

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2015-148
OF THE
BALDWIN COUNTY COMMISSION**

**RESOLUTION OF THE BALDWIN COUNTY COMMISSION FOR APPROVAL OF
THE ISSUANCE OF A BOND BY THE EDUCATIONAL BUILDING AUTHORITY OF
THE CITY OF FAIRHOPE, ALABAMA - ST. MICHAEL CATHOLIC HIGH SCHOOL**

WHEREAS, The Educational Building Authority of the City of Fairhope, Alabama - St. Michael Catholic High School (the "Authority") was incorporated by the filing in the Office of the Judge of Probate of Baldwin County, Alabama of a Certificate of Incorporation on August 13, 2015; and

WHEREAS, on information and belief, representatives of the Authority conducted a public hearing on July 28, 2015 (the "Hearing") pursuant to public notice of the same attached hereto as Exhibit A (the "Notice"), with respect to the issuance of a certain revenue bond entitled "Special Project Revenue Bond (St. Michael Catholic High School Project) (the "Bond")"; and

WHEREAS, the Bond will be issued for the purposes described in the Notice; and

WHEREAS, the Notice was published on July 10, 2015 in *The Courier*; and

WHEREAS, the provisions of the Internal Revenue Code of 1986, as amended, relating to the issuance of obligations such as the Bond require that the chief elected officer or the elected legislative body of the governmental unit approve the issuance of the bond after a public hearing following reasonable public notice; and

WHEREAS, the Baldwin County Commission is the elected legislative body of Baldwin County, Alabama; and

WHEREAS, we have carefully considered the nature of the transaction with respect to the issuance of the Bond as contemplated in the Hearing;

NOW THEREFORE, be it resolved by the Baldwin County Commission that:

1. The Commission does hereby consent to and approve the issuance by the Authority of the Bond in the principal amount not to exceed \$12,500,000 for the purposes of acquiring and constructing the Project referenced in the Notice, and to the location and nature of the Project, in accordance with the information in the Notice.

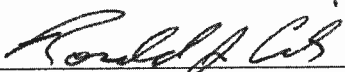
2. The approval is being given pursuant to, and solely for the purpose of, the provisions of the Internal Revenue Code of 1986 relating to the issuance of obligations such as these, and our consent and approval of the issuance of the Bond by the Authority should not be construed as expressing any view whatsoever as to the financial feasibility of the Authority, St. Michael Catholic High School, or the Most Rev. Thomas J. Rodi, Archbishop of Mobile, a corporation sole, or of the ability of any of such persons to make the payments due with respect to the Bond, and this resolution shall never be taken to impose any liability of any kind whatsoever upon the Baldwin County Commission or Baldwin County, Alabama. Furthermore, Baldwin County does not make any representations, warranties or pledges related to the Bond or any tax revenues, grants or funding related to the payment of the Bond.

Done, under the Seal of the County Commission of Baldwin County, Alabama, at the County Seat in Bay Minette, Alabama, on this 1st day of September, 2015.



CHARLES F. GRUBER, CHAIRMAN
Baldwin County Commission

ATTEST:



RONALD J. CINK
Interim County Administrator



EXHIBIT A
TO RESOLUTION 2015-148



GulfCoastNewsToday.com

Sworn to and subscribed before me.

this 28th day of July 2015

Amber Kimbler
Notary Public



AMBER KIMBLER
My Commission Expires
APRIL 10, 2018

Mail Payment to: The Fairhope Courier
P.O. Box 549
Fairhope, AL 36533

Affidavit: This is to certify the attached advertisement appeared in the following newspaper(s):

Wednesday Publications:

- ☐ The Courier
- ☐ The Islander
- ☐ The Foley Onlooker
- ☐ The Times-Independent

Friday Publications:

- ☒ The Courier
- ☐ The Islander
- ☐ The Foley Onlooker

Publication Date(s):

July 10

Cost: Words/lines x Rate:

Total: 73.80

Amber Wallace
Appl. M. Wallace
Ad Representative

By: Wayard

Type of ad: PH. Educational

Ad # 235874

For Office Use Only:

Account # 983590

Receipt #

Check #

Credit Card

Paid

Cash

☒ Unpaid

LEGAL NOTICE OF
PUBLIC HEARING

Notice is hereby given that representatives of an educational building authority (the "Issuer") to be established by the City of Fairhope under Chapter 17 of Title 16 of the Code of Alabama 1975 (the "Enabling Law") for the issuance of the within referenced Bond will conduct a public hearing pursuant to Section 147(1) of the Internal Revenue Code of 1986, as amended, in the Fairhope City Hall at 161 North Section Street in the City of Fairhope, Alabama at 9:00 a.m. on Tuesday, July 28, 2015 concerning the proposed issuance of a special project revenue bond (the "Bond") in the maximum aggregate face amount of \$12,500,000. If approved, the Bond will be issued pursuant to the Enabling Law.

The Issuer shall use the proceeds of the Bond to acquire, construct and install capital improvements consisting of educational buildings, facilities, equipment and personal property incidental to educational instruction (including, without limitation, classrooms, laboratories, library rooms, technology center, dining hall, media center, recreational facilities, multi-purpose building and related parking facilities) on certain real estate located at 11732 Highway Road, within the corporate limits of the City of Fairhope, Alabama (the "Project").

The Project will be owned by the Issuer and leased to and used by St. Michael Catholic High School, an Alabama nonprofit corporation (the "User"), for payments at times and in amounts sufficient to pay the principal of and interest on the Bond when due. The User will operate the Project as St. Michael Catholic High School.

The Bond cannot and will not create an obligation (whether direct, indirect, or contingent), or result in the exemption or abatement (in whole or in part) of any tax, of the City of Fairhope or Baldwin County or the State of Alabama.

The public hearing will provide an opportunity for all interested persons to express their views, both orally and in writing, on the proposed issue of the Bond and with respect to the Project.

Additional information concerning the above may be obtained from Mr. Heyward C. Bosch, Maynard, Cooper & Gale, P.C., 1901 Sixth Avenue North, 2408 Regions/Herbert Plaza, Birmingham, Alabama 35203.

The Courier
July 10, 2015