

RESOLUTION #1981- 31

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WEAKLEY COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING SCHOOL BOND ANTICIPATION NOTES IN AN AMOUNT NOT TO EXCEED 15,000.00 AND PROVIDING FOR THE PAYMENT OF SAID NOTES.

WHEREAS, it has been determined by the Board of County Commissioners that it is necessary and desirable to construct and repair a school building and to furnish and equip said building in and for said county; and

WHEREAS, counties in Tennessee are authorized to issue general obligation bonds for the construction and repair of school buildings and to furnish and equip school buildings under Chapter 7 of Title 49, Tennessee Code Annotated; and

WHEREAS, the Board of County Commissioners does hereby declare that said bonds will be issued when and as needed for such purpose; and

WHEREAS, funds in the amount of 15,000.00 are currently needed to begin work on this school building; and

WHEREAS, sufficient funds are not now on hand for this purpose; and WHEREAS, under the provisions of Sections 5-1031 to 5-1039, inclusive, Tennessee Code Annotated, counties in Tennessee are authorized through their respective county legislative bodies, upon approval by the State Director of Local Finance, to issue interest bearing Bond Anticipation Notes for all county purposes for which general obligation bonds can be legally authorized and issued; and

WHEREAS, it appears advantageous to said county at this particular time to issue Bond Anticipation Notes for such purpose rather than to issue bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Weakley County, Tennessee, as follows:

SECTION 1. That, for the purpose of providing funds to finance the cost of construction of a school building and the furnishing and equipping of said building in and for said county, and in anticipation of the proceeds of a like principal amount of bonds, there shall be issued negotiable interest bearing Bond Anticipation Notes in a total principal

amount not to exceed \$15,000.00. That, said notes shall be designated "School Bond Anticipation Notes" and shall be numbered serially beginning with the number 1. Each of said notes shall be dated as of the date of issuance thereof, shall mature not later than two (2) years thereafter and shall be of such denomination as may be agreed upon by the County Judge and the purchaser of said notes.

SECTION 2. That, said notes shall bear interest at a rate not to exceed twelve percent (12%) per annum, payable in such manner as shall be determined by the County Judge and the purchaser of said notes. Both principal and interest on said notes shall be payable in lawful money of the United States of America at the office of the County Trustee of Weakley County, Tennessee.

SECTION 3. That, said notes shall be in substantially the following form:

(Form of Note)
STATE OF TENNESSEE
COUNTY OF WEAKLEY
SCHOOL BOND ANTICIPATION NOTE

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

This note is issued for the purpose of providing funds to finance the construction of a school building and to furnish and equip said building in and for said County, and is in all respects in compliance

with and under authority of Sections 5-1031 to 5-1039, inclusive, Tennessee Code Annotated, and a Resolution duly adopted by the Board of County Commissioners of Weakley County, Tennessee, on the _____ day of _____, 19____, to provide funds in anticipation of the issuance of bonds.

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

This note is subject to redemption at any time at the option of the County, in whole or in part, at the principal amount thereof and accrued interest to the date of redemption.

IN WITNESS WHEREOF, the County of Weakley, through its Board of County Commissioners has caused this Bond Anticipation 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

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SECTION 4. That, said notes shall be subject to redemption at the option of the County, in whole or in part, at any time at the principal amount thereof and accrued interest to the date of redemption.

SECTION 5. That, said notes 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, for the purpose of providing funds with which to pay the principal and interest accruing on said notes 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 notes, or any of them, are outstanding, in amounts sufficient for that purpose. Provided, however, that when the bonds described in this Resolution shall have been issued, the principal proceeds of such bonds in an amount not exceeding the principal amount of notes issued hereunder and then outstanding shall be applied to the retirement of the principal amount of such notes.

SECTION 7. That, said notes shall not be issued until after the approval of the State Director of Local Finance shall have been obtained as required by Section 5-1032, Tennessee Code Annotated.

SECTION 8. That, said Bond Anticipation Notes herein described shall not be sold for less than par and accrued interest.

SECTION 9. That, the proceeds of said notes shall be turned over to the County Trustee of said County and shall be paid out for the purposes and in the manner required by law and this Resolution.

SECTION 10. That, all orders or resolutions in conflict herewith be and the same are repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Putsuant to the rules of the Court, this resolution is sponsored by the following members of the Weakley County Quarterly Court:

/S/ Jack Dunning /S/ Robin S. Moore

Acknowledged and Approved:

/S/ James H. Bell
Chairman - Finance Committee

Motion made by Robin Moore that the foregoing resolution be adopted: motion seconded by Comm. George Broussard: Upon being put to a roll call vote, motion Carried.

AYE 14 MAY 5 ABSENT 1

APPROVED:

/S/ Charles T. Butts
Charles T. Butts, County Judge

Attested:

/S/ James T. Omer
James T. Omer, County Court Clerk