

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2008 Legislative Session

Introduced On: Legislative Day No. 24  
Adopted On: Legislative Day No. 25

Resolution No. 148-2008

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF EQUIPMENT SCHEDULE NO. 09 AND RELATED INSTRUMENTS, PURSUANT TO APPROVED MASTER LEASE AGREEMENT NO. 04112 AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Wicomico County, Maryland ("Lessee") desires to obtain certain equipment (the "Equipment") described in Equipment Schedule No. 09 to the Master Lease Agreement (collectively, the "Lease") with Suntrust Equipment Finance & Leasing Corp. dated September 15, 2005; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, the funds made available under the Lease will be deposited with Suntrust Bank (the "Escrow Agent" pursuant to an Escrow Agreement between Lessee and the Escrow Agent (the "Escrow Agreement") and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

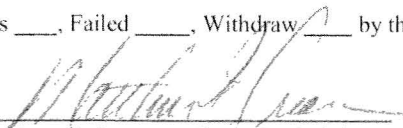
WHEREAS, Lessee proposes to enter into the Lease with Suntrust Equipment Finance & Leasing Corp., and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND AS FOLLOWS:

Section 1. It is hereby found and determined that the terms of the Lease (collectively, the "Financing Documents") in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

CERTIFICATION

This Resolution was Adopted  . Adopted with Amendments  . Failed  . Withdraw  by the County Council on December 16, 2008.

Certified by   
Matthew E. Creamer, Council Administrator

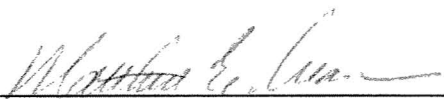
Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The County Executive and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The County Executive and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents. The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Lease and Escrow Agreement executed on behalf of Lessee are the same as presented at such meeting of the County Council, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.


Done at Salisbury, Maryland, this 16<sup>th</sup> day of December 2008.

ATTEST:

COUNTY COUNCIL OF  
WICOMICO COUNTY, MARYLAND



Matthew E. Creamer  
Council Administrator



John T. Cannon  
Council President

CERTIFICATION

This Resolution was Adopted , Adopted with Amendments , Failed , Withdraw  by the County Council on December 16, 2008.

Certified by   
Matthew E. Creamer, Council Administrator