

RESOLUTION NO. R 023 95

RATIFYING AND CONFIRMING ACTION TAKEN BY COUNTY ADMINISTRATOR IN CONNECTION WITH \$20,825,000 WASTEWATER REVENUE REFUNDING BONDS (WEST REHOBOTH EXPANSION SEWER PROJECT) SERIES 1995

WHEREAS, pursuant to the laws of the State of Delaware, particularly Chapter 67 of Title 9 of the Delaware Code, as amended, Ordinance No. 948, enacted January 11, 1994, and a Trust Agreement dated as of April 1, 1994, with Wilmington Trust Company (the "Trustee") as supplemented by Supplemental Agreements No. 1 and 2, both dated as of April 1, 1994 (the Trust Agreement as so supplemented hereinafter referred to as the "Original Trust Agreement"), the County Council of Sussex County, Delaware (the "County") issued its \$19,000,000 Wastewater Revenue Bonds (West Rehoboth Expansion Sewer District), Series 1994 (the "1994 Bonds") and its \$17,000,000 Wastewater Revenue Subordinate Obligations (West Rehoboth Expansion Sewer System) Series 1994 SRF (the "SRF Obligations");

WHEREAS, in connection with the issuance of the SRF Obligations, the County entered into a Financing Agreement with the Delaware Water Pollution Control Revolving Fund, acting by and through the Department of Natural Resources and Environmental Control ("DNREC") dated as of April 1, 1994 (the "Financing Agreement");

WHEREAS, pursuant to Ordinance No. 1042 adopted July 18, 1995 (the "Ordinance"), County Council authorized the issuance of Sussex County Wastewater Revenue Bonds for the purposes of refunding all or a portion of the 1994 Bonds;

WHEREAS, pursuant to the Ordinance, the County Administrator was authorized to negotiate the sale of the aforesaid obligations upon such terms and conditions as he determines shall be in the best interest of the County and he is further authorized and directed to take such other action on behalf of the County as deemed necessary or desirable to effect the purposes of the Ordinance and the issuance of said obligations;

WHEREAS, acting pursuant to the Ordinance, the County Administrator has negotiated (i) the sale of \$20,825,000 of the County's Wastewater Revenue Refunding Bonds (West Rehoboth Expansion Sewer Project) Series 1995 (the "Bonds") upon terms described in (1) a Contract of Purchase (the "Contract of Purchase") dated November 17, 1995, between the County and Wheat First Butcher Singer (the "Underwriter") and (2) the Original Trust Agreement as supplemented by Supplemental Agreement No. 3 dated as of December 1, 1995 ("Supplemental Agreement No. 3", the Original Trust Agreement as so supplemented hereinafter referred to as the "Trust Agreement") and (ii) a First Amendment to Financing Agreement dated as of December 1, 1995 (the "First Amendment"); and

WHEREAS, the County has received the report of Jones, Hayward & Lenzi, Certified Public Accountants, to the effect that the funds to be deposited under the Escrow Deposit Agreement (the "Escrow Agreement") dated as of December 1, 1995 by and among the County, the Trustee and Wilmington Trust Company, as Escrow Agent, together with the earnings thereon but without any reinvestment earnings, will be sufficient to provide for the payment of principal and interest on the 1994 Bonds when due through June 15, 2004 and for the redemption on June 15, 2004 of all 1994 Bonds maturing after that date;

WHEREAS, the County Administrator has reported that the gross savings in the annual debt service payments resulting from the refunding has been determined to be \$646,029 and the present value of such savings, discounted at the yield on the Bonds, has been determined to be \$565,368, as more particularly described in Exhibit A hereto;

WHEREAS, the County Council wishes to ratify and confirm actions taken by the County Administrator in connection with the sale and issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Sussex County, Delaware, as follows:

1. County Council hereby ratifies and affirms the action taken by the County Administrator in connection with the sale and issuance of the Bonds including entering into the Contract of Purchase with Wheat First Butcher Singer, preparing and circulating a Preliminary Official Statement and a final Official Statement, committing to the purchase of bond insurance from MBIA Insurance Corporation, appointing Wilmington Trust Company to serve as Escrow Agent under the Escrow Agreement, providing for the early redemption of the 1994 Bonds pursuant to the Escrow Agreement and negotiating the First Amendment with DNREC providing for a sharing of the refunding savings.

2. This Resolution shall be effective immediately upon its adoption.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R 023 95 PASSED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE 19TH DAY OF DECEMBER, 1995.



Robin A. Griffith

Clerk of the County Council

Refinancing Analysis For Sussex County, Delaware
 Proposed Refunding Bonds, Series 1995
 Debt Service Summary & Savings Analysis - New Bonds

EXHIBIT A

Date	Existing Debt Service	Refunding Debt Service	Difference	Present Value Factor @ 5.56842%	Present Value Difference
15-Jun-96	605,270	538,096	67,174	0.97365	65,404
15-Dec-96	605,270	553,470	51,800	0.94728	49,069
15-Jun-97	605,270	553,470	51,800	0.92162	47,740
15-Dec-97	605,270	553,470	51,800	0.89686	46,447
15-Jun-98	605,270	553,470	51,800	0.87237	45,189
15-Dec-98	605,270	553,470	51,800	0.84874	43,965
15-Jun-99	605,270	553,470	51,800	0.82575	42,774
15-Dec-99	605,270	553,470	51,800	0.80338	41,615
15-Jun-2000	925,270	708,470	216,800	0.78162	169,454
15-Dec-2000	548,950	550,215	48,735	0.76044	35,539
15-Jun-2001	931,950	980,215	(48,265)	0.73985	(35,709)
15-Dec-2001	548,073	540,863	47,210	0.71980	33,982
15-Jun-2002	943,073	990,863	(47,790)	0.70031	(33,488)
15-Dec-2002	578,399	530,850	47,549	0.68134	32,397
15-Jun-2003	953,399	1,000,850	(47,451)	0.66288	(31,455)
15-Dec-2003	567,993	520,275	47,718	0.64492	30,774
15-Jun-2004	962,993	1,010,275	(47,283)	0.62745	(29,668)
15-Dec-2004	556,834	508,883	47,951	0.61046	29,272
15-Jun-2005	971,834	1,018,883	(47,049)	0.59392	(27,943)
15-Dec-2005	544,799	496,770	48,029	0.57783	27,753
15-Jun-2006	984,799	1,031,770	(46,971)	0.56218	(26,406)
15-Dec-2006	531,819	483,796	48,023	0.54695	26,266
15-Jun-2007	996,819	1,043,796	(46,978)	0.53214	(24,999)
15-Dec-2007	517,869	469,796	48,073	0.51772	24,888
15-Jun-2008	1,012,869	1,059,796	(46,928)	0.50370	(23,837)
15-Dec-2008	502,771	454,751	48,020	0.49006	23,532
15-Jun-2009	1,027,771	1,074,751	(46,980)	0.47678	(22,399)
15-Dec-2009	488,103	438,631	47,471	0.46387	22,020
15-Jun-2010	1,041,103	1,088,631	(47,529)	0.45130	(21,450)
15-Dec-2010	488,481	421,406	47,075	0.43908	20,669
15-Jun-2011	1,063,481	1,111,406	(47,925)	0.42718	(20,473)
15-Dec-2011	449,590	402,776	46,814	0.41561	19,456
15-Jun-2012	1,079,590	1,127,776	(48,186)	0.40435	(19,484)
15-Dec-2012	429,273	383,020	46,253	0.39340	18,196
15-Jun-2013	1,099,273	1,148,020	(48,748)	0.38274	(18,658)
15-Dec-2013	407,665	362,174	45,491	0.37238	16,940
15-Jun-2014	1,122,665	1,167,174	(44,509)	0.36229	(16,125)
15-Dec-2014	384,428	340,236	44,190	0.35247	15,576
15-Jun-2015	1,144,428	1,190,236	(45,810)	0.34293	(15,709)
15-Dec-2015	359,728	317,075	42,653	0.33364	14,230
15-Jun-2016	1,169,728	1,212,075	(42,348)	0.32460	(13,746)
15-Dec-2016	333,403	292,463	40,940	0.31581	12,929
15-Jun-2017	1,193,403	1,237,463	(39,060)	0.30725	(12,001)
15-Dec-2017	305,290	266,475	38,815	0.29893	11,603
15-Jun-2018	1,225,290	1,261,475	(36,185)	0.29083	(10,524)
15-Dec-2018	275,390	239,113	36,278	0.28295	10,265
15-Jun-2019	1,255,390	1,294,113	(38,723)	0.27529	(10,660)
15-Dec-2019	243,540	210,100	33,440	0.26783	8,956
15-Jun-2020	1,283,540	1,315,100	(31,560)	0.26058	(8,224)
15-Dec-2020	209,220	179,713	29,508	0.25352	7,481
15-Jun-2021	1,319,220	1,349,713	(30,493)	0.24665	(7,521)
15-Dec-2021	172,590	147,538	25,053	0.23997	6,012
15-Jun-2022	1,357,590	1,382,538	(24,948)	0.23347	(5,825)
15-Dec-2022	131,485	113,575	19,910	0.22715	4,522
15-Jun-2023	1,393,485	1,418,575	(20,090)	0.22099	(4,440)
15-Dec-2023	91,740	77,688	14,053	0.21501	3,021
15-Jun-2024	1,433,740	1,452,688	(15,948)	0.20918	(3,336)
15-Dec-2024	47,355	38,875	7,480	0.20352	1,522
15-Jun-2025	1,481,355	1,489,875	(7,520)	0.19800	(1,489)
	44,012,998	43,366,968	646,029		564,113
			Increase / (Decrease) in DSRF		1,255
			Total Present Value Savings		565,368