

RESOLUTION NUMBER 7789

WHEREAS, the City of Beatrice, Nebraska, a Municipal Corporation (“City”) runs an energy efficiency loan program, in which the City makes low-interest loans to qualifying homeowners covering the costs of certain energy efficiency improvements up to Seven Thousand Dollars (\$7,000.00); and

WHEREAS, on or about November 20, 2020, the City executed a Loan Agreement, Promissory Note, and Deed of Trust with Orlando C. Ortiz and Maria E. Holtry, for Six Thousand Seven Hundred Fifty-Two Dollars (\$6,752.00) in funding for the cost of making energy efficiency improvements to their property, commonly known as 810 North 11th Street (the “Loan”); and

WHEREAS, to secure the Loan, Orlando C. Ortiz and Maria E. Holtry, executed a Promissory Note, dated November 20, 2020, and a Deed of Trust encumbering real property commonly known as 810 North 11th Street, Beatrice, Nebraska 68310, dated November 20, 2020, and recorded in the Gage County Register of Deeds Office on November 23, 2020, and recorded as Instrument No. 2020-4022; and

WHEREAS, Orlando C. Ortiz and Maria E. Holtry have satisfied all of the terms of the Loan; and

WHEREAS, the Mayor and City Council for the City of Beatrice desire to authorize the Mayor, City Administrator, and City Clerk to execute any and all releases, any and all requests for reconveyances, deeds of reconveyance, and any and all other documents necessary to release and discharge Orlando C. Ortiz and Maria E. Holtry, along with their heirs, executors, administrators, successors and assigns from any and all actions, debts, claims and demands whatsoever the City every had or may have regarding said Loan to Orlando C. Ortiz and Maria E. Holtry.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That the Energy Efficiency Loan Agreement dated November 20, 2020, is designated as terminated and satisfied.

SECTION 2. That the corresponding Promissory Note dated November 20, 2020, is hereby terminated and satisfied.

SECTION 3. That the Deed of Trust for said Loan Agreement, dated November 20, 2020, and recorded in the Gage County Register of Deeds Office on November 23, 2020, and recorded as Instrument No. 2020-4022, is hereby terminated and satisfied.

SECTION 4. That all securities, guarantees, or obligations of Orlando C. Ortiz and Maria E. Holtry regarding the Loan Agreement are hereby terminated and satisfied.


SECTION 5. That the Mayor, City Administrator, and City Clerk are hereby authorized to sign and execute any and all other documents necessary to release and discharge Orlando C. Ortiz and Maria E. Holtry, along with their heirs, executors, administrators, successors and assigns from any and all actions, debts, claims and demands whatsoever, the City ever had or may have regarding the Loan.

SECTION 6. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLUTION PASSED AND ADOPTED this 18th day of May, 2026.

Attest:


Amanda Kuhlman, Deputy City Clerk


Robert Morgan, Mayor

GENERAL RELEASE

City of Beatrice, Nebraska, a Municipal corporation, 400 Ella Street, Beatrice, Nebraska, 68310, as RELEASOR, in consideration of the satisfactory completion and compliance with the conditions and covenants of the Energy Efficiency Loan Agreement, dated November 20, 2020, entered into by the RELEASOR and Orlando C. Ortiz and Maria E. Holtry, collectively, as RELEASEE, the completion of which is hereby acknowledged, agrees to release and discharge the RELEASEE, RELEASEE's heirs, executors, administrators, successors and assigns from any and all actions, causes of action, suits, charges and obligations, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR, RELEASOR's heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever from the beginning of time to the date of this RELEASE, and regarding:

Loan Agreement dated November 20, 2020;
Promissory Note dated November 20, 2020; and
Deed of Trust dated November 20, 2020, recorded in the Gage County Register of Deeds as Instrument No. 2020-4022,


Wherever the sense of this RELEASE requires, a singular number shall be construed to be plural and vice versa, and words of the masculine gender shall be construed to be feminine and vice versa.


This RELEASE may only be changed in writing signed by both RELEASOR and RELEASEE.

IN WITNESS WHEREOF, the RELEASOR has executed this RELEASE on the 18th day of May, 2026.

Attest:

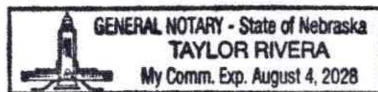
City of Beatrice, RELEASOR


Amanda Kuhlman, Deputy City Clerk


Robert Morgan, Mayor

STATE OF NEBRASKA)
) ss.
COUNTY OF GAGE)

The foregoing instrument was acknowledged before me this 18th day of May, 2026 by Robert Morgan, Mayor of the City of Beatrice, Nebraska, a Municipal Corporation, on behalf of the corporation.




Notary Public

Space Above Reserved for Recording Information


Return to:
Taylor Rivera
City of Beatrice
400 Ella Street
Beatrice, NE 68310

REQUEST FOR RECONVEYANCE

The undersigned Beneficiaries request the Trustee to reconvey the real estate described as follows:

Lot Nine (9), Block Twenty-three (23), Fairview Addition, Beatrice, Gage County, Nebraska,


to the person or persons entitled thereto.


Robert Morgan, Mayor
City of Beatrice, Nebraska, Beneficiary

STATE OF NEBRASKA)
) ss.
COUNTY OF GAGE)

The foregoing instrument was acknowledged before me this 18th day of May, 2026 by Robert Morgan, Mayor of the City of Beatrice, Nebraska, a Municipal Corporation, on behalf of the corporation.




Notary Public


DEED OF RECONVEYANCE

The indebtedness secured by the Deed of Trust executed by Orlando C. Ortiz and Maria E. Holtry, as Trustor to Taylor Rivera, an Attorney and Member in good standing with the Nebraska State Bar Association, as Trustee, for the benefit of City of Beatrice, Nebraska, a Municipal corporation, as Beneficiary, dated November 20, 2020, recorded in the office of the Gage County Register of Deeds on November 23 2020, recorded as Instrument No. 2024-4022, has been satisfied and paid in full, and the Beneficiary has requested in writing that this Deed of Reconveyance be executed and delivered as confirmed by its endorsement above.

In consideration of such payment and in accordance with the request of the Beneficiary, the Trustee reconveys to the person or persons entitled thereto all the right, title, interest and claim acquired by the Trustee pursuant to the Deeds of Trust in the following:


Lot Nine (9), Block Twenty-three (23), Fairview Addition, Beatrice, Gage County, Nebraska,

DATED: May 18, 2026.


Taylor Rivera, Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF GAGE)

The foregoing instrument was acknowledged before me on the 18th day of May, 2026, by Taylor Rivera, as Trustee.



Notary Public

