

**REFINANCE LOAN AGREEMENT
NEW MEXICO ENVIRONMENT DEPARTMENT
CONSTRUCTION PROGRAMS BUREAU
CLEAN WATER STATE REVOLVING LOAN FUND-ALSO KNOWN AS-
THE WASTEWATER FACILITY CONSTRUCTION LOAN PROGRAM**

CWSRF REFINANCE LOAN NO. 1438143R

I. Refinance Loan Agreement. This refinance loan agreement ("Agreement") is made and entered into this the ____ day of _____, 2018 by and between the **State of New Mexico Environment Department** (NMED) and the **Incorporated County of Los Alamos**, ("Borrower"), effective on the date of last signature below. The Borrower enacted Ordinance No.518 (Ordinance) on October 25, 2005 which authorized the Borrower to incur indebtedness with NMED for improvements to its sanitary sewer system, a.k.a., wastewater treatment and collection system, and has also enacted Ordinance No. 683, on _____, 2018, authorizing this Refinance Loan Agreement ("Agreement"). This Agreement amends ("refinances") the prior NMED Final Loan Agreement as entered by the parties hereto as dated February 28, 2011 (**NMED CWSRF Loan No. 1438143R**), by lowering the interest rates and charges assessed on the remaining principal balance and increasing the term of the loan and levies a **2.00%** refinance administrative fee on the remaining principal balance. All terms and conditions as agreed to and provided in Borrowers' Ordinance 518, dated October 4, 2005 remain effective, except as provided in Borrower's Ordinance No. 683, adopted _____, 2018 and effective _____, 2018, this Agreement, and the Refinance Promissory Note.

II. Party Contacts. The following are the agreed upon Party contacts for this Agreement.

<u>Borrower:</u> Incorporated County of Los Alamos, Department of Public Utilities 1000 Central Avenue, Suite 130 Los Alamos, NM 87544	<u>NMED:</u> New Mexico Environment Department Clean Water State Revolving Fund Program P.O. Box 5469 Santa Fe, NM 87502-5469
<u>Borrower's Contact Information:</u> James Alarid Deputy Utility Manager-Engineering Office: 505-663-3420 Email: james.alarid@lacnm.us	<u>NMED Contact Information:</u> Andrea Telmo, Project Manager Office: (505) 222-9512 Email: andrea.telmo@state.nm.us

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Robert K. Westervelt Deputy Utility Manager- F&A Office 505-662-8001 / Cell 505-695-8448 Email: robert.westervelt@lacnm.us	CWSRF Construction Programs Bureau Office: (505) 827-2806 Email: cpbinfo@state.nm.us
Cathy D'Anna Business Operations Manager Office: 505-662-8198 Email: catherine.danna@lacnm.us	Gail Craven, Loan Manager Office: (505) 827-9691 Email: gail.craven@state.nm.us

Incorporated as part of this Agreement, as though fully set forth herein, are the following:

1. Refinance Loan Ordinance (Ordinance No. 683);
2. Refinance Promissory Note; and
3. Refinance Loan Amortization Schedule.

II. AMOUNT:

This Agreement will amend and refinance NMED Loan No. CWSRF 1438143R, which at the effective date, has a principal balance of **\$7,029,504.37** at a new financing rate of **2.375%** which consists of annual interest rate of **2.0240%** plus an annual administrative fee of **0.3510%**, upon the terms and conditions set forth in this Agreement and the Refinance Promissory Note.

III. DISCLOSURE STATEMENT

A. FINANCE COSTS:

ANNUAL PERCENTAGE RATE: <i>Interest rate plus administrative fee.</i>	AMOUNT FINANCED:	INTEREST CHARGES: <i>The total the credit will cost.</i>	ADMINISTRATIVE FEE PAYMENTS: <i>The total administrative fee dollar amount.</i>	TOTAL OF PAYMENTS: <i>The amount you will have paid after all payments have been made as scheduled.</i>
2.375%	\$7,029,504.37	\$1,360,431.81	\$235,924.67	\$8,625,860.87

B. REPAYMENT SCHEDULE

Principal and interest payments to be made by Borrower shall be made as follows:

NUMBER OF PAYMENTS	AMOUNT OF PAYMENT	WHEN PAYMENTS ARE DUE
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17 equal annual Installments	\$507,403.58	Beginning <i>April 7, 2019</i> and each <i>April 7</i> , thereafter through 2035 .
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C. REFINANCE COST:

A one-time **2.00%** refinancing fee of **\$140,590.09** is assessed on the principal balance outstanding of **\$7,029,504.37**. This payment is due at the time the Borrower submits a signed copy of this Agreement.

The parties have executed this Agreement on the dates set forth by their respective names.

REFINANCE LOAN Issued and administered by:

New Mexico Environment Department
Wastewater Facility Construction Loan Program
Clean Water State Revolving Loan Fund

By: _____
(Signature of NMED Official)

Title: _____

Date: _____

By executing this Agreement, the undersigned Borrower represents that he/she is duly authorized to act on behalf of the Borrower.

By: _____
(Signature of Authorized Borrower Official)

Title: _____

Date: _____

ATTEST:

By: _____
(Signature of Witness)

**Incorporated County of Los Alamos
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Title: _____

Date: _____

DRAFT