

CERTIFICATION OF LEGALLY BINDING AGREEMENTS
(Sample)

Pursuant to Article _____ of the KCDBG Contract, I hereby submit the following legal opinion to the evidentiary materials required to be furnished by _____ (Name of company of individual) _____.

1. I am the attorney for the city/county of _____, recipient of the KCDBG Contract referenced above.

2. I am basing the foregoing legal opinion on the written Affidavit of _____ (Name, title, and function) _____, copies of the enclosed documents, and upon my information and belief. I do not have personal knowledge of any of the facts alleged herein.

3. **Evidence of Contracts.** Enclosed is a copy of the Agreement entered into by _____ (Name and title of city/county official) _____, the city/county of _____, as attested to by _____ (List all persons attesting to contract and titles -- both city/county officials and representatives of private parties) _____.

Also enclosed is a copy of the Ordinance authorizing the _____ (Title of city/county official) _____ to enter into a Contract with _____ (Name of company or individual) _____.

It is my opinion that _____ (Name of city/county official) _____ was authorized to enter into the Contract with _____ (Name of company or individual) _____. My opinion is based on resolution number _____, which was duly passed by the legislative body of the city/county of _____ authorizing the _____ (Title of city/county official) _____ to enter into the Contract.

It is my opinion that _____ (Name) _____ is the _____ (Title) _____ of _____ (Name of company) _____ and that s/he was authorized to enter into the KCDBG Agreement with the city/county of _____. My opinion is based upon the attached Affidavit(s) of _____ (Name(s) and title(s) of person(s) submitting Affidavit(s) _____.

It is my opinion that the above mentioned contracts are legally enforceable under the laws of this Commonwealth and conform to the provision of the Grant Agreement unless otherwise specified herein.

Optional: to be used where acquisition, lease and/or loan transactions occur

4. **Evidence of Loan/Lease Agreements.** Attached are copies of loan/lease documents _____ (to be) _____ entered into by _____ (Name and title of city/county official) _____, the _____ (city/county) _____, as listed below:

- a) Lease agreement signed and recorded between the lessor and the lessee; and/or,
- b) Draft loan agreement between _____ the lender and _____ the debtor;
- c) Draft mortgage document(s), promissory note(s), subordination agreement(s), security agreement(s), etc. as deemed appropriate by the _____ (city/county) _____ attorney.

Also attached is a copy of the resolution/ordinance authorizing the _____ (Title of city/county official) _____ to enter into the referenced documents with _____ (Name of company or individual) _____.

It is my opinion that _____ (Name of city/county official) _____ was authorized to enter into the above documents with _____ (Name of company or individual) _____. My opinion is based on resolution/ordinance number _____, which was duly passed by the legislative body of the city/county of _____ authorizing the _____ (Title of city/county official) _____ to enter into the documents.

It is my opinion that _____ (Name) _____ is the _____ (Title) _____ of _____ (Name of company) _____ and that he was authorized to enter into the documents with the city/county of _____. My opinion is based upon the attached Affidavit(s) of _____ (Name(s) and title(s) of person(s) submitting Affidavit(s)).

5. **Opinion on Title.** I have conducted/reviewed a title search of the referenced property expressed by _____ (Name, title of preparer) _____. It is my opinion that the conclusion(s) expressed is commensurate with the intent of the CDBG Grant Agreement.