

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session _____ 1990

Resolution No. _____ CR-20-1990

Proposed by The Chairman (by request - County Executive)

Introduced by Council Members Casula, Bell, Pemberton,
_____ and Wineland

Co-Sponsors _____

Date of Introduction _____ April 10, 1990

RESOLUTION

A RESOLUTION concerning

Guarantee of Bonds of The Maryland-National Capital
Park and Planning Commission

FOR the purpose of providing for the guarantee by Prince George's County, Maryland, of the payment of the principal of and interest on \$23,500,000 Prince George's County Park Acquisition and Development Bonds, Series J-2, of the Maryland-National Capital Park and Planning Commission as provided by Section 6-101(d) of Article 28 of the Annotated Code of Maryland, as amended, \$5,000,000 Prince George's County Advance Land Acquisition Bonds of 1990 of the Commission as provided by Section 7-106(e) and 6-101(d) of Article 28, and not to exceed \$14,000,000 Prince George's County Park Acquisition and Development Advance Refunding Bonds of 1990, as provided by Section 24 of Article 31 and Section 6-101(d) of Article 28 of the Annotated Code of Maryland, as amended.

WHEREAS, Section 6-101 of Article 28 of the Annotated Code of Maryland, as amended provides that certain bonds shall be issued upon the full faith and credit of the Commission and of the County guaranteeing the bonds; and

WHEREAS, Section 24 of Article 31 of the Annotated Code of Maryland provides that refunding bonds may be issued upon the approval of the governing body of the County for the public purpose of realizing savings to the issuer in the aggregate cost of debt service on either a direct comparison or present value basis; or debt restructuring that in the aggregate effects a reduction in the cost of debt service or is determined by the governing body of the County to be in the best interests of the issuer; and

WHEREAS, the Commission has authorized the issuance of not to exceed Twenty-three Million Five Hundred Thousand Dollars (\$23,500,000) of its bond to provide funds for park acquisition and development in Prince George's County, Five Million Dollars (\$5,000,000) of its bonds to provide funds for the Advanced Land Acquisition Revolving Fund to be used to acquire land in Prince George's County and not to exceed Fourteen Million Dollars (\$14,000,000) of its bonds to provide for the advance refunding of the outstanding balance of its Prince George's County Park Acquisition and Development Bonds, Series G-2, originally issued in the aggregate principal amount of Thirteen Million Two Hundred Thousand Dollars (\$13,200,000).

THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the payment of the principal of and

interest on \$23,500,000 aggregate principal amount of bonds of the Maryland-National Capital Park and Planning Commission (the "Commission") authorized by Resolution No. 89-34 of the Commission and to be designated "Prince George's County Park Acquisition and Development Bonds, Series J-2", the proceeds of sale of which are to be used to finance park acquisition and development in Prince George's County, Maryland (the "County"), which are more fully described in such Resolution, a copy of which has been furnished to the County and is attached hereto, is hereby guaranteed by the County as provided by Section 6-101(d) of Article 28 of the Annotated Code of Maryland, as amended ("Article 28").

BE IT FURTHER RESOLVED that the payment of the principal of and interest on \$5,000,000 aggregate principal amount of bonds of the Commission authorized by Resolution No. 89-34 of the Commission and to be designated "Prince George's County Advance Land Acquisition Bonds of 1990", the proceeds of sale of which are to be used to provide funds for the Advance Land Acquisition Revolving Fund established pursuant to Section 7-106(b) of Article 28 to be used to acquire land in the County, which are more fully described in such Resolution, a copy of which has been furnished to the County and is attached hereto is hereby guaranteed by the County as provided by Section 7-106(e) and Section 6-101(d) of Article 28.

BE IT FURTHER RESOLVED that the payment of the principal of and interest on not to exceed \$14,000,000 aggregate principal amount of bonds of the Commission authorized by Resolution No. 89-34 of the Commission and to be designated "Prince George's County Park

Acquisition and Development Advance Refunding Bonds of 1990", the proceeds of sale of which are to be used to provide for the advance refunding of the outstanding balance of the Commission's Prince George's County Park Acquisition and Development Bonds, Series G-2, which are more fully described in such Resolution, a copy of which has been furnished to the County and is attached hereto is hereby guaranteed by the County as provided by Section 24 of Article 31 and Section 6-101(d) of Article 28 of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED that the guarantees referred to herein shall be in the form prescribed by said Section 6-101(d), and shall be endorsed on behalf of the County by the manual, or facsimile, signature of the County Executive endorsed on the Bonds, with the County Seal imprinted thereon in facsimile, signature of the Clerk of the County Council and said officials are hereby authorized to take all action necessary to adopt and record their facsimile signature, and to execute all documents required for the consummation of the sale of the Bonds.

BE IT FURTHER RESOLVED that the full faith and credit of the County is hereby irrevocably pledged to the fulfillment of the guarantees made in this Resolution. In the event that the proceeds from the tax hereafter levied pursuant to Section 6-106 of Article 28 for the use and benefit of the Commission shall not be sufficient for, or shall not be applied to, said purpose with respect to the Prince George's County Park Acquisition and Development Bonds, Series J-2, the deficiency shall be made up by the levy, in each fiscal year of the County in which any of such bonds are outstanding

and unpaid, and ad valorem taxes upon all assessable property subject to County taxation in the portion of the Maryland-Washington Metropolitan District in the County, in rate and amount sufficient to provide the Commission with the funds necessary to pay the principal of and interest on said bonds hereby guaranteed when due.

If the Commission shall, at any time, for any reason, fail to meet or provide for the maturing principal and interest payments on any of the bonds, or if the funds in the hands of said Commission shall, at any time, for any reason, prove insufficient to meet said principal and interest payments, then, and in either such event, the County shall be obligated to make such payments and to levy additional taxes upon all assessable property subject to County taxation within said District or, upon all assessable property subject to County taxation within the territorial limits of the County, sufficient to meet said principal and interest payments on said bonds.

BE IT FURTHER RESOLVED that this Resolution shall take effect on the date on which it is adopted.

Adopted this 5th day of June, 1990.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jo Ann T. Bell
Chairman

ATTEST:

Jean M. Schmuhl, CMC
Clerk of the Council