

**Request for Lender Acknowledgment
and
Notice of Proposed Contractual Assessment**

Date: _____

Lender Address: _____

Property/Loan Information

Address: _____

Loan Number: _____

To Whom It May Concern:

The undersigned (“Property Owner”) is the owner of a property located at the above referenced address (“Property”). You are the lender with respect to a loan secured by a private lien on the Property (“Loan”).

The Property Owner is sending this Notice of Proposed Contractual Assessment to Lender to (i) provide notice of the proposed participation of the Property in the Program; (ii) request confirmation from the Lender that the levy of the Contractual Assessment pursuant to the Assessment Agreement will not trigger an event of default or the exercise of any remedies under the loan documents; (iii) provide notice that the Contractual Assessment will be collected in installments on the property tax bill in the same manner as and subject to the same penalties, remedies, and lien priorities as real property taxed and; (iv) declare the Property Owner’s agreement to pay on a timely basis both the existing obligations secured by the Property (including Loan) and the proposed Contractual Assessment.

The City of Helena has established a program known as The Green Energy Loan Program (“Program”) that assists property owners with financing energy upgrades to their properties. Authorized improvements include preapproved renewable energy systems and energy efficiency upgrades that a permanently affixed to the property. (Include authorizing resolution). Under the terms of the Program, the City of Helena will levy a contractual assessment on the Property in the amount requested by the Property Owner up to \$12,000. This contractual assessment is collected in installments on the Property’s tax bill in the same manner as and subject to the same penalties, remedies, and lien priorities as real property taxes.

The Property Owner has applied to participate in the Program and intend to finance the installation of the Authorized Improvements listed in Exhibit A on the Property. The Property Owner is requesting that the City of Helena finance \$ _____ pursuant to the terms of the Program. The City of Helena will provide financing on the following terms:

Principal Amount: _____

Interest Rate: _____

Repayment Period: _____

Annual Administrative Fee: _____

(as % of annual installments) _____

Total Estimated Annual Installment: _____

Based on its most recent utility bill(s), attached as Exhibit B, the Property Owner expects to realize the following cash flow savings as a result of the installation of the Authorized Improvements:

Electric Bill Savings: _____

The Property Owner would appreciate you executing the attached Lender Acknowledgement to Proposed Contractual Assessment and returning it to the undersigned at your earliest convenience.

Sincerely,

Property Owner

Lender Acknowledgement to Contractual Assessment

Date: _____

Property Loan Information: _____

Address: _____

APN: _____

Loan Number: _____

This Lender Acknowledgement to Contractual Assessment (“Acknowledgment”) is given by the undersigned entity (“Lender”) with respect to the above-references loan (“Loan”) and the above referenced property (“Property”).

The Lender is in receipt of the written notice (“Notice”) from the owner of the Property (“Property Owner”) that the Property Owner intends to finance installation of the Property of certain renewable energy systems and/or energy efficiency improvements that will be permanently affixed to the Property (“Authorized Improvements”) by participating in the Green Energy Loan Program (“Program”) sponsored by the City of Helena.

The Lender understands that, as a result of an agreement between the City of Helena and the Property Owner (“Assessment Agreement”) the Contractual Assessment described in the Notice will be levied on the Property, and that the Contractual Assessment will be collected in installments on the property tax bill in the same manner as and subject to the same penalties, remedies and lien priorities as real property taxes.

The Property Owner has agreed in a manner acceptable to the Lender to pay on a timely basis both the existing obligations secured by the Property (including the Loan) and the proposed Contractual Assessment.

The undersigned hereby represents that it is authorized to execute this acknowledgement on behalf of the Lender. The Lender hereby (i) confirms that it has received the Notice; (ii) acknowledges the levy of the Contractual Assessment pursuant to the Assessment Agreement and (iii) agrees that the levy of the Contractual Assessment will not constitute an event of default or trigger the exercise of any remedies under the Loan documents. The Lender hereby acknowledges that the Property Owner and the City of Helena will rely on the representation and acknowledgement of the Lender set forth in this Acknowledgement.

Name of Authorized Representative

Title of Authorized Representative

Signature of Authorized Representative

Date