the accompanying Escrow Agreement, it is necessary that the city of Tontitown issue to the Escrow Agent, Community First National Bank, duly executed payment requests, with true copies of the vendor's invoices attached.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the city of Tontitown, Arkansas:

Section 1: That the Mayor is hereby authorized and directed, on behalf of the city, to execute and deliver to Community First National Bank payment requests for Invoice No. 115601 dated February 4, 2015, and Invoice No. 116086 dated March 12, 2015. Copies of said invoices are attached hereto, marked as Attachments 1 and 2, respectively.

PASSED AND APPROVED this 7th day of April, 2015.



PAUL COLVIN, JR., Mayor

ATTEST:

SLINKARD LAW FIRM
ATTORNEYS AT LAW
P. O. BOX 33 — 410 NORTH EIGHTH STREET
ROGERS, ARKANSAS 72757-0033
hls@slinkardlaw.com

HOWARD L. SLINKARD
NICHOLAS P. CORCORAN
CHRISTOPHER S. WOODARD*
PAT MORAN, *of Counsel*
*Also licensed in Texas

Telephone:
(479)636-9169
Facsimile:
(479)636-9587
SHARON R. BYRNE,
Office Manager

April 9, 2015

Community First National Bank
Attn: Neal Farmer
215 S. Seth Child Road
Manhattan, KS 66502

**RE: Lease of Turn-Out Gear
City of Tontitown, Arkansas**

Dear Neal:

The Tontitown City Council adopted Resolution No. 2015-04-522R at its regular monthly meeting on April 7, 2015, authorizing the Mayor to execute and deliver the Payment Request Form for payment of the invoices for the leased turn-out gear. I enclose the signed original of the Resolution, signed original Payment Request Form, and signed original Certificate of Incumbency. Payment of the invoices should be made directly to the vendor, EVS. Please copy my office and the City of Tontitown with your cover upon mailing payment.

Per your request, we also enclose a copy of the City's proof of insurance.

If you have any questions, please feel free to call.

Sincerely,



Howard L. Slinkard

HLS/srb
Enclosures

cc: Mayor Paul Colvin, Jr.
(w/copies of enclosures)

COPY

PAYMENT REQUEST FORM

Community First National Bank, Escrow Agent under an Escrow Agreement dated as of October 1, 2014, by and among the said Escrow Agent, Community First National Bank (Lessor), and the city of Tontitown, Arkansas (Lessee), is hereby requested to pay from the Equipment Acquisition Fund held under said Escrow Agreement, to the persons, firms, or corporations designated below as Payee, the amount set forth opposite each such person's, firm's, or corporation's name, in payment of the Acquisition Costs (as defined in said Escrow Agreement) of the Equipment described on the attached page(s) designated opposite such Payee's name and account.

PAYEE	AMOUNT	EQUIPMENT
EVS	\$15,733.43	Invoice No. 115601
EVS	\$38,816.16	Invoice No. 116086

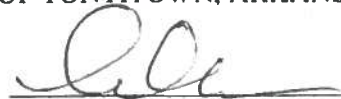
By executing this Payment Request Form, the Lessee hereby represents that the Payee or Payees listed above who are requesting payment have delivered the Equipment or a portion of the Equipment or performed the services to the satisfaction of the Lessee, and that the amounts requested above by the Payee or Payees are proportionate with the value of the Equipment delivered or services rendered by the Payee or Payees.

DATED THIS 7 day of April, 2015.

LESSEE:

CITY OF TONTITOWN, ARKANSAS

By:


PAUL COLVIN, JR., Mayor

*Keep this form for future disbursement requests.

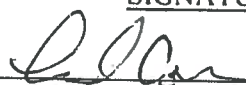

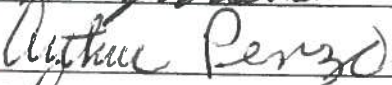



COPY

CERTIFICATE OF INCUMBENCY

We, the undersigned, by our signatures inscribed on this Certificate, certify to COMMUNITY FIRST NATIONAL BANK that each of us was duly elected to and legally serving the city of Tontitown, Arkansas, in the capacity noted opposite our signatures hereto.

We further certify (a) our respective signatures are true and authentic; and (b) the copy of Resolution No. 2015-04-____-R, attached hereto, is a true and correct copy of said resolution duly adopted by the City Council at its regular council meeting held April 7, 2015.

IN WITNESS WHEREOF, we have duly executed this Certificate on this 7th day of April, 2015.

<u>SIGNATURE</u>	<u>OFFICER TITLE</u>
	Mayor
	Alderman
	Alderman
	Alderman
	Alderman
	Alderman
	Alderman

[SEAL]

(Fax number: 501-978-6562)

Katie Gleason, Asst. MVP & MPP
Phone: 501-537-3786

City / Town of Tontitown

Account #7127

Contact Person: Paul Colvin

Effective Date: 04/09/2015

Phone #:479-361-2700

Fax #:1-501-421-0012

ADD

ADD
Name of Building or Equipment – Fire Department/ Turn out Gear Lease Agreement Equipment

Physical Address 141 Zulpo St. (162 SE 3rd St is incorrect) City Springdale State AR

Zip Code for that particular location 72762

Appraised Value of Building and/or Equipment / Contents	\$196,269.60	Fire Class
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Name of Building or Equipment _____

Physical Address _____ City _____ State _____

Zip Code for that particular location _____

Appraised Value of Building and/or Equipment / Contents \$ _____ Fire Class _____

Name of Building or Equipment _____

Physical Address _____ City _____ State _____

Zip Code for that particular location _____

Appraised Value of Building and/or Equipment / Contents \$ _____ Fire Class _____

DELETE

Name of Building or Equipment _____

Physical Street Address _____

Name of Building or Equipment _____

Physical Street Address _____

Name of Building or Equipment _____

Physical Street Address _____

Name of Building or Equipment _____

Physical Street Address _____



INVOICE

Remit To: G & W Diesel
P.O. Box 257
Memphis, TN 38101

891 Karima Street
Memphis, TN 38106
Phone 901-948-1625
Fax 901-946-7433

1400 E.W. Martin Drive
Conway, AR 72033
Phone 501-337-4450
Fax 501-337-3209

Bill To: CITY OF TONTITOWN
P O BOX 305
TONTITOWN AR 72770

Ship To: CITY OF TONTITOWN
235 E HENRI DE TONTI BLVD
SPRINGDALE AR 72762

Invoice #	Order #	Customer #	Customer P.O. #	Terms	Salesperson
115601	23889	3919	LANCE	NET 10TH PROX	OUR TRUCK
02/04/15	12/02/14				SJ
Units	U/M	Item Description	Disc	Unit Price	Amount
		***** DUPLICATE COPY *****			
4	EA	GF6C1S TFT G-FORCE SELECTABLE NOZZLE w/ GRIP AND SPINNING TEETH G474112, G474123, G474124, G474125 H591308, H591309, H591312, H591324		495.00	1,980.00
3	EA	150.062.194 HOLMATRO V-STRUT 1500621581180950hh 1500621581183772hh 1500621581183774hh		847.06	2,541.18
15	EA	23397 ERGODYNE SAFETY VEST 2/3X LIME w/ ORANGE TRIM		18.60	279.00
15	EA	23399 ERGODYNE SAFETY VEST 4/5X (Continued on Page 2)		18.60	279.00



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Fax 501-327-3288

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Invoice #	Order #	Customer #	Customer P.O. #	Terms	Salesperson
115601	23889	3919	LANCE	NET 10TH PROX	OUR TRUCK
02/04/15	12/02/14				SJ
Units	U/M	Item Description	Disc	Unit Price	Amount
		(Page 2)			
		LIME w/ ORANGE TRIM			
6	EA	24000 ERGODYNE SAFETY VEST 6/7X		18.60	111.60
1	EA	358.582.004 HOLMATRO CONTROL SET PKG A-2 INC: CASE, HP REG, HOSES, DUAL CONTROLLER AND SHUTOFFS		1425.88	1,425.88
1	EA	350.321.013 HOLMATRO 32 TON LIFTING BAG		1199.12	1,199.12
2	EA	350.321.010 HOLMATRO 20 TON LIFTING BAG		966.18	1,932.36
2	EA	K12FDPKG FIRE HOOKS K-12FD RESCUE SAW w/ 14X30 CARBIDE TIP BLADE 20140900112 20141300288 (Continued on Page 3)		1441.18	2,882.36



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Invoice #	Order #	Customer #	Customer P.O. #	Terms	Salesperson
115601	23889	3919	LANCE	NET 10TH PROX	OUR TRUCK
02/04/15	12/02/14				SJ
Units	U/M	Item Description	Disc	Unit Price	Amount
		(Page 3)			
1	EA	700-086 TEMPEST MODEL DD-16-H-5.5 16 IN FAN w/ 5.5 HONDA MOTOR 086-01261		1429.41	1,429.41
2	EA	JTS250PS TFT 2.5 IN NH THUNDERFOG NOZZLE w/ GRIP J472721, J472765		661.76	1,323.52
		Subtotal			15,383.43
		FREIGHT INBOUND			350.00
		Total Due			15,733.43
		No returns on special orders. 20% restocking fee on items returned for credit.			
		**DOWN PAYMENT OF \$9975.60 IS DUE FROM THE CITY OF TONTITOWN WITH THE REMAINDER OF THE BALANCE TO COME FROM COMMUNITY LEASING ON THIS INVOICE			

All warranties on these parts are the manufacturer's. The seller, G&W Diesel Service, Inc. hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and G&W Diesel Service, Inc. neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of these parts. This disclaimer by the Seller, G&W Diesel Service, Inc. in no way affects the terms of the manufacturer's warranty.



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P.O. Box 257
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892 Kansas Street
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Phone 901-946-1625
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235 E HENRI DE TONTI BLVD
SPRINGDALE AR 72762

Invoice #	Order #	Customer #	Customer P.O. #	Terms	Salesperson
116086	23889	3919	LANCE	NET 10TH PROX	OUR TRUCK
03/12/15	12/02/14				SJ
Units	U/M	Item Description	Disc	Unit Price	Amount
16	EA	***** DUPLICATE COPY ***** *HW HONEYWELL LTO-4113 TAILS BLACK SERIAL #'S: 1501000937 1501000938 1501000939 1501000940 1501000941 1501000942 1501000943 1501000944 1501000945 1501000946 1501000947 1501000948 1501000949 1501000950 1501000951 1501000952 (Continued on Page 2)		1444.30	23,108.80



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[illegible]



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Invoice #	Order #	Customer #	Customer P.O. #	Terms	Salesperson
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03/12/15	12/02/14				SJ
Units	U/M	Item Description	Disc	Unit Price	Amount
		(Page 3)			
		No returns on special orders.			
		20% restocking fee on items returned for credit.			

All warranties on these parts are the manufacturer's. The seller, G&W Diesel Service, Inc. hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and G&W Diesel Service, Inc. neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of these parts. This disclaimer by the Seller, G&W Diesel Service, Inc. in no way affects the terms of the manufacturer's warranty.