

## **RESOLUTION NO. R-2023-360**

**WHEREAS**, KR Acquisitions LLC and KR CC, Inc. have executed and delivered to Bank of Wisconsin Dells (“Lender”) a Promissory Note dated as of even date herewith (as such document has been and may be modified, amended, supplemented or restated from time to time, the "Note") in the amount of \$400,000,000.00 for purposes of refinancing existing debt with Lender and extending additional credit to Borrower in connection with a Kalahari resort (the "Project"); and

**WHEREAS**, the Note is secured by an Leasehold Deed of Trust and Security Agreement and Fixture Filing Statement executed by KR Acquisitions LLC and KR CC, Inc. and delivered to Lender dated as of even date herewith (as such document may be modified, amended, supplemented or restated from time to time, the "Deed of Trust"), and by certain other agreements, assignments and other documents which evidence, secure or otherwise reference the Note (the "Loan Documents"); and

**WHEREAS**, as additional collateral for the Note, Lender has required KR Acquisitions LLC and KR CC, Inc. to enter into a Collateral Assignment of Economic Development Program Agreement, Now Therefore

### **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,**

That the Mayor is hereby authorized and directed to execute on behalf of the City a Collateral Assignment of Economic Development Program Agreement, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**RESOLVED** this 26th day of October, 2023.

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CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

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MEAGAN SPINKS, City Clerk