

# RESOLUTION

OF

NEBRASKA PUBLIC POWER DISTRICT

No. 24-34

**Adopted: August 8, 2024**

WHEREAS, Nebraska Public Power District (hereafter "District") continues to see substantial load growth and has begun the process to add new generation capacity to the District's resource mix; and

WHEREAS, in February 2024, the District's Board of Directors amended the 2024 Capital budget via Resolution 24-8 to support new generation resources, including battery storage, dual fuel reciprocating internal combustion engines, and dual fuel combustion turbines; and

WHEREAS, the District is evaluating siting the new generation resources at existing NPPD generation facilities in Lancaster and Gage counties; and

WHEREAS, in order to properly engineer, permit, construct, operate, and maintain the new generation assets, it is advantageous to the District to obtain an option to purchase, through execution of a Real Estate Option Purchase Agreement, approximately two hundred (200) acres of real property (hereafter "Option Tract") located in close proximity to District-owned Sheldon Station in Lancaster County, Nebraska. This option will enable the District to retain a legal interest, in the form of an option to purchase, in the Option Tract for an extended time period, until such time that the District makes a final decision regarding siting of the new generation assets; and

WHEREAS, management has reached an agreement with the owner of the Option Tract, and the above referenced Real Estate Option Purchase Agreement would legally hold the Option Tract for the District until such time as the District determines that the Option Tract should be acquired.

NOW, THEREFORE, BE IT RESOLVED that management be and hereby is authorized and instructed to enter into and execute, for and on behalf of the District, after review and approval by legal counsel, a Real Estate Option and Purchase Agreement with Ronald J. Starzec and Donna K. Starzec, formerly known as Donna K. Pospisil, husband and wife, to hold the Option Tract, under option, for a period not to exceed one year from the date of execution, in exchange for a payment of money for the future option to purchase the Option Tract in an amount not to exceed \$500,000. Upon exercising the option in the Real Estate Option and Purchase Agreement to purchase the Option Tract, management shall be authorized hereunder to purchase said Option Tract pursuant to the terms and conditions of such Real Estate Option and Purchase Agreement in exchange for an additional payment of twenty-five thousand dollars (\$25,000.00) per acre. The exact purchase price for the Option Tract shall be determined after a survey of the Option Tract is finalized to determine the exact acreage being transferred by landowner. The option payment made at execution of the Real Estate Option and Purchase Agreement shall be credited against the final purchase price at closing at the time of purchase.