

RESOLUTION NO. 05-243

A RESOLUTION OF THE CITY OF PARKER, FLORIDA AUTHORIZING AN UNSECURED LINE OF CREDIT FROM PEOPLES FIRST COMMUNITY BANK IN AN AMOUNT NOT TO EXCEED \$300,000, PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH, AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY FOR RESOLUTION. This Resolution is adopted pursuant to the provisions of the Constitution of Florida, the Charter of the City of Parker, Florida, Chapter 166, Part II, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

A. It is necessary and in the best interest and welfare of the citizens of the City of Parker, Florida ("City") to secure an unsecured line of credit ("Obligation") in an amount not to exceed the principal amount of \$300,000.00 for the purchase of certain municipally owned equipment, capital improvements to municipally owned property and any other lawful purpose.

B. The Obligation will be payable solely from non-ad valorem revenues of the City, provided however, the Bank, as hereinafter defined, shall have no lien on such non-ad valorem revenues and the City shall not be prohibited from pledging such non-ad valorem revenues for any lawful purpose.

SECTION 3. AUTHORIZATION OF OBLIGATION. Subject and pursuant to the provisions hereof, an unsecured line of credit by Peoples First Community Bank ("Bank") to the City is hereby authorized in an amount not to exceed the principal amount of \$300,000.00, payable solely from non-ad valorem revenues of the City.

The Obligation shall not constitute an indebtedness, liability, general or moral obligation, or a pledge of the full faith and credit or taxing power of the City, the

State of Florida ("State"), or any political subdivision thereof, within the meaning of any constitutional, statutory or charter provisions. Neither the State, nor any political subdivision thereof, nor the City shall be obligated (1) to levy ad valorem taxes on any property to pay the principal of the Obligation, the interest thereon, or other costs incidental thereto or (2) to pay the same from any other funds of the City except from the non-ad valorem revenues of the City in the manner provided herein.

SECTION 4. QUALIFIED OBLIGATION. Pursuant to Section 265(b)(3)(B)(i) of the Internal Revenue Code of 1986 ("Code"), as amended or modified, the City hereby specifically designates the Obligation and specifically the payments thereon as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code, and the City represents it will not designate more than Ten Million and No/100 Dollars (\$10,000,000.00) of obligations issued by the City in this calendar year.

SECTION 5. OTHER MATTERS. The Mayor and the City Clerk of the City or any other appropriate officers of the City are hereby authorized and directed to execute any and all certificates or other instruments or documents required by this Resolution or any other document referred to above as a prerequisite or precondition to the issuances of the Obligation and any such representation made therein shall be deemed to be made on behalf of the City. The forms of the documents shall be customary for this type of borrowing. All action taken to date by the officers of the City in furtherance of the issuance of the Obligation is hereby approved, confirmed and ratified.

SECTION 6. SEVERABILITY. If any one or more of the covenants, agreement of provisions of this resolution should be held contrary to any express provision of law or contrary to the policy of express law, thought not expressly prohibited, or against public policy, or shall for any reasons whatsoever be held invalid such covenants, agreements or provisions and in no way affect the validity of all the other provisions of this Resolution or the Obligation.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

PASSED by the City Council of the City of Parker,
Florida, this 21st day of June, 2005.

CITY OF PARKER, FLORIDA

(SEAL)

By: Brenda G. Hendricks
Brenda G. Hendricks, as Mayor

ATTEST:

Bonnie Bomar
Bonnie Bomar, City Clerk