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Resolution No. 19-005

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BOARD OF
PUBLIC WORKS OF THE CITY OF LEWES TERMINATING
FINANCING ARRANGEMENTS FOR ABBOTT PARK SEWER AND
WATER SYSTEM IMPROVEMENTS AND AUTHORIZING THE
CANCELLATION OF BONDS ISSUED RELATING THERETO**

WHEREAS, the Board of Public Works of the City of Lewes (the “Lewes BPW”), pursuant to Resolution No. 18-007, adopted by a majority of the Lewes BPW at a duly called regular meeting on September 26, 2018, authorized (a) the borrowing of \$164,000 from the Delaware Water Pollution Control Revolving Fund, acting by and through the Delaware Department of Natural Resources and Environmental Control (the “DNREC Financing”), including the issuance of a revenue bond to secure the DNREC Financing (the “DNREC Bond”), to install gravity sewer, lateral piping, manholes, and terminal main cleanouts to serve 20 existing mobile homes in the Abbott Park mobile home community, and allow for greater accessibility for future maintenance (the “Abbott Park Sewer Improvements Project”), and (b) the borrowing of \$206,000 from the Delaware Drinking Water State Revolving Fund, acting by and through the Department of Health and Social Services (the “DHSS Financing” and, together with the DNREC Financing, the “Loans”), including the issuance of a revenue bond to secure the DHSS Financing (the “DHSS Bond” and, together with the DNREC Bond, the “Bonds”), to improve the aging water system of the Abbott Park Cooperative, Inc. (the “Abbott Park Cooperative”) and improve system access and upgrade fire protection for the area (the “Abbott Park Water System Improvements Project” and, together with the Abbott Park Sewer Improvements Project, the “Abbott Park Projects”); and

WHEREAS, the Abbott Park Cooperative has informed the Lewes BPW that it no longer desires the Lewes BPW to move forward with the Abbott Park Projects; and

WHEREAS, the Board of Directors desires to evidence its approval of the termination of the Loans and the cancellation of the Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LEWES BOARD OF PUBLIC WORKS, IN SESSION MET THIS 23RD DAY OF OCTOBER, 2019, THAT:

Section 1. The Board of Directors of the Lewes Board of Public Works hereby (a) terminates the loan in the amount of \$164,000 from the Delaware Water Pollution Control Revolving Fund, acting by and through the Delaware Department of Natural Resources and Environmental Control (“DNREC”) obtained in connection with the proposed Abbott Park Sewer Improvements Project, and all documents relating thereto, and (b) authorizes the cancellation of the revenue bond issued by DNREC to secure such loan.

Section 2. The Board of Directors of the Lewes Board of Public Works hereby (a) terminates the loan in the amount of \$206,000 from the Delaware Drinking Water State Revolving Fund, acting by and through the Department of Health and Social Services (“DHSS”) obtained in

47 connection with the proposed Abbott Park Water System Improvements, and all documents
48 relating thereto, and (b) authorizes the cancellation of the revenue bond issued by DHSS to secure
49 such loan.

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51 **Section 3.** This Resolution shall take effect immediately upon its adoption by the
52 Board of Directors of the Lewes Board of Public Works.

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55 Adopted by the Board of Directors
56 Of the Lewes Board of Public Works

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60 I, Robert J. Kennedy, III, Secretary of the Board of Public Works of the City of Lewes, do
61 hereby certify that the foregoing is a true and correct copy of the Resolution passed by the Board
62 of Directors of the Lewes BPW at its meeting on October 23, 2019, at which meeting a quorum
63 was present and voting throughout and the same is still in full force and effect.

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Secretary