RESOLUTION # 700-06

Board Member TANNER moved that the form of Tax Exemption Certificate be placed on file and approved. Board Member SAHNEL seconded the motion and the roll being called thereon, the vote was as follows:

AYES: TANNER, SAHNEL, WALK

NAYS: 0

Board Member SAHNEL moved that the form of Continuing Disclosure Certificate be placed on file and approved. Board Member TANNER seconded the motion and the roll being called thereon, the vote was as follows:

AYES: SAHNEL, TANNER, WALK

NAYS: 0

Board Member TANNER introduced the following Resolution entitled "A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF $465,000 ROAD USE TAX ANTICIPATION REVENUE CAPITAL LOAN NOTES, SERIES 2006, OF MITCHELL COUNTY, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES", and moved its adoption. Board Member SAHNEL seconded the motion to adopt. The roll was called and the vote was:

AYES: TANNER, SAUNDERS, WALK

NAYS: 0

Whereupon the Chairperson declared the following Resolution duly adopted:

A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF $465,000 ROAD USE TAX ANTICIPATION REVENUE CAPITAL LOAN NOTES, SERIES 2006, OF MITCHELL COUNTY, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES

WHEREAS, pursuant to Chapter 312 of the Code of Iowa, 2006, as amended (the "Code"), certain revenues of the State of Iowa (the "State"), including all net proceeds from the tax levied on registration of motor vehicles, all net proceeds of the motor vehicle fuel tax and license fees, all revenues derived from the excise tax imposed on rental vehicles, certain revenues derived from the use tax levied on motor vehicles and any other funds that the Legislature might appropriate, are received by and deposited into the Road Use Tax Fund of the State (the "Road Use Tax Fund"), a portion of which revenues are apportioned to the secondary road funds of the counties in Iowa; and

WHEREAS, the Board of Supervisors of Mitchell County, Iowa, sometimes hereinafter referred to as the "Issuer" or the "County", receives said revenues in its Secondary Road Fund (defined herein), and said revenues have not been pledged and are available for the payment of Road Use Tax Anticipation Revenue Capital Loan Notes, Series 2006, subject to the following premises; and

WHEREAS, the County has authority to enter a loan agreement for personal property, payable from the General fund; and

WHEREAS, the scheduled annual payment for this loan agreement, and all others payable from the General Fund, will not exceed ten percent of the last certified General Fund budget; and

WHEREAS, it is proposed that the County fund its costs on an interim basis by the issuance of Road Use Tax Anticipation Revenue Capital Loan Notes under Section 76.13 of the Code of Iowa anticipating in part the future receipt of payments to be received pursuant to law from the State into the Road Use Tax Fund; and

WHEREAS, Issuer proposes to issue its Road Use Tax Anticipation Revenue Capital Loan Notes, Series 2006, to the extent of $465,000, for the purpose of defraying the costs of the project as set forth in Section 3 of this Resolution; and, it is deemed necessary and advisable and in the best interests of the County that a form of Loan Agreement be approved and authorized; and

WHEREAS, the notice of intention of Issuer to take action for the issuance of $465,000 Road Use Tax Anticipation Revenue Capital Loan Notes, Series 2006, has heretofore been duly published and no objections to such proposed action have been filed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, STATE OF IOWA:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Additional Obligations" shall mean any road use tax revenue notes or bonds issued on a parity with the Notes in accordance with the provisions of this Resolution.

- "Authorized Denominations" shall mean $5,000 or any integral multiple thereof.

- "Beneficial Owner" shall mean the person in whose name such Note is recorded as the beneficial owner of a Note by a Participant on the records of such Participant or such person's subrogee.

- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Notes.

PASSED AND APPROVED this 18th day of July, 2006.

Stan Walk, Chair
Chairperson

ATTEST:

Auditor