

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

RESOLUTION #07-10

AMENDING RESOLUTION #11-08 ADOPTED BY THE COUNTY COUNCIL OF NEWBERRY COUNTY, SOUTH CAROLINA ON SEPTEMBER 3, 2008 WHICH AUTHORIZED AN EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,622,500 IN ORDER TO ADD EQUIPMENT TO THE LEASE/PURCHASE AGREEMENT; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COUNTY COUNCIL OF NEWBERRY COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The County Council (the "**Council**") of Newberry County, South Carolina (the "**County**"), as lessee, hereby finds and determines that:

- (a) the County entered into a \$1,622,500 Installment Financing Contract (the "**Contract**") dated September 30, 2008 with RBC Bank (USA) (the "**Bank**") in order to acquire various items of equipment;
- (b) the County desires to amend the Contract to allow for the acquisition of fire safety and fire suppression equipment, including self-contained breathing apparatus (the "**Additional Equipment**"); and
- (c) the Bank has consented to this Additional Equipment being added to the Contract.

Section 2. The Council hereby authorizes the Additional Equipment to be added to the Contract.

Section 3. The Council hereby authorizes the Chairman of the County Council to execute and deliver an amendment to the Contract and the Clerk to County Council to attest the same, if such amendment is required by the Bank in order to acquire the Additional Equipment. The Council hereby further authorizes the Chairman of the County Council, the County Administrator, the Finance Director, the Clerk to County Council, and the County Attorney, acting jointly or individually, to execute and deliver such other documents and instruments as necessary to effect the execution and delivery of an amendment to the Contract.

Done in meeting duly assembled this _____ day of _____, 2010.

NEWBERRY COUNTY, SOUTH CAROLINA

Chairman of County Council
Newberry County, South Carolina

ATTEST:

Clerk to County Council
Newberry County, South Carolina

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CERTIFIED COPY OF RESOLUTION

I, the undersigned, being the duly qualified and acting Clerk to County Council (the "*Council*") of Newberry County, South Carolina, do hereby certify that attached hereto is a copy of the Resolution adopted by the Council at a meeting duly called and held on _____, 2010, at which a quorum was present and acting throughout, which Resolution has been compared by me with the original thereof, and that such copy is a true, correct and complete copy thereof, and that such Resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand this ____ day of _____, 2010.

NEWBERRY COUNTY, SOUTH CAROLINA

Clerk to County Council