

RESOLUTION NO. R 030 94

RESOLUTION APPROVING THE ISSUANCE OF UP TO \$350,000 OF BONDS BY MILTON FIRE DEPARTMENT, INC.

WHEREAS, the Milton Fire Department, Inc. (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 firefighting 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 \$350,000 of bonds or notes of the Company (the "Bonds") for the following purposes: (1) to pay a portion of the costs of a new ladder fire truck for the Company (the "Fire Truck") that will be housed in the Company's Fire Station located at 116 Front Street in Milton, Delaware (the "Fire Station"), and (2) to pay a portion of the costs of issuing the Bonds (collectively, 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, notice of the requisite public hearing was published on November 14, 1994, in the Delaware State News, a newspaper of general circulation in the County.

WHEREAS, on November 29, 1994, (immediately prior to consideration of this Resolution) the County conducted the 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, 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 \$350,000 for the purpose of financing a portion of the costs of the Project described above, 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 94 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 29TH DAY OF NOVEMBER, 1994.

  
Robin A. Griffith  
Clerk of the County Council