

SAMPLE REIMBURSEMENT RESOLUTION

RESOLUTION NO. _____

RESOLUTION OF THE [NAME OF GOVERNING SCHOOL BOARD] OF [NAME OF LOCAL SCHOOL DIVISION] DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE GRANTS MADE BY THE COMMONWEALTH OF VIRGINIA FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, [NAME OF LOCAL SCHOOL DIVISION] (the “Division”) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Division [has paid, beginning no earlier than {DATE THAT IS NO MORE THAN 60 DAYS PRIOR TO ADOPTION OF RESOLUTION} and] will pay, on and after the date hereof, certain expenditures (the “Expenditures”) in connection with the capital project (the “Project”), as more fully described in Appendix A attached hereto; and

WHEREAS, the [NAME OF GOVERNING SCHOOL BOARD] of the Division (the “Board”) has determined that the money [previously advanced no more than 60 days prior to the date hereof and] to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Division for the Expenditures from the proceeds of one or more grants to be made by the Commonwealth of Virginia (the “Grants”) from the proceeds of its tax exempt equipment notes (the “Notes”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the Division’s intent to reimburse the Division with the proceeds of the Grants for the

Expenditures with respect to the Project made on and after [DATE THAT IS NO MORE THAN 60 DAYS PRIOR TO ADOPTION OF RESOLUTION], which date is no more than 60 days prior to] the date hereof. The Division reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Grants.

Section 2. Each Expenditure [was and] will be of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditure).

Section 3. The maximum cost of the Project is expected to be \$_____

Section 4. The Division will make a reimbursement allocation, which is a written allocation by the Division that evidences the Division's use of proceeds of the Grants to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Division recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this _____ day of _____, 1999_____

(Name)
(Title)

Attested to:

(Name)
(Title)

DESCRIPTION OF PROJECT

Check the Applicable Box(es):

- _____ (1) Expenditures related to reaching the goal of a 5-to-1 student to computer ratio in each high school; including (1) networking, retrofitting, and upgrade of existing school buildings, and, (2) network-ready microcomputers for student use and associated software.
- _____ (2) Internet-ready local area network (LAN) capability. (Includes networking, retrofitting, and upgrade of existing school buildings.)
- _____ (3) Network Virginia or web-equivalent access to the Internet. (Includes networking, retrofitting, and upgrade of existing school buildings.)