

SLC ESFP File No. \_\_\_\_\_

### LENDER ACKNOWLEDGEMENT OF OWNER PARTICIPATION IN PACE PROGRAM

THIS ACKNOWLEDGEMENT ("Acknowledgement") is granted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, a ("Lender"), and for the benefit of Property Owner ("Owner"), \_\_\_\_\_, and the COUNTY of SAINT LUCIE, a subdivision of the State of Florida ("County"), acting on behalf of the Energy and Sustainability Financing Program.

### RECITALS

- A. County has established the Energy and Sustainability Financing Program ("Program") to perform Property Assessed Clean Energy Financing Agreements with the purpose of financing qualifying improvements ("Improvements") related to energy efficiency and renewable energy, wind hazard mitigation, and water conservation improvements. that are affixed to a building, facility or structure that is located upon and part of the Assessed Property and shall constitute and improvement to the Assessed Property. (FA p.7 #5) property All improvements have been pre-approved for PACE financing by the Program Administrator. The Qualifying improvements are further described in Exhibit A attached hereto.
- B. Owner has previously executed a deed of trust dated \_\_\_\_\_, to Lender, as trustee and beneficiary thereunder, covering the Property, to secure a promissory note in the sum of \$\_\_\_\_\_, and recorded on \_\_\_\_\_, \_\_\_\_\_ as Instrument No. \_\_\_\_\_ in \_\_\_\_\_ the Official Records of Saint Lucie County ("Deed of Trust").
- C. Owner has applied to the Program to finance qualified improvements in the amount of \$\_\_\_\_\_, to be paid back with interest as an assessment on Owner's real property, that is the subject of the Deed of Trust, over a period of \_\_\_\_\_ years.
- D. Owner has executed, or is about to execute, an Assessment Contract with County ("Assessment Contract") by which County will disburse funds to Owner in a principal amount not to exceed \$\_\_\_\_ ("Disbursement") to finance purchase and installation of Improvements, and such Disbursement will be payable with interest, upon terms and conditions described in the Assessment Contract<sup>1</sup>.
- E. Repayment by owner under the Assessment Contract will be by a statutory assessment levied against the Property (the "Assessment") notice of which shall be recorded against the Property in the Official Records of St. Lucie County, and which Assessment, together with interest and any penalties, shall constitute a lien (the "Lien") on the Property, and shall 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.

**ACKNOWLEDGEMENT**

Lender acknowledges that it has been informed of Owner's participation in the Program, and agrees that Owner's execution of the Assessment Contract will not constitute a default under Lender's Deed of Trust.

LENDER: \_\_\_\_\_

Lender Officer to sign:

By: \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*

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<sup>1</sup> A form of the Financing Agreement can be viewed on-line at [www.solarenergyloanfund.org](http://www.solarenergyloanfund.org) or will be provided to Lender upon request.

(ALL SIGNATURES MUST BE ACKNOWLEDGED)

State of Florida }  
 County of St. Lucie }

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public  
*Date Name and Title of Officer*

personally appeared \_\_\_\_\_  
*Name(s) of Signers*

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Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

This area for official notary seal. *Signature of Notary Public*

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**EXHIBIT A**

*(Include List of Improvements or attach project proposal )*