

**Livingston, Louisiana
January 23, 2020**

The Livingston Parish Council met as the Board of Supervisors of the Juban Crossing Community Development District being duly called, advertised and convened at its regular meeting place, the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, on Thursday, January 23, 2020, at the hour of six-fifteen (6:15) p.m. with the following members present:

Jeff Ard
Garry "Frog" Talbert
Maurice "Scooter" Keen

John Wascom
R.C. "Bubba" Harris
Gerald McMorris

Tracy Girlinghouse
Randy Delatte

Absent: Shane Mack

Also, present: William Boles, Boles Shafto, Bond attorney for Juban Crossing development

The co-chair called the meeting to order and addressed agenda item 4:

A RESOLUTION OF THE JUBAN CROSSING COMMUNITY DEVELOPMENT DISTRICT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, PROVIDING FOR AN ASSESSMENTS EXEMPTION FOR TRACT D-1-A-1 LOCATED WITHIN THE JUBAN CROSSING COMMUNITY DEVELOPMENT DISTRICT, STATE OF LOUISIANA, IN CONSIDERATION OF THE OWNER OF EXEMPT TRACT AGREEING TO DEVELOP THE EXEMPT TRACT.

The co-chair called upon Mr. William Boles of Boles Shafto, bond attorney for Juban Crossing development.

Mr. Boles briefly explained the purpose of the resolution and advised that it was for the Hobby Lobby building located at the Juban Crossing development. He reminded the board that they had passed a similar resolution in respect to All-Star recently. He advised that the resolution was a confirmation for title and assessment purposes because the assessments of the CDD are supposed to go just to the residential property, but he explained that they would like to have this for their title and financing purposes. Mr. Boles therefore respectfully requested that board adopt the resolution presented acknowledging their exemption.

The co-chair questioned Mr. Boles and asked if there were a short fall, the resolution states that Hobby Lobby cannot be assessed? Mr. Boles advised that was correct, but they would not be assessed anyway, in accordance with the bonds.

The co-chair reiterated that this resolution was needed to help with their title work and for financing purposes. Mr. Boles affirmed his statement.

RESOLUTION NO. 2020-JCCDD001
OF
JUBAN CROSSING
COMMUNITY DEVELOPMENT DISTRICT
PARISH OF LIVINGSTON, STATE OF LOUISIANA
BOARD OF SUPERVISORS
OF THE JUBAN CROSSING COMMUNITY DEVELOPMENT DISTRICT
PARISH OF LIVINGSTON, STATE OF LOUISIANA

The following resolution was offered by Maurice “Scooter” Keen and seconded by Jeff Ard:

A RESOLUTION OF THE JUBAN CROSSING COMMUNITY DEVELOPMENT DISTRICT, PARISH OF LIVINGSTON, STATE OF LOUISIANA, PROVIDING FOR AN ASSESSMENTS EXEMPTION FOR TRACT D-1-A-1 LOCATED WITHIN THE JUBAN CROSSING COMMUNITY DEVELOPMENT DISTRICT, STATE OF LOUISIANA, IN CONSIDERATION OF THE OWNER OF EXEMPT TRACT AGREEING TO DEVELOP THE EXEMPT TRACT.

WHEREAS, The Juban Crossing Community Development District, Parish of Livingston, State of Louisiana (the "**District**") is a community development district organized and existing under the provisions of Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950 as amended, specifically La. R.S. 33:9039.11 through 9039.37, inclusive (the "**Act**"), and pursuant to L.P. Ordinance 06-58 duly adopted by the Parish Council of the Parish of Livingston, State of Louisiana on January 25, 2007, and effective on January 25, 2007 (the "**CDD Ordinance**"), which District is comprised of and includes all of the immovable property situated within the described boundaries, all as more fully set forth and described in the CDD Ordinance; and

WHEREAS, in accordance with the provisions of the Act and the CDD Ordinance, this Board of Supervisors is the duly constituted and appointed governing authority of the Issuer (the "**Governing Authority**"), with full power and authority to act on behalf of the Issuer; and

WHEREAS, in accordance with La. R.S. 33:9039.29, the District is authorized to levy and collect benefit special assessments and maintenance special assessments against property located in the District; and

WHEREAS, the District has entered into a Special Assessments Agreement (the "**Agreement**") with Regions Bank, in its capacity as trustee for the (i) \$6,205,000 Revenue and Refunding Bonds, (Road Projects), Series 2015A; (ii) \$4,130,000 Revenue and Refunding Bonds (Drainage Projects), Series 2015B; and (iii) \$39,165,000 Revenue and Refunding Bonds (General Infrastructure Projects), Series 2015C (collectively the "**Series 2015 Bonds**") issued

by the Juban Crossing Economic Development District, whereby the District agreed to levy benefit special assessments against the Mortgaged Property, as defined in the Amended and Restated Trust Indenture which governs the Series 2015 Bonds, in the event tax revenues are insufficient to satisfy debt service on the Series 2015 Bonds; and

WHEREAS, The Governing Authority has found and determined that the development of the Tract D-1-A-1, located within the District (the "**Exempt Tract**") for retail sales and related activities will benefit the development of the District and that the current and proposed owners of the Exempt Tract will represent, warrant and agree that the plans for the construction of improvements on the Exempt Tract do not and will not include any improvements to be constructed or maintained by the District; and

WHEREAS, Pursuant to a duly noticed public hearing held on even date herewith, this Governing Authority now desires to grant an assessment exemption (the "**Exemption**") in favor of Exempt Tract to the extent that that the Exempt Tract is developed for retail sales and related activities, as more particularly described below; and

WHEREAS, in conformity with the Act and the Agreement, this Governing Authority desires that the Exemption shall automatically renew annually so long as retail sales of goods or services contracted with retail vendors ("Retail Sales") occupies the Exempt Tract.

NOW, THEREFORE, BE IT RESOLVED Board of Supervisors of Juban Crossing Community Development District, Parish of Livingston, State of Louisiana, as the governing authority thereof, that:

Section 1. Assessment Exemption. Pursuant to the provisions of the Act, this Board hereby determines, in and for the consideration recited above, that the Exempt Tract is not and will not be subject to any benefit special assessment or any maintenance special assessment permitted under La. R.S. 33:9039.29, and any such benefit special assessment or maintenance special assessment levied by this Board on property located in the District, as evidenced and certified to the assessor, will not include the Exempt Tract.

Section 2. Renewal. Pursuant to (i) the provisions of the Act which require this Board to make an annual determination of whether or not benefit special assessments or maintenance special assessments should be levied for bonds issued to benefit the facilities of the District; and (ii) the District's covenant in the Agreement that it will levy benefit special assessments against the Mortgaged Property in the event tax revenues are insufficient to satisfy the debt service on the Series 2015 Bonds, the District hereby covenants that the Exemption shall renew annually so long as there are Retail Sales occupying the Exempt Tract.

Section 3. Revenues. The covenants contained in Section 2 hereof were made with the understanding that the revenues generated by Retail Sales would generate revenues exceeding those which could be produced by any reasonable benefit special assessment which could be levied against the Exempt Tract. In the event such revenues are not realized in any fiscal year of the District (a "**Fiscal Year**"), or it is reasonably anticipated such revenues will

not be realized in said Fiscal Year, at its first available date the Governing Authority shall convene a public meeting and at that meeting make a determination as to whether or not the renewal covenanted in Section 2 hereof may legally continue.

Section 4. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and determined that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

Section 5. Publication. After adoption, this Resolution shall be published in full in one (1) issue of the *Livingston Parish News*, a semi-weekly newspaper of general circulation within the Parish.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption, and any provisions of any previous resolutions in conflict with the provisions hereof are hereby superseded.

Section 7. Further Action. The Chairman or the Secretary of this Board are each authorized and directed to take all necessary actions and execute and deliver any and all documents that may be necessary or appropriate in order to carry out and accomplish the intent and purpose of this Resolution.

This Resolution, having been submitted to a vote, the vote thereon being as follows:

YEAS: MR. GIRLINGHOUSE, MR. ARD, MR. KEEN, MR. WASCOM,
MR. TALBERT, MR. MCMORRIS, MR. DELATTE, MR. HARRIS

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. MACK

WHEREUPON, this resolution was declared to be adopted on the 23rd day of January 2020.

/s/ Sandy C. Teal
Sandy C. Teal, Council Clerk

/s/ Garry "Frog" Talbert
Garry "Frog" Talbert, Co-Chairman

The co-chair questioned if there were any other business, having none, the co-chair called for a motion to adjourn the meeting.

LPR NO. 2020-JCCDD002

MOTION was offered by Jeff Ard and duly seconded by Tracy Girlinghouse adjourn the January 23, 2020 meeting of the Board of Supervisors of Juban Crossing Community Development District.

Upon being submitted to a vote, the vote thereon was as follows:

YEAS: MR. GIRLINGHOUSE, MR. ARD, MR. KEEN, MR. WASCOM,
MR. TALBERT, MR. MCMORRIS, MR. DELATTE, MR. HARRIS

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. MACK

Thereupon the chair declared that the Motion had carried and was adopted.

/s/ Sandy C. Teal
Sandy C. Teal, Council Clerk

/s/ Garry "Frog" Talbert
Garry "Frog" Talbert, Co-Chairman