

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND, PROVIDING OFFICIAL INTENT PURSUANT TO TREASURY REGULATION SECTION 1.150-2 IN CONNECTION WITH THE ISSUANCE AND SALE BY COUNTY COMMISSIONERS OF CALVERT COUNTY (THE "COUNTY") OF ONE OR MORE SERIES OF ITS GENERAL OBLIGATION CONSOLIDATED PUBLIC IMPROVEMENT BONDS IN AN AMOUNT NOT TO EXCEED \$2,809,223 FOR THE PURPOSE OF FINANCING A CAPITAL PROJECT LOCATED OR TO BE LOCATED IN CALVERT COUNTY.

### RECITALS

**WHEREAS**, the County Commissioners of Calvert County, Maryland, a body politic and corporate and a political subdivision of the State of Maryland (the "County") approved the acquisition of two (2) properties, 10455 Ward Rd., Dunkirk, MD and 10501 Ward Rd., Dunkirk, MD (the "Capital Project");

**WHEREAS**, the County intends to issue bonds or other debt obligations to finance any Project Costs (hereinafter defined) not reimbursed by grant proceeds from the Calvert County Youth Recreational Opportunities Fund;

**WHEREAS**, the U.S. Treasury Department issued Treasury Regulation §1.150-2 governing the use of the proceeds of tax-exempt bonds or other debt obligations for the purpose of reimbursing expenditures paid prior to the issuance of such bonds or obligations and requiring, among other things, the declaration of an official intent to reimburse;

**WHEREAS**, U.S. Treasury Income Tax Regulation Section 1.150-2 requires that, in order to assure the eligibility of expenditures made with respect to the Capital Projects for reimbursement with the proceeds of tax-exempt obligations, the County generally must adopt a declaration of official intent in compliance with such regulation before or within 60 days after payment of the expenditure;

**WHEREAS**, the County proposes to make certain capital expenditures in connection with the acquisition construction, design, renovation, expansion, equipping and installation expenses of the Capital Project and issuance costs of bonds or other debt obligations, all constituting capital expenditures (collectively referred to as the "Project Costs");

**WHEREAS**, the County intends to issue general obligation consolidated public improvement bonds or other debt obligations to finance the Project Costs, in whole or in part, pursuant to the authority granted by certain laws adopted from time to time by the Maryland General Assembly;

**WHEREAS**, the County reasonably expects that a portion of the Project Costs will be paid by the County prior to the issuance of the bonds or other debt obligations and that certain proceeds of the bonds or other debt obligations will be used to reimburse the County for the Project Costs paid by the County prior to the issuance of the bonds or other debt obligations;

**WHEREAS**, the County desires to declare its official intent to reimburse the costs of the Capital Project with the proceeds of the County's bonds or other debt obligations in order to comply with the requirements of U.S. Treasury Income Tax Regulation Section 1.150-2 and thereby to assure the eligibility of expenditures made with respect to the Capital Projects for reimbursement from the proceeds of tax-exempt obligations of the County; and

**WHEREAS**, it is intended that the full faith and credit of the County will be pledged to the payment of the Project Costs.

**NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE COUNTY MAKES THE FOLLOWING DECLARATION OF OFFICIAL INTENT:**

**BE IT RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the County reasonably expects that: (i) it will issue bonds or other debt obligations to finance all or a portion of the Project Costs; (ii) capital expenditures may be paid or incurred for the Capital Project prior to the issuance of such bonds or other debt obligations; and (iii) such expenditures will be reimbursed from the proceeds of such bonds or other debt obligations;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the maximum principal amount of bonds or other debt obligations that the County expects to issue for the Capital Project is \$2,809,223;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the County intends that the adoption of this Resolution shall be and constitute an "official intent resolution" within the meaning of Section 1.150-2 of the Income Tax Regulations prescribed by the U.S. Treasury Department

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the County intends that the adoption of this Resolution shall be and constitute an "official intent resolution" within the meaning of Section 1.150-2 of the Income Tax Regulations prescribed by the U.S. Treasury Department.

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof is inapplicable had been specifically exempted therefrom.

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

**DONE**, this 12<sup>th</sup> day of February, 20 13, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 4

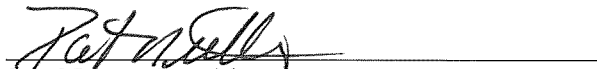
Nay: 0

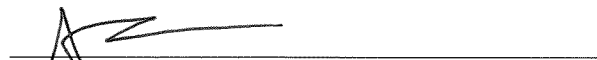
Absent/Abstain: Clark

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND**

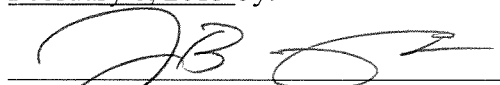
  
Maureen L. Frederick, Clerk


  
Pat Nutter, President


  
Steven R. Weems, Vice President

Approved for legal sufficiency on  
February 6, 2013 by:

Gerald W. Clark

  
John B. Norris III, County Attorney

  
Susan Shaw

  
Evan K. Slaughenhoupt, Jr.

Received for Record 2-12 2013  
at 4:00 o'clock P.M. Same day  
recorded in Liber KPS No. 41  
Folio 423 COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

