

**RESOLUTION
R189-08/09**

WHEREAS, the City enthusiastically supports and encourages business and industrial development; and

WHEREAS, Gaiter Ventures, Inc., expects to develop and construct a four (4) screen movie theater (the "THEATER") and certain other related improvements for the purpose of offering first run movies to the general public, which Gaiter Ventures, Inc. is reasonably expected to employ approximately 17 employees, and estimates an aggregate investment of One Million Five Hundred Thousand Dollars (\$1,500,000.00) (collectively, the Project"); and

WHEREAS, Gaiter Ventures, Inc., intends, subject to the provisions of an agreement to locate the theater on real property now situated in the corporate limits of the City of Selma, Alabama, which the theater shall be constructed at the Selma Mall within the old "Goody's" building; and

WHEREAS, the City of Selma is desirous of having Gaiter Ventures, Inc. to locate the theater in the City of Selma and has outlined specific incentives to Gaiter Ventures, Inc. for the purpose of inducing Gaiter Ventures, Inc. to locate the theater within the City limits of the City of Selma; and

WHEREAS, the Selma City council has determined that the public funds to be paid to Gaiter Ventures, Inc. will serve a valid and sufficient purpose, notwithstanding any incidental benefit accruing to Gaiter Ventures, Inc.

WHEREAS, based on Alabama Const. art IV, §94.01 (amend. 772), the City of Selma agrees to grant to Gaiter Ventures, Inc. public funds as an incentive that has been determined by the City Council to be a public purpose via economic development, construction, and operation of the theater;

WHEREAS, the City agrees to pay to Gaiter Ventures, Inc. as an incentive payment, on a quarterly basis, seventy-five cents (.75¢) for every ticket sold at the theater; and

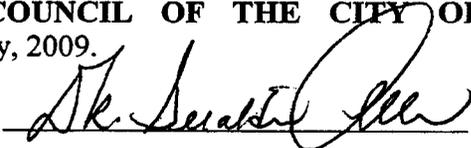
WHEREAS, notice was published in the Selma Times Journal at least seven days before the public hearing outlining the amount of the incentive to Gaiter Ventures and the public purpose that would be served by the City Council approving the incentive of (.75¢) for every ticket sold at the theater.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA that an amount of seventy-five cents (.75¢) per ticket for every ticket sold at the theater under the management and ownership of Gaiter Ventures will be paid to Gaiter Ventures as an incentive payment for locating the theater within the City of Selma.

BE IT FURTHER RESOLVED, that the Selma City Council, after giving notice to the public, has determined and declared that the incentive payment to Gaiter Ventures in the amount seventy-five cents (.75¢) per ticket sold at the theater is a public purpose.

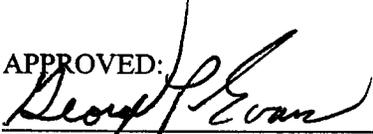
BE IT FURTHER RESOLVED, that Mayor George P. Evans is hereby authorized to execute any and all contracts on behalf of the City of Selma with Gaiter Ventures, Inc.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELMA, ALABAMA, on this the 24th day of February, 2009.


Dr. Geraldine Allen, President

ATTEST:

Ivy Harrison, City Clerk

APPROVED:

George P. Evans, Mayor