

RESOLUTION NO. 92-36

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TRANSFERRING \$100,000 FROM GENERAL FUND RESERVE FOR CONTINGENCIES TO NEW BUDGET LINE ITEMS PERTAINING TO THE TREASURE BEACH CANAL MSBU PROJECT; EXPRESSING THE COUNTY'S OFFICIAL INTENTION TO REIMBURSE CERTAIN PRELIMINARY PROJECT CAPITAL COSTS WITH THE PROCEEDS OF TAX EXEMPT BONDS; DESCRIBING SUCH COSTS; IDENTIFYING APPLICABLE SOURCES OF FUNDS; SPECIFICALLY PROVIDING THAT THIS RESOLUTION BE AVAILABLE TO THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, St. Johns County, Florida (the "Issuer"), expects to incur capital costs in connection with the acquisition and dredging of certain canals located within the Treasure Beach Canal MSBU created by St. Johns County, Florida ordinance 91-47 (the "Ordinance"); said acquisition, dredging and related activities hereinafter referred to as the "Project"; and

WHEREAS, by the Ordinance and by this resolution the Issuer evidenced its intention to finance such costs with the proceeds of tax exempt bonds or other tax exempt indebtedness to be issued by the Issuer (the "Bonds"); and

WHEREAS, certain costs, including certain preliminary expenditures, will be paid by the Issuer in connection with the Project prior to the issuance of the Bonds; and

WHEREAS, the Issuer desires to be reimbursed for such costs from the proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

SECTION 1. The County budget officer or his designee is hereby instructed to transfer \$100,000 from General Fund

"reserve for contingencies" to "transfer to Treasure Beach Canal MSBU" and to establish the budget for the Treasure Beach Canal MSBU by creating the "Treasure Beach Canal MSBU Fund" with line items therein for "transfer from General Fund" (\$100,000), "Land Acquisition" (\$40,000) and "Professional Fees" (\$60,000).

SECTION 2. Expression of Official Intent to Finance Costs; Description of Costs. The Issuer hereby expresses its intention to finance the costs of the Project, including reimbursement of certain preliminary expenditures pertaining to the Project (as defined in proposed Treas. Reg. §1.103-17(i)), to be paid by the Issuer prior to the issuance of the Bonds, from the proceeds of the Bonds. Such preliminary expenditures include, without limitation, the costs pertaining to: the acquisition of the canals; the canal dredging design; the obtaining of permits; the preparation of construction bids and contracts; and the rental or acquisition of lands for storage of spoil. The Issuer hereby directs the Clerk of the Board of County Commissioners of the Issuer (the "Clerk") in his capacity as accountant of the governing body of the Issuer to designate each Project expenditure prior to its payment as appropriately charged to the Project and to keep adequate records as required by proposed Treasury Regulations §§1.103-17 and 1.103-18 (and in particularly §1.103-17(e)) to allow an accurate and proper reimbursement from the Bond proceeds of such preliminary Project expenditures at such time as the Bonds are issued. Such records shall, at a minimum, identify the general character, type or purpose of the services or property purchased, their scope, size or quantity and their cost.

SECTION 3. To the extent allowed by the Internal Revenue Code of 1986, as amended, and applicable Treasury Regulations,

the preliminary Project costs to be reimbursed from the Bond proceeds shall include interest on said costs from the date(s) of their expenditures(s) to the date of issuance of the Bonds at the interest rate such expended funds would have earned had they remained in the Treasure Beach Canal MSBU Fund.

SECTION 4. Identification of Sources of Funds. The Issuer reasonably expects that the source of funds that will be used to pay such costs of the Project to be reimbursed from the proceeds of the Bonds will be the funds available from time to time in the Issuer's Treasure Beach Canal MSBU Fund described above. No other funds (from sources other than the Bonds), as of the date hereof, are, or are reasonably expected to be, allocated on a long-term basis, reserved or otherwise available pursuant to the Issuer's budget to pay such costs. The Issuer reasonably expects that the Bonds will be payable from the Special Assessments levied pursuant to the Ordinance.

SECTION 5. Public Availability of this Resolution. This Resolution will be available for inspection by the general public and will be maintained by the Clerk. In addition to, or in conjunction with, Florida law, this Resolution will be available for inspection at the Clerk's office during normal business hours of the Issuer beginning no later than 10 days after the date of adoption of this Resolution and ending on, and including, the date of issuance of the Bonds.

SECTION 6. Incidental Action. It is the intent of the Issuer that this Resolution constitute the declaration of official intent required by proposed Treas. Reg. § 1.103-17

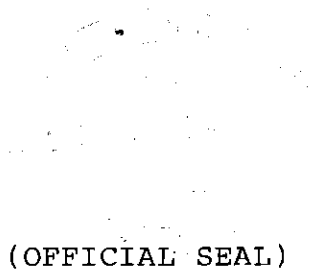
and the appropriate officers of the Issuer are hereby authorized and directed to take or approve the taking of such actions as may be necessary or appropriate in order to preserve the ability of the Issuer to finance the costs of the Project in accordance with Treas. Reg. § 1.103-17 and with the foregoing sections hereof.

SECTION 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 25th day of February, 1992.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Frank B. Biles
Its Chairman


(OFFICIAL SEAL)

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Ordy Edgum
Deputy Clerk