

**RESOLUTION
OF THE MEMBERS OF THE
MCPHERSON IMPLEMENTING LOCAL REDEVELOPMENT AUTHORITY**

**AGREEMENT BETWEEN MCPHERSON IMPLEMENTING LOCAL
REDEVELOPMENT AUTHORITY AND EVANSTON INSURANCE COMPANY FOR
POLLUTION LIABILITY COVERAGE**

A meeting of the members (the "Board of Directors") of the McPherson Implementing Local Redevelopment Authority (the "Authority" or "Fort Mac LRA") was held on the 21st day of May 2020 at which a quorum was present and voting throughout. Upon motion duly made and seconded, the following resolutions were adopted by the Board of Directors at such meeting: For all purposes hereof, this resolution, as a whole, shall be referred to as the "Resolution."

WHEREAS, the Authority operates a portion of the former Fort McPherson military installation and is charged with redeveloping same which rests inside the territorial limits of the City of Atlanta; and

WHEREAS, Evanston Insurance Company is part of the Markel Group, and provides insurance for a multitude of purposes including Pollution Liability Insurance; and

WHEREAS, after the Authority submitted requests for site-specific pollution legal liability coverage to eight (8) insurance markets, the Authority received quotes from three (3) markets; and

WHEREAS, after receiving and reviewing the quotes and proposals for coverage, the Fort Mac LRA staff selected and recommended the Authority purchase a claims-made Pollution Legal Liability insurance policy (the "Policy") with Evanston Insurance Company generally consistent with Quote # 4244171-1, a copy of which is attached as Exhibit "A"; and

WHEREAS, the Policy replaces the Authority's current environmental insurance policy that is set to expire on June 25, 2020 (the "Expiring Policy"); and

WHEREAS, the insurer under the Expiring Policy has exited the environmental insurance marketplace and was therefore unwilling to renew the Existing Policy; and

WHEREAS, the premium paid for the Expiring Policy was \$450,000, which provided \$25,000,000 limits of liability for a 5-year term which limits of liability were shared with Tyler Perry Studios, LLC; and

WHEREAS, Fort Mac LRA recommends the Authority purchase the Policy with \$20,000,000 per claim and aggregate limits of liability available to the Authority, a \$250,000 self-insured retention and a ten (10) year policy period for a not to exceed amount of \$375,000; and

WHEREAS, the Board of Directors of the Authority has determined that it is advisable and in the best interests of the Authority to purchase and bind the Policy effective as of June 25, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Chair, Vice Chair or the Executive Director and any other officer of the Authority, or any one or more of them, be and they hereby are, authorized and empowered, for and on behalf of the Authority to: (i) the negotiate, execute and delivery, as the case may be, the applications, contracts, agreements, certificates and other official actions which are deemed necessary or appropriate by the Chair, Vice Chair or Executive Director of the Authority in connection with the placement of the coverage with the Evanston Insurance Company as set forth in the in this Resolution and consistent with the terms set forth in Exhibit "A" . The Secretary (or his or her designee) is further authorized to attest any of the foregoing signatures and to affix the seal of the Authority to any documents, certificates, instruments or agreements, as and to the extent necessary or convenient.

FURTHER RESOLVED, that all other acts and doings of the officers, employees or agents of the Authority whether done before, on or after the date of adoption of this Resolution which are in conformity with the purposes and intent of this Resolution, and in the furtherance of the execution, delivery, filing and performance of the matters contemplated herein shall be, and the same hereby are, in all respects approved, ratified and confirmed.

FURTHER RESOLVED, that if any one or more of the provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining agreements and provisions and shall in no way effect the validity of any of the other agreements and provisions hereof.

FURTHER RESOLVED, that the total amount of the Policy premium, broker fees and surplus lines taxes shall not exceed Three Hundred Seventy Five Thousand Dollars (\$375,000) without additional approval of the Board.

FURTHER RESOLVED, that the actions provided for in the foregoing resolutions be commenced as soon as practicable.

FURTHER RESOLVED, that the Secretary of the Authority is hereby directed to file a copy of this Resolution with the minutes of the proceedings of the Authority.

[SIGNATURE PAGE TO FOLLOW]

This Resolution shall take effect immediately upon its adoption by the Board of Directors and any provisions of any previous resolutions in conflict with the provisions herein are hereby superseded or repealed (as and to the extent of any such conflict).

Adopted and approved this 21st day of May, 2020.

**MCPHERSON IMPLEMENTING LOCAL
REDEVELOPMENT AUTHORITY**

By: 

(SEAL)

ATTEST

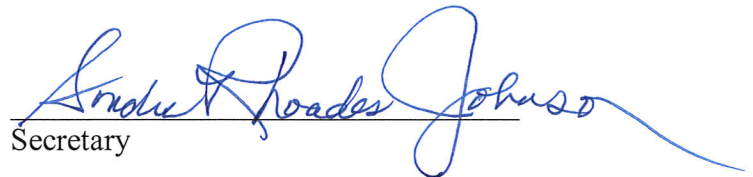
By: 
Secretary

EXHIBIT "A"

CERTIFICATE OF SECRETARY

The undersigned Secretary of **MCPHERSON IMPLEMENTING LOCAL REDEVELOPMENT AUTHORITY** (the "Authority") **DOES HEREBY CERTIFY** (i) that the foregoing pages of typewritten matter constitute a true and correct copy of the Resolution of the Authority (the "Resolution") adopted on the 21st day of May, 2020 by the Board of Directors of the Authority in Regular Session, as part of a meeting duly called and held, at which a quorum was present and acting throughout, and (ii) that the original of the Resolution appears of record in the Minute Book of the Authority, which is in my custody and control and will be made available for public inspection.

Given under my hand and the corporate seal of the Authority, this 21st day of May, 2020.


Secretary