

RESOLUTION NO. R 030 01

**RESOLUTION APPROVING A WRITTEN AGREEMENT
FOR FIRE FIGHTING SERVICES WITH
THE GUMBORO VOLUNTEER FIRE COMPANY AND
THE ISSUANCE OF CERTAIN BONDS BY
THE GUMBORO VOLUNTEER FIRE COMPANY**

WHEREAS, the Gumboro Volunteer Fire Company (the "Company") is a fire company organized and existing under the laws of the State of Delaware; and

WHEREAS, the Company has provided and continues to provide fire fighting services to an area within Sussex County, Delaware (the "County"); and

WHEREAS, the Company has advised the County, that the Company proposes to issue up to \$500,000 of bonds of the Company (the "Bonds") for the following purpose: to pay approximately \$500,000 of the cost of a new rescue truck for the Company that will be housed in the Company's Fire Station (the "Project"); and

WHEREAS, it is the intent of the Company that the interest on its Bonds qualify for exclusion from gross income of the owners thereof for federal income tax purposes pursuant to Sections 103 and 150 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, pursuant to Sections 103 and 147 of the Code, interest on the Bonds will not qualify for exclusion from gross income of the owners thereof for federal income tax purposes unless the issuance of the Bonds is approved by the applicable elected representative of a governmental unit with which the Company has entered into an agreement, after a public hearing to consider the issuance of the Bonds has been conducted by such governmental unit following reasonable public notice; and

WHEREAS, the Company desires to enter into a written agreement with the County (the "Agreement") for such purpose and to confirm the provision of such fire fighting services to such area; and

WHEREAS, notice of the requisite public hearing was published on October, 29, 2001 in the Delaware State News, a newspaper of general circulation in the County; and

WHEREAS, on November 13, 2001 the County conducted a public hearing on behalf of the Company for the purpose of considering the issuance of the Bonds;

NOW THEREFORE BE IT RESOLVED THAT, the Sussex County Council hereby approves the form of Agreement to be entered into between the County and the Company, a copy of which is attached hereto, and hereby authorizes and directs the County Administrator to execute and deliver the same on behalf of the County.

FURTHER RESOLVED THAT, the Sussex County Council, for the sole purpose of qualifying the interest payable on the Company's Bonds for exclusion from gross income of the owners thereof for federal income tax purposes pursuant to Section 103 of the Code, does hereby approve the issuance of the Bonds by the Company in a maximum aggregate principal amount of \$500,000 for the purpose of financing a portion of the costs of the Project provided that the Bonds shall be an obligation of the Company and shall never be a debt of the County and the County shall not be liable for any payment on the Bonds.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 030 01 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 13TH DAY OF NOVEMBER, 2001.


ROBIN A. GRIFFITH
CLERK OF THE COUNCIL