

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 595

Approved December 11, 1992

WHEREAS, The Providence Civic Center Authority requires Four Hundred Thousand Dollars (\$400,000.00) for the payment of certain bills or to meet ordinary operating expenses for the operation of said Civic Center,

NOW, THEREFORE, BE IT RESOLVED, That His Honor the Mayor is hereby authorized to execute an agreement and Promissory Note in an amount not to exceed Four Hundred Thousand Dollars (\$400,000.00) between the City of Providence and the Providence Civic Center Authority, and

BE IT FURTHER RESOLVED, That said agreement and Promissory Note shall be substantially in accordance with Exhibit A annexed and attached hereto and shall be approved as to form by the City Solicitor.

IN CITY COUNCIL
DEC 3 1992
READ AND PASSED
James F. Smith
PRES.
Michael R. Clement
CLERK

APPROVED
DEC 11 1992
Vincent A. Crossi
MAYOR

AGREEMENT AND PROMISSORY NOTE

This Agreement made this day of December, 1992, by and between the City of Providence, hereinafter the "City", and the Providence Civic Center Authority, hereinafter the "Authority",

RECITALS

WHEREAS, the Authority wishes to borrow an amount not to exceed Four Hundred Thousand (\$400,000.00) Dollars from the City, and

WHEREAS, the Providence City Council has by resolution approved said borrowing;

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, it is hereby agreed as follows:

The City shall loan to the Authority an amount not to exceed Four Hundred Thousand (\$400,000.00) Dollars. Of that amount, Three Hundred Three Thousand Eight Hundred Seventeen (\$303,817.00) Dollars shall be loaned to the Authority immediately upon execution of this Agreement. The remaining Ninety-Six Thousand One Hundred Eighty-Three (\$96,183.00) Dollars shall be available to the Authority in the event it is needed for repayment of specific bills or to meet ordinary operating expenses. In such an event, the Authority shall petition the City Council Finance Committee, and the approval of the request by the Finance Committee shall be sufficient to authorize the release of the necessary funds, not to exceed Ninety-Six Thousand One Hundred Eighty-Three (\$96,183.00) Dollars.

In consideration of any and all amounts received from the City in accordance with this agreement, the Authority promises to pay said amount in full on or before July 2, 1995 with interest at the rate of four (4%) percent per annum.

In addition, the entire unpaid principal amount after maturity or upon acceleration shall bear interest at the rate of one (1%) percent per month until paid in full.

The Authority agrees to pay all expenses, including reasonable attorney's fees which the City may incur in effectuating collection of this note, either upon default or maturity.

In further consideration of the loan to it from the City, the Authority acknowledges and represents that it expects to receive in excess

of Four Hundred Thousand (\$400,000.00) Dollars not later than July 1, 1995 from Sportservice, Inc., and the Authority does hereby agree not to pledge or otherwise encumber those funds, and to further make said funds available to the City upon their receipt by the Authority in repayment of this loan.

City of Providence,
BY:

Vincent A. Cianci
Mayor of Providence
Title

Providence Civic Center Authority,
BY:

Stephen M. Proberti
Executive Director
Title