



**Louisville Energy Project Assessment District (EPAD)
MORTGAGE LIEN HOLDER CONSENT TO SPECIAL ASSESSMENT**

MORTGAGE LIEN HOLDER CONSENT

TO

EPAD SPECIAL ASSESSMENT

Date:

Property Owner:

Property Address:

Parcel ID(s):

Local Government: Louisville Metro Government, Louisville, KY

Loan Number:

Special Assessment: Annual assessment over ___ years

This Mortgage Lien Holder Consent to Special Assessment (the "Consent") is given by the undersigned entity (the "Holder") with respect to the above-referenced loan (the "Loan") and the above-referenced property (the "Property"), which Property is more fully described in Exhibit A attached hereto.

RECITALS

- A. Holder is in receipt of written notice (the "Notice") from the above-referenced owner of the Property (the "Property Owner") that it intends to finance installation on the Property of certain energy efficiency and/or renewable energy improvements that will be permanently fixed to the Property (the "Authorized Improvements") by participating in the EPAD financing program (the "Program"), sponsored by Louisville Metro Government.
- B. Holder understands that, as a result of an agreement between Louisville Metro Government and the Property Owner (the "Assessment Agreement"), the Special Assessment described herein will be levied on the Property, and that the Special Assessment will be collected in installments by the Sheriff in a similar manner as property taxes and subject to the penalties and lien priorities as described in Chapter 165 of the Louisville Metro Code of Ordinances.

CONSENT

The undersigned hereby represents that it is authorized to execute this Consent on behalf of the Holder. The Holder hereby confirms:



- A. Holder is in receipt of written notice (the “Notice”) from the above-referenced owner of the Property (the “Property Owner”) that it intends to finance the installation of certain energy efficiency, renewable energy improvements and/or water conservation improvements that will be permanently affixed to the Property by participating in the EPAD financing program sponsored by the Louisville Metro Government.
- B. Holder understands and agrees that, as a result of an agreement between Louisville Metro Government and the Property Owner, a special assessment in the estimated amount of \$_____ per year for _____ years (the “Special Assessment”) will be levied on the Property, and that the Special Assessment will be recorded with the Jefferson County Clerk and collected in installments by the Sheriff administered in a similar manner as a property tax bill and subject to the penalties and lien priorities as described in KRS 65.205 – 65.209 and Chapter 165 of the Louisville Metro Code of Ordinances.
- C. The Holder agrees that the levy of the Special Assessment will not constitute an event of default or trigger the exercise of any remedies under the Loan documents.
- D. For good and valuable consideration, receipt of which is hereby acknowledged, the Lender consents to the Special Assessment to be levied against the Property and waives the priority of the Loan in favor of the Special Assessment so that the Loan shall be subordinate to the Special Assessment in the same manner and with like effect as though the Special Assessment had been executed and recorded prior to the filing for record of the Loan, but without in any other manner releasing or relinquishing the rights of the Lender with respect to the Loan and the Property.

[Signature Page Follows]



The Holder hereby acknowledges that the Property Owner and Louisville Metro Government will rely on the representation and Consent of the Holder set forth in this Consent.

HOLDER:

Signature of Authorized Representative

Name

Title

Date

State of Kentucky)

)ss:

County of _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by _____, _____ of _____, an
_____, on behalf of said _____.

Notary Public

By: _____

_____, _____



EXHIBIT A

LEGAL DESCRIPTION