

FORSYTHCOUNTY

BOARD OF COMMISSIONERS

1A-1G

MEETING DATE: February 18, 2021

AGENDA ITEM NUMBER: _____

SUBJECT:

- A. PUBLIC HEARINGS UPON BOND ORDERS ENTITLED “BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$23,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA”; “BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,500,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA”; “BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,300,000 GENERAL OBLIGATION COMMUNITY COLLEGE BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA”; “BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,000,000 GENERAL OBLIGATION PUBLIC FACILITIES BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA”; AND “BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA”**
- B. BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$23,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA**
- C. BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,500,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA**
- D. BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,300,000 GENERAL OBLIGATION COMMUNITY COLLEGE BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA**
- E. BOND ORDER AUTHORIZING THE ISSUANCE OF \$2,000,000 GENERAL OBLIGATION PUBLIC FACILITIES BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA**
- F. BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,000,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA**
- G. RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF FORSYTH, NORTH CAROLINA, PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$14,800,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2021A, NOT TO EXCEED \$128,116,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2021B, AND NOT TO EXCEED \$23,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021C OF THE COUNTY OF FORSYTH, NORTH CAROLINA**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: yes no

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$23,000,000 GENERAL OBLIGATION REFUNDING
BONDS OF THE COUNTY OF FORSYTH, NORTH CAROLINA**

WHEREAS the County of Forsyth, North Carolina (the County) has previously issued its(1) Variable Rate General Obligation School Bonds, Series 2004A, (2) Variable Rate General Obligation School Bonds, Series 2004B, and (3) Variable Rate General Obligation School Bonds, Series 2007B (collectively, the Prior Bonds);

WHEREAS the Board of Commissioners of the County (the Board of Commissioners) deems it advisable to refund certain maturities of the Prior Bonds (the Refunded Bonds); and

WHEREAS an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission;

NOW, THEREFORE, BE IT ORDERED, by the Board of Commissioners as follows:

Section 1. The Board of Commissioners deems it advisable to refund the Refunded Bonds.

Section 2. To raise the money required to pay the costs of refunding the Refunded Bonds as set forth above, bonds of the County are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such bonds authorized by this bond order shall be and not exceed \$23,000,000.

Section 3. Taxes will be levied in an amount sufficient to pay the principal and interest of the bonds authorized by this bond order.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

Section 5. This bond order shall take effect on its adoption.

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$8,500,000 GENERAL OBLIGATION SCHOOL BONDS
OF THE COUNTY OF FORSYTH, NORTH CAROLINA**

WHEREAS the Board of Commissioners of the County of Forsyth, North Carolina (the County) deems it advisable to make the improvements hereinafter described; and

WHEREAS an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission;

NOW, THEREFORE, BE IT ORDERED, by the Board of Commissioners of the County, as follows:

- Section 1.** The Board of Commissioners of the County has ascertained and hereby determines that it is necessary to provide for the constructing, renovating, improving, acquiring and equipping certain school facilities located in the County, including the acquisition of land or rights-of way in land required there for.
- Section 2.** To raise the money required for the purposes described above, in addition to funds which may be available for such purpose from any other source, bonds of the County are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such bonds authorized by this bond order shall be and not exceed \$8,500,000.
- Section 3.** Taxes will be levied in an amount sufficient to pay the principal and interest of the bonds authorized by this bond order.
- Section 4.** A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.
- Section 5.** No debt shall be contracted during any fiscal year by the issuance of bonds pursuant to this bond order if the amount of such debt and if all other debt contracted during such fiscal year shall exceed two-thirds (2/3rds) of the amount by which the outstanding indebtedness of the County shall have been reduced during the next preceding fiscal year, unless the incurring of such debt shall be submitted to a vote of the people of the County and shall be approved by a majority of those who vote thereon.
- Section 6.** This bond order will take effect thirty (30) days after its publication following adoption, unless it is petitioned to a vote of the people within thirty (30) days after its publication as introduced, as provided in N.C.G.S. Section 159-60, and in that event the order will take effect when approved by the voters of the County.

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$2,300,000 GENERAL OBLIGATION COMMUNITY
COLLEGE BONDS OF THE COUNTY OF FORSYTH,
NORTH CAROLINA**

WHEREAS the Board of Commissioners of the County of Forsyth, North Carolina (the County) deems it advisable to make the improvements hereinafter described; and

WHEREAS an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission;

NOW, THEREFORE, BE IT ORDERED, by the Board of Commissioners of the County, as follows:

- Section 1.** The Board of Commissioners of the County has ascertained and hereby determines that it is necessary to provide for the constructing, renovating, improving, acquiring and equipping certain community college facilities located in the County, including the acquisition of land or rights-of way in land required there for.
- Section 2.** To raise the money required for the purposes described above, in addition to funds which may be available for such purpose from any other source, bonds of the County are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such bonds authorized by this bond order shall be and not exceed \$2,300,000.
- Section 3.** Taxes will be levied in an amount sufficient to pay the principal and interest of the bonds authorized by this bond order.
- Section 4.** A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.
- Section 5.** No debt shall be contracted during any fiscal year by the issuance of bonds pursuant to this bond order if the amount of such debt and if all other debt contracted during such fiscal year shall exceed two-thirds (2/3rds) of the amount by which the outstanding indebtedness of the County shall have been reduced during the next preceding fiscal year, unless the incurring of such debt shall be submitted to a vote of the people of the County and shall be approved by a majority of those who vote thereon.
- Section 6.** This bond order will take effect thirty (30) days after its publication following adoption, unless it is petitioned to a vote of the people within thirty (30) days after its publication as introduced, as provided in N.C.G.S. Section 159-60, and in that event the order will take effect when approved by the voters of the County.

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$2,000,000 GENERAL OBLIGATION PUBLIC
FACILITIES BONDS OF THE COUNTY OF FORSYTH,
NORTH CAROLINA**

WHEREAS the Board of Commissioners of the County of Forsyth, North Carolina (the County) deems it advisable to make the improvements hereinafter described; and

WHEREAS an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission;

NOW, THEREFORE, BE IT ORDERED, by the Board of Commissioners of the County, as follows:

- Section 1.** The Board of Commissioners of the County has ascertained and hereby determines that it is necessary to provide for the constructing, renovating, improving, acquiring and equipping certain public facilities located in the County, including the acquisition of land or rights-of way in land required there for.
- Section 2.** To raise the money required for the purposes described above, in addition to funds which may be available for such purpose from any other source, bonds of the County are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such bonds authorized by this bond order shall be and not exceed \$2,300,000.
- Section 3.** Taxes will be levied in an amount sufficient to pay the principal and interest of the bonds authorized by this bond order.
- Section 4.** A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.
- Section 5.** No debt shall be contracted during any fiscal year by the issuance of bonds pursuant to this bond order if the amount of such debt and if all other debt contracted during such fiscal year shall exceed two-thirds (2/3rds) of the amount by which the outstanding indebtedness of the County shall have been reduced during the next preceding fiscal year, unless the incurring of such debt shall be submitted to a vote of the people of the County and shall be approved by a majority of those who vote thereon.
- Section 6.** This bond order will take effect thirty (30) days after its publication following adoption, unless it is petitioned to a vote of the people within thirty (30) days after its publication as introduced, as provided in N.C.G.S. Section 159-60, and in that event the order will take effect when approved by the voters of the County.

**BOND ORDER AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$2,000,000 GENERAL OBLIGATION PARKS AND
RECREATION BONDS OF THE COUNTY OF FORSYTH,
NORTH CAROLINA**

WHEREAS the Board of Commissioners of the County of Forsyth, North Carolina (the County) deems it advisable to make the improvements hereinafter described; and

WHEREAS an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the bonds hereinafter described as required by the Local Government Bond Act, and the Secretary of the Local Government Commission has notified the Board of Commissioners that the application has been accepted for submission to the Local Government Commission;

NOW, THEREFORE, BE IT ORDERED, by the Board of Commissioners of the County, as follows:

Section 1. The Board of Commissioners of the County has ascertained and hereby determines that it is necessary to provide for the constructing, renovating, improving, acquiring and equipping certain parks and recreation facilities located in the County, including the acquisition of land or rights-of way in land required there for.

Section 2. To raise the money required for the purposes described above, in addition to funds which may be available for such purpose from any other source, bonds of the County are hereby authorized and shall be issued pursuant to the Local Government Bond Act of North Carolina. The maximum aggregate principal amount of such bonds authorized by this bond order shall be and not exceed \$2,000,000.

Section 3. Taxes will be levied in an amount sufficient to pay the principal and interest of the bonds authorized by this bond order.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

Section 5. No debt shall be contracted during any fiscal year by the issuance of bonds pursuant to this bond order if the amount of such debt and if all other debt contracted during such fiscal year shall exceed two-thirds (2/3rds) of the amount by which the outstanding indebtedness of the County shall have been reduced during the next preceding fiscal year, unless the incurring of such debt shall be submitted to a vote of the people of the County and shall be approved by a majority of those who vote thereon.

Section 6. This bond order will take effect thirty (30) days after its publication following adoption, unless it is petitioned to a vote of the people within thirty (30) days after its publication as introduced, as provided in N.C.G.S. Section 159-60, and in that event the order will take effect when approved by the voters of the County.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF FORSYTH, NORTH CAROLINA, PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$14,800,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2021A, NOT TO EXCEED \$128,116,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2021B, AND NOT TO EXCEED \$23,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021C OF THE COUNTY OF FORSYTH, NORTH CAROLINA

WHEREAS, the Bond Orders (as defined below) have been adopted, and it is desirable to make provision for the issuance of the above-referenced bonds (the “*Bonds*”) authorized by the Bond Orders;

WHEREAS, the County of Forsyth, North Carolina (the “*County*”) desires to issue the Bonds and to request that the Local Government Commission of North Carolina (the “*Commission*”) sell the Bonds through a competitive sale;

WHEREAS, copies of the form of the Preliminary Official Statement related to the Bonds to be dated on or about March 26, 2021 (together with the related Final Official Statement to be dated on or about April 6, 2021, the “*Official Statements*”) have been filed with the County and have been made available to the Board of Commissioners of the County (the “*Board of Commissioners*”);

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County, as follows:

Section 1. For purposes of this Resolution, the following words will have the meanings ascribed to them below:

“*Authorized Officers*” means, individually and collectively, the Chair of the Board of Commissioners, the County Manager, the Chief Financial Officer and the Clerk to the Board of Commissioners.

“*Bond Orders*” means, collectively, (1) as to the 2021A Bonds, (a) the Bond Order authorizing School Bonds, (b) the Bond Order authorizing Community College Bonds, (c) the Bond Order authorizing Public Facilities Bonds, and (d) the Bond Order authorizing Parks and Recreation Bonds, each adopted by the Board of Commissioners on February 25, 2021 and effective 30 days after their publication and during which no petition to a vote of the people was filed with the Clerk to the Board of Commissioners under Section 159-60 of the General Statutes of North Carolina; (2) as to the 2021B Bonds, (a) the Bond Order authorizing School Bonds, (b) the Bond Order authorizing Community College Bonds, and (c) the Bond Order authorizing Parks and Recreational Facilities Bonds, each adopted by the Board of Commissioners on August 8, 2016 and approved by the voters on November 8, 2016 at a referendum duly called and held; and (3) as to the 2021C Bonds, the Bond Order authorizing Refunding Bonds adopted on February 25, 2021 and effective as of the date of adoption.

“*Bonds*” means, collectively, the 2021A Bond, the 2021B Bonds, and the 2021C Bonds.

“*Code*” means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein will be deemed to include the United States Treasury Regulations proposed or in effect with respect thereto.

“*Federal Securities*” means, to the extent permitted by the General Statutes of North Carolina, as amended, (a) direct obligations of the United States of America for the timely payment of which the full faith and credit of the United States of America is pledged; (b) obligations, the timely payment of the principal of and interest on which is fully guaranteed as full faith and credit obligations of the United States of America (including any securities described in (a) or (b) issued or held in the name of the County in book-entry form on the books of the Department of Treasury of the United States of America), which obligations, in either case, are held in the name of a trustee and are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder; (c) any bonds or other obligations of the State of North Carolina or of any agency, instrumentality or local governmental unit of the State of North Carolina which are (i) not callable prior to maturity or (ii) as to which irrevocable instructions have been given to the trustee or escrow agent with respect to such bonds or other obligations by the obligor to give due notice of redemption and to call such bonds for redemption on the date or dates specified, and which are rated by Moody’s, if the Bonds are rated by Moody’s, S&P, if the Bonds are rated by S&P and Fitch Ratings, if the Bonds are rated by Fitch Ratings, within the highest rating category and which are secured as to principal, redemption premium, if any, and interest by a fund consisting only of cash or bonds or other obligations of the character described in clause (a) or (b) hereof which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; (d) direct evidences of ownership of proportionate interests in future interest and principal payments on specified obligations described in (a) held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the underlying obligations described in (a), and which underlying obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated; or (e) any other obligations permitted under State law for the defeasance of local government bonds.

“*Fitch Ratings*” means Fitch Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns, and, if such corporation for any reason no longer performs the functions of a securities rating agency, “Fitch Ratings” will refer to any other nationally recognized securities rating agency other than Moody’s and S&P designated by the County.

“*Moody’s*” means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating

agency, “*Moody’s*” will be deemed to refer to any other nationally recognized rating agency other than S&P and Fitch Ratings designated by the County.

“*Pricing Certificate*” means the certificate of the Chief Financial Officer of the County delivered in connection with the issuance of the Bonds which (1) establishes, with respect to the Bonds, the final maturity amounts, deposits of the Bond proceeds and the provisions for redemption, and (2) identifies the Refunded Bonds, if different from those provided for herein.

“*S&P*” means S&P Global Ratings, Inc., a Standard & Poor’s Financial Services LLC business, its successors and their assigns and, if such corporation for any reason no longer performs the functions of a securities rating agency, “*S&P*” will be deemed to refer to any other nationally recognized rating agency other than Moody’s and Fitch Ratings designated by the County.

“*Refunded Bonds*” means, collectively, the Refunded 2004A Bonds, the Refunded 2004B Bonds, and the Refunded 2007B Bonds.

“*Refunded 2004A Bonds*” means the 2004A Bonds maturing on March 1, 2025.

“*Refunded 2004B Bonds*” means the 2004B Bonds maturing on March 1, 2025.

“*Refunded 2007B Bonds*” means the 2007B Bonds maturing on and after October 1, 2021.

“*Tax Certificate*” means the Tax Certificate executed by the County related to the Bonds.

“*2004A Bonds*” means the County’s Variable Rate General Obligation School Bonds, Series 2004A, originally issued in the aggregate principal amount of \$15,000,000.

“*2004B Bonds*” means the County’s Variable Rate General Obligation School Bonds, Series 2004B, originally issued in the aggregate principal amount of \$15,000,000.

“*2007B Bonds*” means the County’s Variable Rate General Obligation School Bonds, Series 2007B, originally issued in the aggregate principal amount of \$30,000,000.

“*2021A Bonds*” means the County’s General Obligation Public Improvement Bonds, Series 2021A, consisting of the bonds authorized under the Bond Orders described in clause (1) of the definition of Bond Orders.

“*2021B Bonds*” means the County’s General Obligation Public Improvement Bonds, Series 2021B, consisting of the bonds authorized under the Bond Orders described in clause (2) of the definition of Bond Orders.

“*2021C Bonds*” means the County’s General Obligation Refunding Bonds, Series 2021C, consisting of the bonds authorized under the Bond Order described in clause (3) of the definition of Bond Orders.

Section 2. The County shall issue not to exceed \$14,800,000 in total aggregate principal amount of its 2021A Bonds, not to exceed \$128,116,000 in total aggregate principal amount of its 2021B Bonds and not to exceed \$23,000,000 in total aggregate principal amount of its 2021C Bonds.

Section 3. The Bonds shall be dated as of their date of issuance and pay interest semiannually on March 1 and September 1, beginning September 1, 2021. The 2021A Bonds are being issued to provide funds to pay the capital costs of constructing, renovating, improving, acquiring and equipping certain (1) school facilities, (2) community college facilities, (3) public facilities and (4) parks and recreation facilities, all located in the County, including the acquisition of land or rights-of-way in land required there for (collectively, the “2021A Projects”).

The 2021B Bonds are being issued to provide funds to (1) pay the capital costs of constructing, renovating, improving, acquiring and equipping certain (a) school facilities, (b) community college facilities and (c) parks and recreation facilities located in the County, including the acquisition of land or rights-of-way in land required there for (collectively, the “2021B Projects”).

The 2021C Bonds are being issued to provide funds to pay the costs of refunding the Refunded Bonds.

Section 4. The Board of Commissioners has ascertained and hereby determines that the average period of usefulness of the capital projects being financed or refinanced by the proceeds of the Bonds is not less than 25 years computed from the date of issuance of the Bonds.

Section 5. The maturities of the Bonds will be as set forth in the Pricing Certificate.

Section 6. The 2021A Bonds are to be numbered from “RA-1” consecutively and upward. The 2021B Bonds are to be numbered from “RB-1” consecutively and upward. The 2021C Bonds are to be numbered from “RC-1” consecutively and upward. All Bonds shall bear interest from their date at a rate or rates which will be hereafter determined on the sale thereof computed on the basis of a 360-day year of twelve 30-day months.

Section 7. The Bonds are to be registered as to principal and interest, and the Chief Financial Officer of the County is directed to maintain the registration records with respect thereto. The Bonds shall bear the original or facsimile signatures of the Chair of the Board of Commissioners or County Manager of the County and the Clerk to the Board of Commissioners. An original or facsimile of the seal of the County is to be imprinted on each of the Bonds.

Section 8. The Bonds will initially be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity of each series will be issued to The Depository Trust Company, Jersey City, New Jersey (“DTC”), and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds in immediately available funds. The principal of and

interest on the Bonds will be payable to owners of Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Chief Financial Officer for the County determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the County will discontinue the book-entry system with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County will authenticate and deliver replacement bonds in accordance with DTC's rules and procedures.

Section 9. If the Pricing Certificate designates a date for the Bonds on and after which the Bonds are subject to redemption, then such Bonds are subject to redemption before maturity, at the option of the County, from any money that may be made available for such purpose, either in whole or in part on any date on or after the date set forth in the Pricing Certificate, at the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, with such redemption premium, if any, designated for the Bonds in the Pricing Certificate.

If the Bonds are subject to optional redemption and if less than all the Bonds are called for redemption, the County shall select the maturity or maturities of the Bonds to be redeemed in such manner as the County in its discretion may determine, and DTC and its participants shall determine which Bonds within a maturity are to be redeemed in accordance with its rules and procedures; *provided, however*, that the portion of any Bond to be redeemed must be in principal amount of \$5,000 or integral multiples thereof and that, in selecting Bonds for redemption, each Bond is to be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. When the County elects to redeem any Bonds, notice of such redemption of such Bonds, stating the redemption date, redemption price, any conditions to the redemption and identifying the Bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there are due and payable on each Bond or portion thereof so to be redeemed, the principal thereof and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, is to be given not less than 30 days nor more than 60 days before the redemption date in writing to DTC or its nominee as the registered owner of such Bonds, by prepaid certified or registered United States mail (or by such other means as may be permitted by DTC's rules and procedures), at the address provided to the County by DTC, but any failure or defect in respect of such mailing will not affect the validity of the redemption. If DTC, or its nominee, is not the registered owner of such Bonds, the County will give notice at the time set forth above by prepaid first class United States mail, to the then-registered owners of such Bonds or portions thereof to be redeemed at the last address shown on the registration books kept by the County. The County will also mail or transmit by facsimile or electronic submission a copy of the notice of redemption within the time set forth above (1) to the Local Government Commission of North Carolina (the "*Local Government Commission*") and (2) to the Municipal Securities Rulemaking Board (the "*MSRB*") through the Electronic Municipal Market Access ("*EMMA*") system or other

electronic format as prescribed by the MSRB, but any failure or defect in respect thereto will not affect the validity of the redemption.

If at the time of mailing of the notice of redemption there is not on deposit money sufficient to redeem the Bonds called for redemption, such notice may state that it is conditional on the deposit of money for the redemption on the date of redemption as set forth in the notice. Any notice, once given, may be withdrawn by notice delivered in the same manner as the notice of redemption was given.

The Bonds may be sold as term bonds and, if so, will be subject to mandatory sinking fund redemption as set forth in the Pricing Certificate.

Section 10. The Bonds and the provisions for the registration of the Bonds and for the approval of the Bonds by the Secretary of the Commission are to be in substantially the forms set forth in the Appendices hereto.

Section 11. The County covenants that it will not take or permit, or omit to take or cause to be taken, any action that would adversely affect the exclusion from gross income of the recipient thereof for federal income tax purposes of the interest on the Bonds, and, if it should take or permit, or omit to take or cause to be taken, any such action, the County will take or cause to be taken all lawful actions within its power necessary to rescind or correct such actions or omissions promptly upon having knowledge thereof. The County acknowledges that the continued exclusion of interest on the Bonds from the owner's gross income for federal income tax purposes depends, in part, on compliance with the arbitrage limitations imposed by Section 148 of the Code. The County covenants that it will comply with all the requirements of Section 148 of the Code, including the rebate requirements, and that it will not permit at any time any of the proceeds of the Bonds or other funds under its control be used, directly or indirectly, to acquire any asset or obligation, the acquisition of which would cause the Bonds to be "arbitrage bonds" for purposes of Section 148 of the Code. The Chief Financial Officer is hereby authorized to execute a Tax Certificate.

Section 12. The Chief Financial Officer is hereby directed to create and establish a special fund to be designated "*County of Forsyth, North Carolina General Obligation Public Improvement Bonds, Series 2021 Project Fund*" (the "*Project Fund*") and within the Project Fund, one account for the proceeds of the 2021A Bonds (the "*2021A Bonds Account*"), one account for the proceeds of the 2021B Bonds (the "*2021B Bonds Account*").

The Chief Financial Officer shall (1) deposit the proceeds from the sale of the 2021A Bonds in the 2021A Bonds Account to pay costs related to the 2021A Projects, (2) deposit the proceeds from the sale of the 2021B Bonds in the 2021B Bonds Account to pay costs related to the 2021B Projects, and (3) transfer the proceeds from the sale of the 2021C Bonds to redeem the Refunded Bonds.

The Chief Financial Officer shall invest and reinvest money held in the Project Fund as permitted by the laws of the State of North Carolina and the income, to the extent permitted by the Code, shall be retained in the respective account of the Project Fund and applied with the proceeds of the Bonds to pay the costs of the 2021A Projects and the 2021B Projects, as applicable, as directed by the Chief Financial Officer. The Chief Financial Officer shall keep

and maintain adequate records pertaining to the Project Fund and all disbursements there from so as to satisfy the requirements of the laws of the State of North Carolina and to assure that the County maintains its covenants with respect to the exclusion of the interest on the Bonds from gross income for purposes of federal income taxation.

Section 13. Actions taken by officials of the County to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

Section 14. The Commission is hereby requested to sell the 2021A Bonds, the 2021B Bonds, and the 2021C Bonds through a competitive sale to the bidder whose bid on that series of Bonds results in the lowest interest cost to the County, determined on the basis of the net interest cost method.

Section 15. The Authorized Officers are hereby authorized and directed to cause the Bonds to be prepared and, when they have been duly sold by the Commission, to execute the Bonds and to turn the Bonds over to the purchaser or purchasers to whom they may be sold by the Commission.

Section 16. The form and content of the Official Statements are in all respects authorized, approved and confirmed, and the Authorized Officers are authorized, empowered and directed to deliver the Final Official Statement, as applicable, in substantially the form and content presented to the Board of Commissioners, but with such changes, modifications, additions or deletions therein as shall to the Chair to the Board of Commissioners, County Manager or the Chief Financial Officer of the County deem necessary, desirable or appropriate, their delivery thereof to constitute conclusive evidence of the approval of the Board of Commissioners of any and all changes, modifications, additions or deletions therein from the form and content of the Preliminary Official Statement presented to the Board of Commissioners.

Section 17. The Authorized Officers are authorized and directed to execute and deliver for and on behalf of the County any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated hereinabove or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 18. The County agrees, in accordance with Rule 15c2-12 (the “Rule”) promulgated by the Securities and Exchange Commission (the “SEC”) and for the benefit of the Registered Owners and beneficial owners of the Bonds, as follows:

- (a) by not later than seven months after the end of each Fiscal Year, beginning with the Fiscal Year ending June 30, 2021, to the MSRB in an electronic format as prescribed by the MSRB, the audited financial statements of the County for such Fiscal Year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the County for such Fiscal Year to be replaced subsequently by audited financial

statements of the County to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months after the end of each Fiscal Year, beginning with the Fiscal Year ending June 30, 2021, to the MSRB, (1) the financial and statistical data as of a date not earlier than the end of such Fiscal Year for the type of information included under the captions “**THE COUNTY--Debt Information**” and “**--Tax Information**” (excluding information on underlying units) in the Official Statements and (2) the combined budget of the County for the current Fiscal Year, to the extent such items are not included in the audited financial statements referred to in clause (a) above;

(c) in a timely manner not in excess of 10 business days after the occurrence of the event, to the MSRB, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on the debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
- (7) modification of the rights of the beneficial owners of the Bonds, if material;
- (8) call of any of the Bonds, if material, and tender offers;
- (9) defeasance of any of the Bonds;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the County;

(13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) incurrence of a financial obligation of the County, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the County, any of which affect securities holders, if material; and

(16) a default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the County, any of which reflect financial difficulties; and

(d) in a timely manner to the MSRB, notice of the failure by the County to provide the required annual financial information described in (a) and (b) above on or before the date specified.

For purposes of this undertaking, “*financial obligation*” means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b) above. The term “*financial obligation*” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

The County agrees that its undertaking under this Section is intended to be for the benefit of the registered owners and the beneficial owners of the Bonds and is enforceable by any of the registered owners and the beneficial owners of the Bonds, including an action for specific performance of the County’s obligations under this Section, but a failure to comply will not be an event of default and will not result in acceleration of the payment of the Bonds. An action must be instituted, had and maintained in the manner provided in this Section for the benefit of all of the registered owners and beneficial owners of the Bonds.

All documents provided to the MSRB as described in this Section shall be provided in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The County may discharge its undertaking described above by providing such information in a manner the SEC subsequently authorizes in lieu of the manner described above.

The County may modify from time to time, consistent with the Rule, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the County, but:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the County;

(b) the information to be provided, as modified, would have complied with the requirements of the Rule as of the date of the Official Statements, after taking into account any amendments or interpretations of the Rule as well as any changes in circumstances;

(c) any such modification does not materially impair the interest of the registered owners or the beneficial owners, as determined by nationally recognized bond counsel or by the approving vote of the registered owners of a majority in principal amount of the Bonds.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section terminate on payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on the Bonds.

Section 19. Those portions of this Resolution other than Section 18 may be amended or supplemented, from time to time, without the consent of the owners of the Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owners of the Bonds and would not cause the interest on the Bonds to be included in the gross income of a recipient thereof for federal income tax purposes. This Resolution may be amended or supplemented with the consent of the owners of a majority in aggregate principal amount of the outstanding Bonds, exclusive of Bonds, if any, owned by the County, but a modification or amendment (1) may not, without the express consent of any owner of Bonds, reduce the principal amount of any Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification and (2) as to an amendment to Section 18, must be limited as described therein.

Any act done pursuant to a modification or amendment consented to by the owners of the Bonds is binding on all owners of the Bonds and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of a Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the County from taking any action pursuant to a modification or amendment.

If the County proposes an amendment or supplemental resolution to this Resolution requiring the consent of the owners of the Bonds, the County shall cause notice of the proposed amendment to be sent to each owner of the Bonds then outstanding by first-class mail, postage prepaid, to the address of such owner as it appears on the registration books; but the failure to receive such notice by mailing by any owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file at the principal office of the County for inspection by all owners of the Bonds. If, within 60 days or such longer period as shall be prescribed by the County following the giving of such notice, the owners of a majority in

aggregate principal amount of Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

Section 20. Nothing in this Resolution shall preclude (a) the payment of the Bonds from the proceeds of refunding bonds or (b) the payment of the Bonds from any legally available funds.

If the County causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owners of the Bonds the principal of the Bonds (including interest to become due thereon) and, premium, if any, on the Bonds, through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, money sufficient there for, including, but not limited to, interest earned or to be earned on Federal Securities, such Bonds shall be considered to have been discharged and satisfied, and the principal of the Bonds (including premium, if any, and interest thereon) shall no longer be deemed to be outstanding and unpaid; provided, however, that nothing in this Resolution requires the deposit of more than such Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the County receives an opinion of a nationally recognized verification agent that the segregated money or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance, the County shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. The County shall make provisions to mail a notice to the owners of the Bonds that such money is available for such payment.

Section 21. This Resolution is effective on the date of its adoption.

Adopted this 25th day of February, 2021

APPENDIX A

FORM OF 2021A BOND

No. RA-

\$

**UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF FORSYTH**

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
%	March 1, ____	April 28, 2021	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2021A

THE COUNTY OF FORSYTH, NORTH CAROLINA (the “County”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this 2021A Bond until it shall mature at the Interest Rate per annum specified above, payable on September 1, 2021 and semiannually thereafter on March 1 and September 1 of each year. Principal of and interest on this 2021A Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the 2021A Bonds and is payable to the owner of the 2021A Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The County is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This 2021A Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act, and bond orders adopted by the Board of Commissioners on February 25, 2021 and effective 30 days after their publication and during which no petition to a vote of the people was filed with the Clerk to the Board of Commissioners under Section 159-60 of the General Statutes of North Carolina. The 2021A Bonds are issued to provide funds to pay the capital costs of constructing, renovating, improving, acquiring and equipping certain (1) school facilities, (2) community college facilities, (3) public facilities, and (4) parks and recreation facilities located in the County, including the acquisition of land or rights-of-way in land required therefor.

[to insert redemption language, if any]

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this 2021A Bond, exist, have been performed and have happened, and that the amount of this 2021A Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed

by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this 2021A Bond in accordance with its terms.

This 2021A Bond is not valid or obligatory for any purpose until the certification hereon has been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the County has caused this 2021A Bond to bear the original or facsimile of the signatures of the Chair to the Board of Commissioners of the County and the Clerk to the Board of Commissioners of the County and an original or facsimile of the seal of the County to be imprinted hereon and this 2021A Bond to be dated as of April 28, 2021.

(SEAL)

Clerk to the Board of Commissioners

Chair to the Board of Commissioners

Date of Execution: April 28, 2021

The issue hereof has been approved under the provisions of The Local Government Bond Act.

Secretary of the Local Government Commission

FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite Name and Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

the within 2021A Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney to register the transfer of the within 2021A Bond on the books kept for registration thereof,
with full power of substitution in the premises.

Dated: __

Signature guaranteed by:

NOTICE: Signature must be guaranteed by a participant of the Securities Transfer Agent Medallion Program (“*STAMP*”) or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within 2021A Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED

APPENDIX B

FORM OF 2021B BOND

No. RB-

\$

**UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF FORSYTH**

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
%	March 1, ____	April 29, 2021	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2021B

THE COUNTY OF FORSYTH, NORTH CAROLINA (the “County”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this 2021B Bond until it shall mature at the Interest Rate per annum specified above, payable on September 1, 2021 and semiannually thereafter on March 1 and September 1 of each year. Principal of and interest on this 2021B Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the 2021B Bonds and is payable to the owner of the 2021B Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The County is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This 2021B Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and bond orders adopted by the Board of Commissioners on August 8, 2016 and approved by the voters on November 8, 2016 at a referendum duly called and held. The 2021B Bonds are issued to provide funds to pay the capital costs of constructing, renovating, improving, acquiring and equipping certain (1) school facilities, (2) community college facilities and (3) parks and recreation facilities, all located in the County, including the acquisition of land or rights-of-way in land required therefor.

[to insert redemption language, if any]

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this 2021B Bond, exist, have been performed and have happened, and that the amount of this 2021B Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this 2021B Bond in accordance with its terms.

This 2021B Bond is not valid or obligatory for any purpose until the certification hereon has been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the County has caused this 2021B Bond to bear the original or facsimile of the signatures of the Chair to the Board of Commissioners of the County and the Clerk to the Board of Commissioners of the County and an original or facsimile of the seal of the County to be imprinted hereon and this 2021B Bond to be dated as of April 29, 2021.

(SEAL)

Clerk to the Board of Commissioners

Chair to the Board of Commissioners

Date of Execution: April 29, 2021

The issue hereof has been approved under the provisions of The Local Government Bond Act.

Secretary of the Local Government Commission

FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite Name and Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

the within 2021B Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney to register the transfer of the within 2021B Bond on the books kept for registration thereof,
with full power of substitution in the premises.

Dated: __

Signature guaranteed by:

NOTICE: Signature must be guaranteed by a participant of the Securities Transfer Agent Medallion Program (“*STAMP*”) or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within 2021B Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED

APPENDIX C

FORM OF 2021C BOND

No. RC-

\$

**UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF FORSYTH**

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
%	March 1, ____	April 29, 2021	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION REFUNDING BOND, SERIES 2021C

THE COUNTY OF FORSYTH, NORTH CAROLINA (the “County”) acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, upon surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this 2021C Bond until it shall mature at the Interest Rate per annum specified above, payable on September 1, 2021 and semiannually thereafter on March 1 and September 1 of each year. Principal of and interest on this 2021C Bond are payable in immediately available funds to The Depository Trust Company (“DTC”) or its nominee as registered owner of the 2021C Bonds and is payable to the owner of the 2021C Bonds shown on the records of DTC at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date. The County is not responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

This 2021C Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and a bond order authorizing Refunding Bonds adopted on February 25, 2021 and effective as of the date of adoption. The 2021C Bonds are issued to provide funds to pay the costs of refunding in advance of their maturities the County’s (1) Variable Rate General Obligation School Bonds, Series 2004A maturing on March 1, 2025, (2) Variable Rate General Obligation School Bonds, Series 2004B maturing on March 1, 2025, and (3) Variable Rate General Obligation School Bonds, Series 2007B maturing on and after October 1, 2021.

[to insert redemption language, if any]

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this 2021C Bond, exist, have been performed and have happened, and that the amount of this 2021C Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this 2021C Bond in accordance with its terms.

This 2021C Bond is not valid or obligatory for any purpose until the certification hereon has been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the County has caused this 2021C Bond to bear the original or facsimile of the signatures of the Chair to the Board of Commissioners of the County and the Clerk to the Board of Commissioners of the County and an original or facsimile of the seal of the County to be imprinted hereon and this 2021C Bond to be dated as of April 29, 2021.

(SEAL)

Clerk to the Board of Commissioners

Chair to the Board of Commissioners

Date of Execution: April 29, 2021

The issue hereof has been approved under the provisions of The Local Government Bond Act.

Secretary of the Local Government Commission

FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite Name and Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

the within 2021C Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney to register the transfer of the within 2021C Bond on the books kept for registration thereof,
with full power of substitution in the premises.

Dated: __

Signature guaranteed by:

NOTICE: Signature must be guaranteed by a participant of the Securities Transfer Agent Medallion Program (“*STAMP*”) or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within 2021C Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED