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**REQUEST FOR BOARD ACTION  
LOCAL BUILDING AUTHORITY  
DECEMBER 9, 2025**

**Department:** Finance

**Director Approval:** *Anna Montoya*

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**AGENDA ITEM**

Review and action on a resolution authorizing the issuance of lease revenue bonds by the Authority.

**SUMMARY RECOMMENDATION**

Building Authority action is required to adopt a resolution to authorize the issuance of bonds for the following:

1. Financing the cost of acquisition and construction of the project; and
2. Paying costs of issuance relating to the issuance, sale, and delivery of the Bonds; and
3. to lease the Leased Property to the City in consideration of certain Base Rentals and Additional Rentals to be paid as provided in the Lease, that will be sufficient to pay the principal of, and premium, if any, and interest on, the Bonds and certain other costs and expenses as provided in the Lease

**BACKGROUND**

The bond proceeds will be used for design and improvements of a new public works facility which includes a new office building, operations and maintenance bays, additional material bins, improved parking area and demolition of existing facilities.

The City (in its capacity as ground lessor) and the Local Building Authority (LBA) as Issuer (in its capacity as ground lessee) will enter into that certain Ground Lease pursuant to which the City will lease to the Issuer the Facility Site; and Issuer and the City will enter into that certain Master Lease Agreement (the “Lease”). The LBA has agreed to sublease the Facility Site and lease the Project to the City.

Summary of parameters in attached resolution:

- Maximum Par Amount of Bonds: \$50,000,000
- Maximum Length to Final Maturity: 31 Years from the date of issuance
- Maximum Coupon: 6.00%
- Public Hearing related to this matter: December 9, 2025

**BUDGET IMPACT**

The maximum annual amount of lease payments that the city will pay under the Lease is

\$3,280,000. Debt service will be paid through a combination of utility user fees and impact fees.

**SUGGESTED MOTION**

Move that we adopt the resolution authorizing the issuance of lease revenue bonds.



LOCAL BUILDING AUTHORITY OF  
AMERICAN FORK CITY  
DECEMBER 9, 2025  
NOTICE AND AGENDA

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*\*Notice of Electronic Meeting\**

One or more Board members may be physically absent from this meeting but may participate electronically.

Notice is hereby given that the Local Building Authority of American Fork City will hold a public hearing in conjunction with a special session to be held on December 9, 2025, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m. The agenda shall be as follows:

PUBLIC HEARING

Receive hearing to receive input with respect to the issuance of lease revenue bonds by the Authority.

SPECIAL SESSION

1. Roll call
2. Review and action on a resolution authorizing the issuance of lease revenue bonds by the Authority.
3. Adjournment.

Dated this 5th day of December 2025.

/s/ Terilyn Lurker  
Secretary

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE LOCAL BUILDING AUTHORITY OF AMERICAN FORK CITY, UTAH, AUTHORIZING THE ISSUANCE AND SALE OF LEASE REVENUE BONDS, SERIES 2026.

WHEREAS, the Local Building Authority of American Fork City, Utah (the “*Issuer*”) has been duly organized as a Utah nonprofit corporation by American Fork City, Utah (the “*City*”) solely for the purpose of (a) accomplishing the public purposes for which the City exist by acquiring, improving or extending any improvements, facilities or properties (whether real or personal) and appurtenances to them which the City are authorized or permitted by law to acquire, including, but not limited to, public buildings or other structures of every nature or any joint or partial interest in the same, and (b) financing the costs of such projects on behalf of the City in accordance with the procedures and subject to the limitations of the Local Building Authority Act, Title 17D, Chapter 2 of the Utah Code Annotated 1953, as amended (the “*Building Authority Act*”) and other applicable Utah law;

WHEREAS, the Act provides that the Issuer may issue and sell its bonds for the purpose of paying the costs of acquiring, improving or extending a project (as such term is defined in the Act), and such bonds shall be secured by a pledge and assignment of the revenues received by the Issuer under the leasing contract (as such term is defined in the Act) with respect to the project financed or refinanced with the proceeds of the sale of such bonds and may be secured by (a) a mortgage (as defined in the Act) covering all or any part of such project, (b) a pledge and assignment of the leasing contract for that project, (c) amounts held in reserve funds or (d) such other security devices with respect to the project as may be deemed most advantageous by the Issuer; and

WHEREAS, the City Council of the City (the “*City Council*”) desires the Issuer to undertake the construction of a certain project pursuant to the Act the acquisition and construction of improvements to and expansion of a public works facility (collectively, the “*Project*”) on sites owned or to be owned by the City (the “*Facility Sites*”); and

WHEREAS, the City (in its capacity as ground lessor) and the Issuer (in its capacity as ground lessee) will, simultaneously with the execution and delivery of the Indenture, enter into that certain Ground Lease, (the “*Ground Lease*”), a copy of which is attached hereto as *Exhibit A*, pursuant to which the City will lease to the Issuer the Facility Sites; and

WHEREAS, the Issuer and the City will enter into that certain Master Lease Agreement (the “*Lease*”), the form of which is attached hereto as *Exhibit B*, pursuant to which the Issuer has agreed to sublease the Facility Sites and lease the Projects to the City, all on the terms and conditions set forth therein;

WHEREAS, pursuant to and in accordance with the provisions of the Act and the Indenture, the City Council has determined that it is in the best interest of the Issuer and the City (a) to issue its Local Building Authority of American Fork City, Utah Lease Revenue Bonds, Series 2026 (the “*Bonds*”) pursuant to this Resolution and an Indenture of Trust (the “*Indenture*”), between the Issuer and a trustee (the “*Trustee*”), the form of which is attached hereto as *Exhibit C*, to provide

funds for the purpose of (i) financing the cost of the acquisition and construction of the Projects and (ii) paying costs of issuance relating to the issuance, sale and delivery of the Bonds, and (b) to lease the Leased Property (as defined in the Lease) to the City in consideration of certain Base Rentals (as defined in the Lease) and Additional Rentals (as defined in the Lease) to be paid as provided in the Lease, that will be sufficient (so long as the City Council extends the term of the Lease for each successive one-year renewal term) to pay the principal of, and premium, if any, and interest on, the Bonds and certain other costs and expenses as provided in the Lease;

WHEREAS, the Issuer desires to secure its payment obligations under the Indenture by executing and delivering a Leasehold Deed of Trust, Assignment of Rents and Security Agreement (the “*Deed of Trust*”), attached hereto as *Exhibit D*, for the benefit of the holders of the Bonds;

WHEREAS, the Issuer desires to provide for continuous compliance with certain requirements of the Internal Revenue Code of 1986, as amended (the “*Code*”), in order to establish and maintain the excludability of interest on the Bonds from gross income of the owners thereof for federal income tax purposes by entering into such tax certificates and other agreements and certificates for such purposes as directed by bond counsel for the issuance of the Bonds;

WHEREAS, in the opinion of the City Council, it is in the best interest of the City and the Issuer that the Designated Officer be authorized to (i) determine whether to pursue a competitive sale, negotiated sale or private purchase for the sale of the Bonds, (ii) if a private purchase is pursued, select a purchaser for the Bonds, (iii) if a competitive sale is pursued, accept or reject the bids received for the Bonds pursuant to the PARITY<sup>®</sup> electronic bid submission system and determine the best bid received that conforms to the parameters, deadlines and procedures set forth in the notice of sale prepared in connection with the advertisement for sale of the Bonds, (iv) if a negotiated sale is pursued, select an underwriter for the Bonds and (v) approve the final principal amount, maturity amounts, interest rates, dates of maturity and other terms and provisions relating to the Bonds and to execute the Indenture containing such terms and provisions;

WHEREAS, the Secretary has presented to the Board of Trustees at this meeting the proposed form of each of the following agreements: (a) the Indenture, (b) the Ground Lease, (c) the Lease, (d) the Deed of Trust, (e) the Official Statement, and (f) the Continuing Disclosure Undertaking in connection with the issuance of the Bonds; and

WHEREAS, pursuant to Sections 17D-2-502 and 17D-2-601 of the Utah Code, the Issuer desires to provide for the publication of a Notice of Bonds to be Issued in the form attached hereto as *Exhibit E*;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Local Building Authority of American Fork City, as follows:

*Section 1. Definitions.* Certain words and phrases are defined in the preambles hereto. Unless otherwise defined herein, all words and phrases defined in Article I of the Indenture shall have the same meaning when used in this Resolution. In addition, the following words and phrases as used in this Resolution shall have the following meanings unless the context clearly indicates another or different meaning or intent:

“*Continuing Disclosure Undertaking*” means the Continuing Disclosure Undertaking of the Issuer, in substantially the form attached hereto as *Exhibit H*, dated the Dated Date, for the purpose of providing continuing disclosure information under Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as may be amended from time to time.

“*Designated Officer*” means the Secretary of the Issuer, or, in the event of the absence or incapacity of the Secretary, the President of the Board of Trustees.

“*Official Statement*” means the Official Statement with respect to the Bonds, in substantially the form attached hereto as *Exhibit G*.

“*Operative Agreements*” shall mean, collectively, the Ground Lease, the Lease, the Indenture, the Ground Lease, the Deed of Trust and the Continuing Disclosure Undertaking.

“*Tax Certificate*” shall mean any agreement or certificate of the Issuer and the City which the Issuer and the City may execute in order to establish and maintain the excludability of interest on the Bonds from gross income of the owners thereof for federal income tax purposes.

*Section 2. Issuance of the Bonds; Deposit of Proceeds.* (a) For the purposes enumerated in the preamble to this Resolution and paying the costs and expenses incidental thereto and to the issuance of the Bonds hereinafter described, lease revenue bonds of the Issuer is hereby authorized to be issued, in one or more series, pursuant to the Act and in accordance with and subject to the terms, conditions and limitations established in the Indenture and herein in the aggregate principal amount of \$50,000,000.

(b) The proceeds of sale of the Bonds shall be deposited as provided in the Indenture and the Lease.

*Section 3. Terms of the Bonds* (a) The Bonds shall be dated as of their date of original issuance and delivery (the “*Dated Date*”), shall mature on the dates and in the principal amounts, and shall bear interest from the Dated Date, payable at the interest rates provided in the Indenture. The Bonds shall be issued in authorized denominations and shall be executed and payable as provided in the Indenture.

(b) There is hereby delegated to the Designated Officer, subject to the limitations contained in this Resolution, the power to determine and effectuate the following with respect to the Bonds and the Designated Officer is hereby authorized to make such determinations and effectuations:

(i) the aggregate principal amount of the Bonds; *provided* that the aggregate principal amount of the Bonds shall not exceed \$50,000,000;

(ii) the maturity date or dates and principal amount of each maturity of the Bonds to be issued; *provided, however*, that the final maturity of all Bonds shall not be later than 31 years from their date or dates;

(iii) the interest rate or rates of the Bonds, *provided, however*, that the interest rate or rates to be borne by any Bond shall not exceed 6.00% per annum;

(iv) the sale of the Bonds to the Purchaser of the Bonds and the purchase price to be paid by the Purchaser for the Bonds; *provided, however*, that the discount from par of the Bonds shall not exceed 2.00% (expressed as a percentage of the principal amount);

(v) the Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;

(vi) the optional redemption date of the Bonds, if any;

(vii) the use and deposit of the proceeds of the Bonds; and

(viii) any other provisions deemed advisable by the Designated Officer not materially in conflict with the provisions of this Resolution.

The Board delegates to the Designated Officer the authority to determine whether to pursue a competitive sale, a private placement or negotiated sale for the sale of the Bonds. If a negotiated sale or private placement is pursued, the Designated Officer is authorized to select a purchaser or an underwriter to sale the Bonds and to obtain such information from potential purchasers or underwriters as he or she deems necessary to make such determination. If a competitive sale is pursued, immediately following the date and time specified in the Official Notice of Bond Sale attached to the Preliminary Official Statement for the receipt of bids for the purchase of the Bonds, the Designated Officer shall obtain such information as he or she deems necessary to make such determinations as provided above and to determine the bid of the responsible bidder that results in the lowest effective interest rate to the Issuer.

The Designated Officer shall make such determinations as provided above and shall execute the Indenture containing such terms and provisions of the Bonds, which execution shall be conclusive evidence of the actions or determinations of the Designated Officer as to the matters stated therein. The provisions of the Indenture shall be deemed to be incorporated in Article II hereof and shall be deemed to be a part of this Resolution.

(c) The Bonds shall be subject to redemption prior to maturity as provided in the Indenture.

(d) The Bonds and the Trustee's certificate of authentication to be endorsed thereon shall be in substantially the forms set forth in the Indenture, which forms are hereby incorporated herein by this reference, and the provisions for the signatures, authentication, payment, places of payment, medium of payment, transfer, exchange, registration, number and other provisions thereof, to the extent not provided herein, shall be as set forth in the Indenture as finally executed and are hereby approved and hereby incorporated herein by this reference. The form of the Bonds, submitted to this meeting as part of the recitals to the Indenture be, and the same hereby is, approved, and when the same shall be executed on behalf of the Issuer in the manner contemplated

by the Indenture and this Resolution in the aggregate principal amount herein provided, they shall represent the approved form of the Bonds of the Issuer.

(e) Upon the occurrence of an Event of Nonappropriation (as such term is defined in the Lease) or an Event of Default under the Lease or the Indenture, the Trustee shall be entitled to exercise such rights and remedies (including but not limited to the appointment of a receiver) as are provided in the Indenture or as are otherwise provided to the Issuer under the Act or other applicable law; *provided, however*, that no deficiency judgment upon foreclosure of the lien of the Indenture may be entered against the Issuer, the City, the State of Utah or any political subdivision of the State of Utah, except as otherwise expressly provided in the Indenture and as permitted by the Act.

*Section 4. Execution of Bonds.* The President of the Issuer (the “*President*”) is hereby authorized and directed to execute, and the Secretary of the Issuer (the “*Secretary*”) is hereby authorized and directed to attest, the Bonds and each is hereby authorized and directed to deliver them to the Trustee for authentication pursuant to the Indenture.

*Section 5. Redemption Provisions.* The Bonds shall be subject to redemption as provided therein and in the Indenture.

*Section 6. Limited Obligations.* The Bonds, together with the interest and premium, if any, thereon, are not general obligations of the Issuer, but are limited obligations and, except for the security provided by the Indenture, all pursuant to Section 17D-2-504 of the Act, are payable solely out of Base Rentals received by the Trustee under the Lease and certain other amounts received under the Indenture. Nothing in this Resolution, the Indenture, or the Bonds shall be construed as requiring the State of Utah or any political subdivision of the State of Utah to pay any of the Bonds or to pay any of the premium (if any) or interest thereon or to appropriate any money to pay the same. Pursuant to the Act and the Indenture, the Bonds shall be secured by the Trust Estate which is specifically pledged, mortgaged, hypothecated, assigned and otherwise secured in the Indenture, subject to Permitted Encumbrances, all for the equal and ratable payment of the Bonds and any bonds hereafter issued on a parity with the Bonds under the Indenture and shall be used for no other purpose than to pay the principal of, and premium, if any, and interest on, the Bonds and such additional parity bonds, except as may be otherwise expressly authorized in the Indenture. Neither the full faith and credit nor the taxing powers of the State of Utah or any political subdivision of such State is pledged to the payment of the principal of, or premium, if any, or interest on, the Bonds or other costs appertaining thereto. The Bonds and the interest and premium, if any, thereon do not now and shall never constitute an indebtedness of the Issuer, the City, the State of Utah or any political subdivision of such State within the meaning of any State constitutional provision or limitation nor give rise to or be a general obligation or liability of nor a charge against the general credit or taxing powers of the State of Utah or any political subdivision of the State of Utah. No breach of any covenant or agreement in the Indenture or the Lease shall impose any general obligation or liability upon, nor a charge against, the City or the general credit or taxing power of the State of Utah or any of its political subdivisions. THE OBLIGATION OF THE CITY TO PAY BASE RENTALS AND OTHER AMOUNTS UNDER THE LEASE IS ANNUALLY RENEWABLE AS PROVIDED THEREIN. THE OBLIGATION OF THE CITY TO MAKE SUCH PAYMENTS WILL NOT CONSTITUTE A DEBT OF THE CITY, THE STATE OF UTAH OR ANY POLITICAL SUBDIVISION THEREOF.

NEITHER THE ISSUANCE OF THE BONDS NOR THE EXECUTION AND DELIVERY OF THE LEASE DIRECTLY OR CONTINGENTLY OBLIGATE THE CITY COUNCIL TO APPROPRIATE ANY MONEY TO PAY ANY RENTALS UNDER THE LEASE OR TO PAY ANY RENTALS BEYOND THOSE APPROPRIATED FOR THE CITY'S THEN CURRENT FISCAL YEAR OR OBLIGATE THE STATE OF UTAH OR ANY POLITICAL SUBDIVISION THEREOF (OTHER THAN THE CITY TO THE EXTENT PROVIDED IN THE LEASE) TO PAY ANY RENTALS DUE TO THE ISSUER UNDER THE TERMS OF THE LEASE. NO PERSON EXECUTING THE BONDS OR THE LEASE SHALL BE SUBJECT TO PERSONAL LIABILITY OR ACCOUNTABILITY BY REASON OF THE ISSUANCE OF THE BONDS OR THE EXECUTION OF THE LEASE.

*Section 7. Approval of Sale of the Bonds.* (a) The Bonds are hereby authorized to be sold to the Purchaser, on the terms and conditions set forth in the Indenture; *provided* that such terms shall not exceed the limitations set forth in Section 2 herein.

(b) The Bonds shall be delivered to the Purchaser and the proceeds of sale thereof applied as provided in the Indenture.

(c) In the event the Designated Officer determines to pursue a private placement or negotiated sale for the sale of the Bonds, a Bond Purchase Contract (the "*Purchase Contract*"), the form of which is attached hereto as *Exhibit F*, among the Issuer, the City and the Purchaser, is hereby approved with such insertions, omissions and changes as shall be approved by the President, the execution of such documents by the President being conclusive evidence of such approval. The President is hereby authorized to execute and the Secretary to attest the Purchase Contract.

(d) The President is hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale and delivery of the Bonds, and the Secretary is hereby authorized, empowered and directed to attest such execution and to countersign, and to affix the seal of the Issuer.

*Section 8. Approval of Operative Agreements.* The forms, terms and provisions of the Operative Agreements are each hereby approved in substantially the forms presented at this meeting and attached hereto with such insertions, omissions and changes as shall be approved by the President or other members of the Board of Trustees executing the same, the execution of such documents being conclusive evidence of such approval; and the President is hereby authorized and directed to execute, and the Secretary is hereby authorized and directed to attest, each of such Operative Agreements and any related exhibits attached thereto.

*Section 9. Other Actions with Respect to the Bonds and the Operative Agreements.* The officers and employees of the Issuer shall take all action necessary in conformity with the Act to carry out the issuance of the Bonds and the execution and delivery of each of the Operative Agreements, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Bonds and the execution and delivery of the Operative Agreements. If the President or the Secretary shall be unavailable to execute or attest (as applicable) the Bonds, the Operative Agreements or the other documents that they are hereby authorized to execute and attest, the same may be executed and

attested (as applicable) by any other member of the Board of Trustees or by any Assistant Secretary, respectively.

*Section 10. Arbitrage Covenant; Covenant to Maintain Tax Exemption; Reimbursement.*

(a) The President, the Treasurer of the Issuer and the Secretary are hereby authorized and directed to execute such Tax Certificates as shall be necessary to establish that (i) the Bonds are not “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations, (ii) the Bonds are not and will not become “private activity bonds” within the meaning of Section 141 of the Code, (iii) all applicable requirements of Section 149 of the Code are and will be met, (iv) the covenants of the Issuer contained in this Section 11 will be complied with and (v) interest on the Bonds is not and will not become includible in gross income of the owners thereof for federal income tax purposes under the Code and applicable Regulations.

(b) The Issuer covenants and certifies to and for the benefit of the owners from time to time of the Bonds that:

(i) it will at all times comply with the provisions of any Tax Certificates;

(ii) it will at all times comply with the rebate requirements contained in Section 148(f) of the Code and the Regulations, including, without limitation, the entering into any necessary rebate calculation agreement to provide for the calculations of amounts required to be rebated to the United States, the keeping of records necessary to enable such calculations to be made, the creation of any rebate fund to provide for the payment of any required rebate and the timely payment to the United States of all amounts, including any applicable penalties and interest, required to be rebated, except to the extent that the Bonds are not subject to such arbitrage rebate requirements;

(iii) no use will be made of the proceeds of the issue and sale of the Bonds, or any funds or accounts of the Issuer that may be deemed to be proceeds of the Bonds, pursuant to Section 148 of the Code and applicable Regulations, which use, if it had been reasonably expected on the date of issuance of the Bonds, would have caused the Bonds to be classified as “arbitrage bonds” within the meaning of Section 148 of the Code;

(iv) it will not use or permit the use of any of its facilities or properties in such manner that such use would cause the Bonds to be “private activity bonds” described in Section 141 of the Code;

(v) no bonds or other evidences of indebtedness of the Issuer have been or will be issued, sold or delivered within a period beginning fifteen (15) days prior to the sale of the Bonds and ending fifteen (15) days following the delivery of the Bonds, other than the Bonds;

(vi) it will not take any action that would cause interest on the Bonds to be or to become ineligible for the exclusion from gross income of the owners of the Bonds as provided in Section 103 of the Code, nor will it omit to take or cause to be taken in timely manner any action, which omission would cause interest on the Bonds to be or to become

ineligible for the exclusion from gross income of the owners of the Bonds as provided in Section 103 of the Code;

(vii) it recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is excludable from gross income of the owners thereof for federal income tax purposes under laws in force at the time the Bonds are initially delivered and the Issuer agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form except as provided in the Indenture; and

(viii) it acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from Federal income taxation for interest paid on the Bonds, under present rules, the Issuer is treated as the “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination.

Pursuant to these covenants, the Issuer obligates itself to comply throughout the term of the issue of the Bonds with the requirements of Section 103 of the Code and the Regulations proposed or promulgated thereunder.

(c) The President is hereby authorized and directed to execute and cause the timely filing with the Internal Revenue Service of an Information Return for Tax-Exempt Governmental Obligation Issues (Form 8038-G) as required under Section 149(e) of the Code.

(d) This Resolution is a declaration of official intent under Treas. Reg. Section 1.150-2. In satisfaction of the requirements thereof:

(i) Expenditures relating to paying the costs of the Project (i) have been paid within 60 days prior to the passage of this Resolution or (ii) will be paid on or after the passage of this Resolution (the “*Expenditures*”).

(ii) The Issuer and the City reasonably expect to reimburse the Expenditures with proceeds of the Bonds.

(iii) The maximum principal amount of such bonds expected to be issued for the Expenditures to be made is \$50,000,000.

*Section 11. Continuing Disclosure Undertaking.* The President is hereby authorized, empowered and directed to execute and deliver, and the Secretary to countersign and attest, the Continuing Disclosure Undertaking, in substantially the same form as now before the Issuer and attached hereto as *Exhibit H*, or with such changes therein as the President shall approve, his or her execution thereof to constitute conclusive evidence of his or her approval of such changes. When the Continuing Disclosure Undertaking is executed and delivered on behalf of the Issuer as herein provided, the Continuing Disclosure Undertaking will be binding on the Issuer and the officers, employees and agents of the Issuer, and the officers, employees and agents of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all

such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Resolution, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Bond to seek mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Undertaking.

*Section 12. Final Official Statement.* The Official Statement of the Issuer is hereby authorized in substantially the form presented at this meeting and in the form attached hereto as *Exhibit G*, with such changes, omissions, insertions and revisions as the President shall deem advisable, including the completion thereof with the information established at the time of the sale of the Bonds by the Designated Officer and set forth in the Indenture. The President shall sign and deliver the Official Statement to the Purchaser for distribution to prospective purchasers of the Bonds and other interested persons. The approval of the President of any such changes, omissions, insertions and revisions shall be conclusively established by the President's execution of the Official Statement.

*Section 13. Preliminary Official Statement Deemed Final.* The use and distribution of the Official Statement in preliminary form (the "*Preliminary Official Statement*"), in substantially the form presented at this meeting and in the form attached hereto as *Exhibit G*, is hereby authorized and approved, with such changes, omissions, insertions and revisions as the Secretary shall deem advisable. The President and the Secretary are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to deem final the Preliminary Official Statement within the meaning and for purposes of paragraph (b)(1) of Rule 15c2-12 of the Securities and Exchange Commission, subject to completion thereof with the information established at the time of the sale of the Bonds. The President and the Secretary are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale and delivery of the Bonds, and any actions taken thereby for purposes of deeming the Official Statement to be final for purposes of Rule 15c2-12 of the Securities and Exchange Commission are hereby authorized, ratified and confirmed.

*Section 14. City Council Resolution.* The Issuer hereby acknowledges receipt of the filing of a resolution of the City Council constituting the direction of the City Council to the Issuer to issue the Bonds pursuant to the Indenture and containing the estimate of costs to be incurred for the purposes for which the Bonds are to be issued as provided in the Indenture.

*Section 15. Resolution Irrepealable.* After any of the Bonds are delivered by the Trustee to the Purchaser upon receipt of payment therefor, this Resolution shall be and remain irrepealable until the Bonds and interest thereon shall have been fully paid, canceled and discharged.

*Section 16. Severability.* If any section, paragraph, clause or provision of this Resolution shall for any reason 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 17. Conflicting Resolutions.* All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

*Section 18. Effective Date.* This Resolution shall be effective immediately upon its approval and adoption.

*(Signature page follows.)*

ADOPTED AND APPROVED by the Board of Trustees of the Local Building Authority of American Fork City, Utah, this December 9, 2025.

LOCAL BUILDING AUTHORITY OF AMERICAN  
FORK CITY, UTAH

By \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

**EXHIBIT A**

[GROUND LEASE]

**EXHIBIT B**

[MASTER LEASE AGREEMENT]

**EXHIBIT C**

[INDENTURE OF TRUST]

**EXHIBIT D**

[LEASEHOLD DEED OF TRUST, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FINANCING STATEMENT]

## EXHIBIT E

### NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of 17D-2-502 and 17D-2-601 Utah Code Annotated 1953, as amended, that on December 9, 2025, the Board of Trustees (the “*Board*”) of the Local Building Authority of American Fork City, Utah (the “*Authority*”), adopted a resolution (the “*Resolution*”) authorizing the issuance of the Authority’s lease revenue Bonds (the “*Bonds*”) , in one or more series, in the aggregate principal amount of not to exceed \$50,000,000, to bear interest at a rate or rates of not to exceed 6.00% per annum, to mature in not more than 31 years from their date or dates and to be sold at a discount from par, expressed as a percentage of principal amount, of not to exceed 2.00%.

Pursuant to the Resolution, the Bonds are to be issued for the purpose of raising money for (A) the acquisition and construction of improvements to and expansion of a public works facility and (B) paying expenses incurred in connection with the issuance and sale of the Bonds.

The Authority currently has no lease revenue bonds currently outstanding. The estimated total cost to the Authority for the proposed Bonds that will be used to finance the costs of the Projects, if the Bonds are held until maturity and based on estimated interest rates currently in effect, is \$85,375,000.

The Bonds are to be issued and sold by the Authority pursuant to the Resolution, including as attachments to such Resolution forms of an Indenture of Trust (the “*Indenture*”), a Master Lease Agreement (the “*Lease*”) between the Authority and American Fork City, Utah (the “*City*”), a Ground Lease (the “*Ground Lease*”) between the Authority and the City and a Leasehold Deed of Trust, Assignment of Rents and Security Agreement (the “*Deed of Trust*”). Said Indenture, Lease, Ground Lease and Deed of Trust are to be executed and delivered by the Authority in such form and with such changes as shall be approved by the Authority together with other related bond documents; provided that the principal amount, interest rate or rates, maturity and discount of the Bonds will not exceed the maximums set forth above.

Copies of the Resolution and the forms of the Indenture, the Lease, the Ground Lease, the Deed of Trust, and certain other documents pertaining to the issuance and sale of the Bonds are on file in the office of the Authority, which is the office of the Secretary of the Authority at 51 East Main Street, American Fork, Utah 84003 where they may be examined during regular business hours of the Authority from 8:00 a.m. to 5:00 p.m., Monday through Friday of each week (except holidays). Such documents shall be available for inspection from and after the date of the publication of this notice until at least thirty (30) days thereafter.

NOTICE IS FURTHER GIVEN that for a period of thirty (30) days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the Resolution or the Bonds, or any provision made for the security and payments of such Bonds and after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever.

NOTICE IS FURTHER GIVEN that pursuant to Section 17D-2-502, Utah Code Annotated 1953, as amended, if within 30 calendar days of the publication of this notice, a written petition requesting an election and signed by at least twenty percent (20%) of the active voters of American Fork City is filed with the Board, then the Board shall submit the question of whether or not to issue the Bonds to the voters of American Fork City for their approval or rejection.

DATED December 9, 2025.

LOCAL BUILDING AUTHORITY OF AMERICAN FORK CITY, UTAH

**EXHIBIT F**

[PURCHASE CONTRACT]

**EXHIBIT G**

[OFFICIAL STATEMENT]

**EXHIBIT H**

[CONTINUING DISCLOSURE UNDERTAKING]