

A RESOLUTION AUTHORIZING THE MAYOR OR THE FINANCE DIRECTOR TO ISSUE DECLARATIONS OF OFFICIAL INTENT WITHIN THE MEANING OF TREASURY REGULATIONS § 1.150-2.

BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

Section 1. Findings and Determinations. The Council makes the following findings and determinations:

- (a) This Council has determined to finance certain projects, either in whole or in part, from the proceeds of tax-exempt securities to be issued by the Village.
- (b) Certain costs of the projects may be incurred before those tax-exempt securities are issued by the Village.
- (c) Treasury Regulations §1.150-2 prescribes conditions under which proceeds of tax-exempt securities will be deemed expended for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code of 1986 when used to reimburse advances made for expenditures paid before the issuance of those securities, so that upon reimbursement, those proceeds so used will not be further subject to restrictions under those sections.
- (d) Certain provisions of those regulations require that there be an official intent adopted by the issuer of the securities no later than 60 days after the expenditure expected to be reimbursed from the proceeds of those securities, and that the reimbursement occur no later than 18 months after the later of the date the expenditure is paid or the date the property is placed in service (but not later than three years after the expenditure is paid).
- (e) This Council wishes to take steps for compliance with those regulations.

Section 2. Definitions. The following definitions apply to the terms used in this resolution:

“Declaration of Official Intent” means a declaration of intent, in the manner contemplated in the Reimbursement Regulations, that expenditures are reasonably expected to be reimbursed from the proceeds of Reimbursement Securities to be issued after the expenditure is paid.

“Reimbursement Regulations” means Treasury Regulations §1.150-2 and any amendments or superseding regulations--proposed, temporary or final--prescribing conditions under which the proceeds of Reimbursement Securities, when allocated or applied to a Reimbursement, will be treated as spent for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code of 1986.

"Reimbursement Securities" means any issue of Securities, all or part of the proceeds of which are to be used to reimburse an original expenditure paid before the issuance of the Securities.

"Securities" means bonds, notes, certificates and other obligations included in the meaning of the term "bond" under Section 150 of the Internal Revenue Code of 1986.

Section 3. Authorization and Requirements of Declarations of Official Intent. Either the Mayor or the Finance Director (each an "Authorized Representative") is authorized to prepare and sign Declarations of Official Intent with respect to expenditures made or to be made from money temporarily available and that are reasonably expected to be reimbursed from the proceeds of Reimbursement Securities. The Authorized Representatives are further authorized and directed to do the following:

- (a) Make appropriate reimbursement and timely allocations from the proceeds of Reimbursement Securities to reimburse those expenditures, in accordance with the Reimbursement Regulations.
- (b) Take any other appropriate actions to satisfy the requirements of the Reimbursement Regulations so that the reimbursement is treated as spent for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code.

Section 4. Emergency and Effective Date. This Council declares this resolution to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that it is necessary to pay certain costs of the projects of the Village before the issuance of the Securities. If this resolution receives the affirmative vote of two-thirds of the members elected to this Council, it will go into immediate effect. Otherwise, it will become effective at the earliest date allowed by law.

PASSED: June 6, 2000

Michael J. Young
President of Council

Donald L. Jensen
Mayor

Dated: 6/13/2000

ATTEST:
Carole Gibson
Clerk of Council

«AK3:394366_1»

EXHIBIT A

DECLARATION OF OFFICIAL INTENT

For Reimbursement of Expenditures from Securities

This is a Declaration of Official Intent under Treasury Regulations §1.150-2.

1. The undersigned, on behalf of the Village of Richfield, declares that the Village reasonably expects that the expenditures described in paragraph 2 will be reimbursed with the proceeds of securities in the maximum principal amount of \$ 1,500,000.00.

2. Description of capital expenditures to be reimbursed (complete either A or B or both):

A. Capital expenditures initially made from and to be reimbursed to the fund or account entitled Land Acquisition/Building Fund, the general functional purpose of which fund or account is to reserve surplus funds for land acquisition and building construction.

OR

B. Capital expenditures for (general functional description of property, project or program): N/A

The undersigned has been authorized by the Council of the Village to make and sign this Declaration on behalf of the Village.

VILLAGE OF RICHFIELD

BY: Eleanor Lukovics

Eleanor Lukovics, Finance Director
(NAME) (TITLE)

Date: June 6, 2000