

RESOLUTION NO. R 010 87

AUTHORIZING THE RESERVATION OF \$849,169.00 FOR THE TOWN OF BETHANY BEACH FROM THE PROCEEDS OF THE COUNTY'S 1986 SERIES B LOCAL GOVERNMENT LOAN PROGRAM REVENUE BONDS AUTHORIZED BY ORDINANCE NO. 373

WHEREAS, the County of Sussex issued \$35,000,000.00 Local Government Loan Program Bonds 1986 Series B on August 6, 1986 ("Series B Bonds"); and

WHEREAS, the Town of Bethany Beach ("Town") has applied for a loan from the proceeds of the Series B Bonds in the amount of \$849,169.00; and

WHEREAS, the proceeds of the requested loan will be used to rehabilitate beach groins, repave primary streets, bulkhead ocean front street ends, convert older water meters, make drainage improvements throughout the Town, and cover any contingency costs; and

WHEREAS, the borrowing by the Town of Bethany Beach will be secured by the general obligation of the Town, and the Town has scheduled a public hearing on April 4, 1987, said public hearing to precede a referendum; and

WHEREAS, the Town has requested a resolution from the County of Sussex that \$849,169.00 will be available from the proceeds of the Series B Bonds for the purpose of making a loan to the Town on the terms described in a letter dated November 13, 1986 from Dean S. Phillips, Town Manager; and

WHEREAS, Saul, Ewing, Remick & Saul, bond counsel to Sussex County, has examined the Charter of the Town as enacted by the General Assembly and signed into law by the Governor on June 19, 1986, and has certified that the pledging of the full faith and credit of the Town in the amount of \$849,169.00, when added to existing Town general obligation indebtedness, will not violate the debt ceiling set by the Charter of the Town, and that the requested borrowing is for purposes permitted by the Town Charter,

NOW THEREFORE,

THE COUNTY OF SUSSEX HEREBY RESOLVES:

1. The sum of \$849,169.00 from the proceeds of the Series B Bonds is hereby reserved for the Town of Bethany Beach.

2. This reservation shall remain in effect until November 1, 1987, unless either of the following two events shall first occur:

(a) The Town shall determine, after public hearing, not to hold a referendum approving the borrowing; or

(b) The borrowing of the requested funds is defeated at the referendum.

Upon the happening of either of the two events above specified, this reservation shall terminate.

3. The County Administrator and Clerk of County Council are hereby authorized and directed to transmit a copy of this Resolution to Dean S. Phillips, Town Manager, Town of Bethany Beach, Bethany Beach, Delaware 19930, in certified form.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 010 87 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 3RD DAY OF FEBRUARY, 1987.

Emogene P. Ellis
EMOGENE P. ELLIS
CLERK OF THE COUNTY COUNCIL