

A RESOLUTION OF THE MIDWEST CITY UTILITIES AUTHORITY THAT CERTAIN “RESTATED & AMENDED ECONOMIC DEVELOPMENT ASSISTANCE AGREEMENT,” BY AND BETWEEN THE MIDWEST CITY ECONOMIC DEVELOPMENT AUTHORITY, THE MIDWEST CITY UTILITIES AUTHORITY, AMERICAN GLASS, INCORPORATED AND AGI PROPERTIES, LLC (THE “RESTATED AND AMENDED ECONOMIC DEVELOPMENT ASSISTANCE AGREEMENT”); AUTHORIZING AND DIRECTING EXECUTION AND DELIVERY OF THE AMENDED & RESTATED ECONOMIC DEVELOPMENT ASSISTANCE AGREEMENT; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, American Glass, Incorporated, an Oklahoma corporation (hereinafter “AGI”) intends to operate a ± 100,000 square glass wall panel assembly plant and headquarters at approximately 7452 NE 23rd ST; and to create approximately ± 70 new jobs having an average annualized wage equal to or greater than the average annualized wage required for participation in the Quality Jobs Program for jobs located in Oklahoma County (hereinafter the “Project”); and

WHEREAS, AGI Properties, LLC, an Oklahoma corporation (hereinafter “AGIP”) intends to develop and construct a ± 100,000 square glass wall panel assembly plant and headquarters at approximately 7452 NE 23rd ST, also known as Lots 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 3F, 3G of the Soldier Creek Industrial Park, an Addition to the City of Midwest City, Oklahoma County, Oklahoma; and

WHEREAS, as additional consideration for the AGI’s and AGIP’s (collectively known as the “Companies”) agreement to undertake the Project, the Midwest City Economic Development Authority and the Midwest City Utilities Authority, Oklahoma public trusts (collectively referred to hereinafter as the “Trusts”), have agreed to provide limited economic development assistance to the Companies in connection with the Project, pursuant to the terms and conditions of that certain this “Restated & Amended Economic Development Assistance Agreement”, dated as of August 22, 2023, by and between the Trusts and the Companies; and

WHEREAS, the Trustees of the Trusts have determined that it is in the best interest of the residents of Midwest City, Oklahoma that the Restated & Amended Economic Development Assistance Agreement be approved.

NOW, THEREFORE, BUT IT RESOLVED BY THE CHAIRMAN AND TRUSTEES OF THE MIDWEST CITY ECONOMIC DEVELOPMENT AUTHORITY AND THE MIDWEST CITY UTILITIES AUTHORITY, AS FOLLOWS:

SECTION 1. Approving the Terms and Conditions of the Development Assistance Agreement. The Trustees of the Midwest City Economic Development Authority and the Midwest City Utilities Authority hereby approve that certain “Restated and Amended Economic Development Assistance Agreement”, dated as of August 22, 2023, by and between the Trusts and the Companies (“the Economic Development Assistance Agreement”), in substantially the form submitted at this meeting, with such changes as made be hereafter approved by the Chairman of both Trusts.

SECTION 2. Authorizing and Directing Execution and Delivery of the Restated & Amended Economic Development Assistance Agreement and All Related Instruments. The Chairman and the Secretary are hereby

authorized and directed to execute and deliver the Restated & Amended Economic Development Assistance Agreement and such other instruments as may be necessary or appropriate in order to effectuate the execution and delivery of the Economic Development Assistance Agreement.

PASSED AND APPROVED by the Chairman and Trustees of the Midwest City Economic Development

Authority and the Midwest City Utilities Authority this 22 day of August, 2023.

MIDWEST CITY ECONOMIC DEVELOPMENT AUTHORITY



Matthew D. Dukes II, Chairman

MIDWEST CITY UTILITES AUTHORITY



Matthew D. Dukes II, Chairman



ATTEST:



Sara Hancock, Secretary

APPROVED as to form and legality this 22nd day of August, 2023.



Don Maisch, City Attorney