

**KAREGNONDI WATER AUTHORITY  
ACTING IN GENESEE COUNTY, MICHIGAN**

**RESOLUTION NO. 2010-09**

**A RESOLUTION ADOPTING A MODEL CAPACITY CONTRACT FOR THE  
KAREGNONDI WATER AUTHORITY**

At a special meeting of the Karegnondi Water Authority Board, acting in Genesee County, Michigan, held on February 8, 2011, at 10:00 a.m., local time.

**PRESENT:** John Postulka (Vote by Proxy for Dayne Walling); Jamie Curtis; Dale Kerbyson;  
John Freeman, Greg Alexander

**ABSENT:** Delrico Loyd

**EXCUSED:** Dayne Walling; Amy Planck

The following preamble and resolution were offered by Trustee Jamie Curtis and seconded by Trustee Dale Kerbyson.

**PREAMBLE**

**WHEREAS,** ARTICLE VII of the Articles of Incorporation of the Karegnondi Water Authority ("KWA") require the members of the Incorporating Board of the KWA to adopt a Capacity Contract to be executed with any entity or entities wishing to acquire capacity from the KWA.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Incorporating Board hereby approves the attached Capacity Contract to be executed with any entity or entities wishing to acquire capacity from the KWA.

**NOW, THEREFORE, BE IT FUTHER RESOLVED THAT:**

The Capacity Contract attached hereto and incorporated herein by reference may be modified by the Chief Executive Officer and the Attorney appointed to represent the KWA as long as the intent of the Capacity Contract adopted this day is not modified to diminish the authority of the KWA Board or its ability to accomplish its purpose as set forth in Article III of the Articles of Incorporation.

VOICE VOTE: Motion carried on unanimous voice vote.

**RESOLUTION DECLARED ADOPTED.**

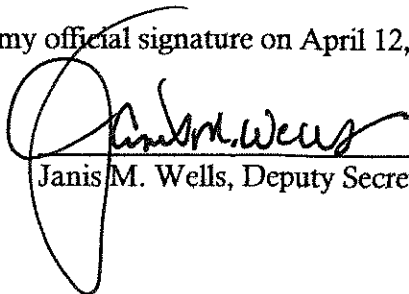
  
\_\_\_\_\_  
Dayne Walling, Chairman

  
\_\_\_\_\_  
Amy Planck, Secretary

STATE OF MICHIGAN     }  
                                      } ss  
COUNTY OF GENESEE    }

I, Janis M. Wells, Deputy Secretary of the Karegnondi Water Authority Board, do hereby certify the foregoing is a true and complete copy of a resolution adopted by the Karegnondi Water Authority Board, acting in the City of Lapeer, at a regular meeting held on February 8, 2011, and that public notice of said meeting was given pursuant to Act 267 of the Michigan Public Acts of, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed my official signature on April 12, 2011.

  
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Janis M. Wells, Deputy Secretary

