

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1995 Legislative Session

Resolution No. CR-82-1995

Proposed by Chairwoman MacKinnon (by request - MNCPPC)

Introduced by Council Members Bailey and MacKinnon

Co-Sponsors

Date of Introduction November 21, 1995

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 (the "County"), of the payment of the principal of and interest on, not to exceed \$42,865,000, Prince George's County Park Acquisition and Development Advance Refunding Bonds, Series S-2, and, not to exceed \$3,705,000, Prince George's County Advance Land Acquisition Advance Refunding Bonds of 1995, as provided by Section 6-104 of Article 28 of the Annotated Code of Maryland, as amended.

WHEREAS, Section 6-104 of the Annotated Code of Maryland provides that refunding bonds may be issued, at the option of The Maryland-National Capital Park and Planning Commission (the "Commission"), for the purpose of refunding certain outstanding bonds of the Commission;

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 costs of debt service or is determined by the governing body of the County to be in the best interests of the issuer;

WHEREAS, the Commission has authorized the issuance of not to exceed Forty-Two Million Eight Hundred Sixty-Five Thousand dollars (\$42,865,000) of its bonds to provide for the advance refunding of the outstanding balance of all or a portion of Prince George's County

Park Acquisition and Development Bonds, Series J-2, originally issued in the aggregate principal amount of Twenty-Three Million Five Hundred Thousand dollars (\$23,500,000), Prince George's County, Maryland Park Acquisition and Development Bonds, Series L-2, originally issued in the aggregate principal amount of Twenty-Three Million dollars (\$23,000,000), and Prince George's County, Maryland Park Acquisition and Development Bonds, Series M-2, originally issued in the aggregate principal amount of Fifteen Million Two Hundred Fifty Thousand dollars (\$15,250,000); and

WHEREAS, the Commission has authorized the issuance of not to exceed Three Million Seven Hundred Five Thousand dollars (\$3,705,000) of its bonds to provide for the advance refunding of the outstanding balance of all or a portion of its Prince George's County Advance Land Acquisition Bonds of 1990, originally issued in the aggregate principal amount of Five Million dollars (\$5,000,000).

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's County, Maryland, that the payment of the principal of and interest on, not to exceed \$42,865,000 aggregate principal amount of bonds of the Commission authorized by Resolution No. 95-15 of the Commission and to be designated "Prince George's County Park Acquisition and Development Advance Refunding Bonds, Series S-2" the proceeds of sale of which are to be used to provide for the advance refunding of the outstanding balance of all or a portion of the Commission's Prince George's County Park Acquisition and Development Bonds, Series J-2, Prince George's County Park Acquisition and Development Bonds, Series L-2, and Prince George's County Park Acquisition and Developments Bonds, Series M-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 6-104 and Section 6-101 of Article 28, and approved by the County as required by Section 24 of Article 31, of the Annotated Code of Maryland. BE IT FURTHER RESOLVED that the payment of the principal of and interest on, not to exceed \$3,705,000 aggregate principal amount of bonds of the Commission authorized by Resolution No. 95-15 of the Commission and to be designated "Prince George's County Park Advance Land Acquisition Advance

Refunding Bonds of 1995," the proceeds of sale of which are to be used to provide for the advance refunding of the outstanding balance of all or a portion of the Commission's Prince George's County Advance Land Acquisition Bonds of 1990, 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 6-104 and Section 7-106 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 Advance Refunding Bonds, Series S-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, of 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 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 7-106(e) 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 Advance Land Acquisition Advance Refunding Bonds of 1995, 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, of an annual amount on all property assessed for the purposes of county taxation sufficient to pay the interest on the Bonds as they become due and to pay the principal as the Bonds mature.

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

Adopted this 21st day of November, 1995.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Anne T. MacKinnon
Chairwoman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY: _____

Wayne K. Curry
County Executive