

RESOLUTION OF THE BOARD OF COMMISSIONERS OF
WEAKLEY COUNTY, TENNESSEE, REQUESTING THAT THE
DIRECTOR OF LOCAL FINANCE FOR THE STATE OF
TENNESSEE GRANT THE EXTENSION OF THE MATURITY
DATE OF THE \$700,000 CAPITAL OUTLAY NOTE OF 1978
FOR AN ADDITIONAL TWO (2) YEARS.

WHEREAS, the Weakley County Quarterly Court meeting in regular session on the 10th day of April, 1978 adopted a resolution authorizing the execution and issuance of interest bearing 1978 Highway Capital Outlay Notes not to exceed the sum of \$700,000.00 for the purpose of constructing certain highways and purchasing highway equipment in and for Weakley County; and

WHEREAS, there is \$393,240.00 presently outstanding, and

WHEREAS, Section 5-1031 of Tennessee Code Annotated provides that "the maturity date of Capital Outlay Notes issued under this section may be extended for an additional two (2) year period with the approval of the State Director of Local Finance. Application to the State Director of Local Finance for the extension of the maturity date of such notes shall be by resolution of the county governing body," and

WHEREAS, it appears advantageous to Weakley County at this particular time to request an extension of the maturity date for two (2) years of the aforesaid Capital Outlay Note;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WEAKLEY COUNTY, TENNESSEE, AS FOLLOWS:

SECTION 1. That the State Director of Local Finance is hereby requested to approve the extension of the maturity date of the aforesaid \$393,240.00 Capital Outlay Note, or such amount thereof as the County elects to extend.

SECTION 2. That said extension shall be accomplished by the issuance of a negotiable interest bearing Capital Outlay Note of Weakley County, Tennessee, in a total amount not to exceed \$393,240.00. That, said note shall be designated, "1981 Capital Outlay Note Extension of 1978 Highway Capital Outlay Note," said note shall be dated as of the date of issuance and shall mature not later than two (2) years thereafter.

SECTION 3. That said note shall bear interest at a rate not to exceed Eleven percent (11%) per annum, payable semi-annually each six months after date of issue. Both principal and interest on said note shall be payable in lawful money of the United States of America at the office of the Weakley County Trustee, Dresden, Tennessee.

SECTION 4. That said note shall be subject to prepayment prior to maturity

at the option of Weakley County, in whole or in part, at any time at the principal amount thereof and accrued interest to the date of prepayment.

SECTION 5. That said note shall be executed and signed in the name of Weakley County, Tennessee, by the County Judge and attested by the County Clerk with the seal of the County attached thereto.

SECTION 6. That, said note shall be substantially in the following form:

(Form of Note)
STATE OF TENNESSEE
COUNTY OF WEAKLEY
"1981 Capital Outlay
Note extension of 1978
Highway Capital Outlay Note"

\$ _____ No. _____

KNOW ALL MEN BY THESE PRESENTS: That the County of Weakley in the State of Tennessee, hereby acknowledges itself to owe and for the value received hereby promises to pay to the bearer the sum of \$ _____ on or before _____, 19 ____, together with interest on the unpaid principal amount hereof from the date hereof until paid at the rate of ____ percent (____%) per annum, payable on _____, 19 ____, and semi-annually thereafter on the _____ day of _____ and _____ of each year. Both principal hereof and interest hereon are payable at the office of the Weakley County Trustee, Dresden, Tennessee, in lawful money of the United States of America. For the prompt payment of this obligation, both principal and interest at maturity, the full faith, credit and other resources of said county are hereby irrevocably pledged.

This note is issued by said county for the purpose of providing funds to finance the cost of constructing certain highways and purchasing highway equipment in and for Weakley County, Tennessee, and is in all respects in compliance with and under authority of Sections 5-1031 to 5-1039, inclusive, of the Tennessee Code Annotated, and under authority of proceedings duly adopted by the Board of Commissioners of Weakley County, Tennessee, meeting in regular session on the 20th day of April, 1981.

And it is hereby certified and recited that all acts, conditions and things required by the Constitution and by the laws of the State of Tennessee to exist, or to be done precedent to and in the issuance of this obligation, do exist, and have been properly done, happened, and been performed in regular and due form and time as required by law; and that provision has been made to pay the principal and interest thereon as same falls due.

SECTION 5-1039 of the Tennessee Code Annotated provides that neither the principal nor the interest of capital outlay notes issued pursuant to the provisions of Section 5-1031 to 5-1039, inclusive, of the Tennessee Code Annotated shall be taxed by the State of Tennessee or by any county or municipality therein.

This note is subject to prepayment at the option of Weakley County in whole or in part together with accrued interest to date of said payment.

IN WITNESS WHEREOF, the County of Weakley through its Board of Commissioners has caused this Capital Outlay Note to be signed by its County Judge and attested by its County Clerk under the seal of his office on this ____ day of _____,

19 ____.

County Judge

Attested:

County Clerk

SECTION 7. That for the purpose of providing funds with which to pay interest accruing on said note and the principal thereof at maturity there shall be levied upon all taxable property in Weakley County, in addition to all other taxes, a direct annual tax for each of the years while said note is outstanding, in amounts sufficient for that purpose. Principal or interest coming due any time when there shall be insufficient funds on hand to pay the same shall be promptly paid when due from the general fund or other available funds of Weakley County and reimbursement shall be made to such fund in the amount of the sums thus advanced when taxes provided for that purpose shall have been collected.

SECTION 8. That, said note shall not be issued or executed until after the approval of the Tennessee State Director of Local Finance has been obtained as required by Sections 5-1031, 5-1039, inclusive, of the Tennessee Code Annotated.

SECTION 9. That, said note shall be sold by the County Judge in whole or in part from time to time at not less than par and accrued interest and said note shall thereupon be delivered to the purchaser or purchasers by the County Trustee upon payment therefor.

The action of the County Judge in selling said note and fixing the interest rate or rates on the note, but not exceeding _____ percent () per annum, and fixing the denomination and maturity dates of such note, shall be binding on Weakley County and the Board of Commissioners, and no further action by this Commission shall be necessary in reference thereto.

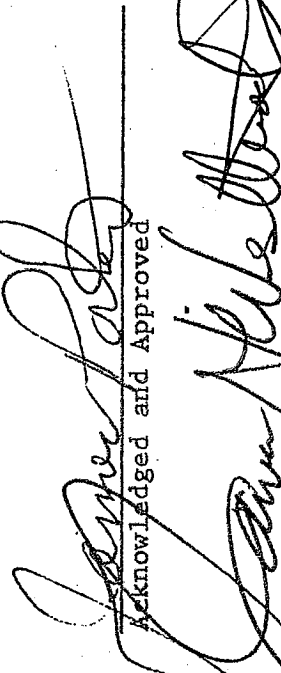
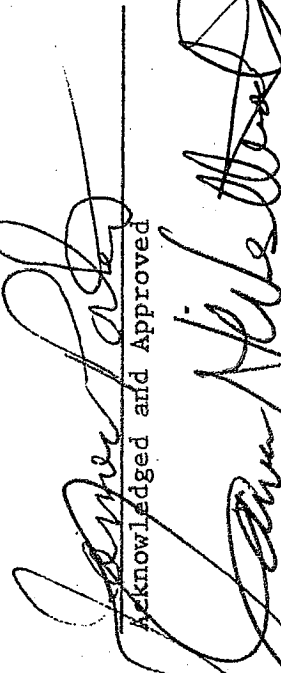
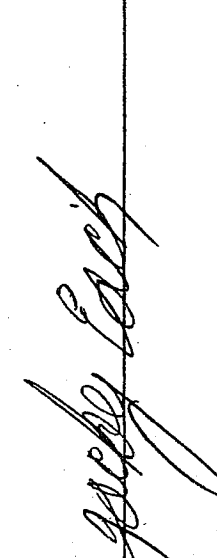
SECTION 10. That, the proceeds of said note shall be turned over to the County Trustee of Weakley County and shall be paid out for the purposes and in the manner required by law and this Resolution.

SECTION 11. That, all orders or resolutions in conflict herewith be and the same hereby repealed insofar as such conflict exists and this resolution shall become effective immediately upon its passage.

IT IS HEREBY FURTHER ORDERED, that a true copy of this Resolution be spread upon the Commission record of this date.

PURSUANT TO THE RULES OF THE COMMISSION, THIS RESOLUTION IS SPONSORED

BY THE FOLLOWING MEMBERS OF THE WEAKLEY COUNTY BOARD OF COUNTY COMMISSIONERS:

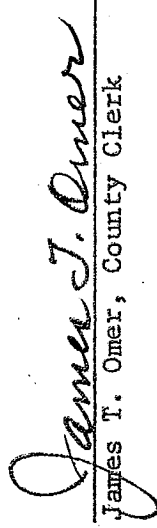

Acknowledged and Approved

Chairman, Committee

Jacky Esch

Motion made by Com. James Poutter that the foregoing resolution be adopted;

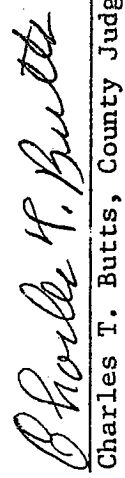
Motion seconded by Com. Jacky Esch.

Upon being put to a Roll vote, same Carried.
19-AYE, 0-NO, 1-ABSENT
Passed and approved the 20 day of April, 1981.

Attested:


James T. Omer, County Clerk

Approved:


Charles T. Butts, County Judge