

**RESOLUTION NO. 202\_ - [ ]**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA APPROVING THE PROCEEDINGS OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF COCHISE REGARDING THE ISSUANCE OF ITS NOT TO EXCEED \$[ ] [ ] REVENUE [REFUNDING] BONDS ( PROJECT), SERIES 202\_ AND DECLARING AN EMERGENCY**

WHEREAS, The Industrial Development Authority of the County of Cochise (the "*Authority*") pursuant to the Industrial Development Financing Act, Title 35, Chapter 5, Arizona Revised Statutes, as amended (the "*Act*"), is authorized to issue and sell its [ ] Revenue [Refunding] Bonds ( Project), Series 202\_, in one or more series or subseries (the "*Bonds*"), the proceeds of which are to be loaned to [NAME] ( the "*Borrower*"), an Arizona limited liability company, to aid in the: (i) [PROJECT DESCRIPTION INCLUDING LOCATION]; [(ii) funding of any required reserve funds; (iii) paying capitalized interest, if any, on such Bonds, and (iv) paying certain issuance expenses related to the Bonds (collectively, the "*Project*")]; and

WHEREAS, on [DATE], the Authority resolved to issue the Bonds in one or more series or subseries and in an aggregate amount not to exceed \$[ ] (the "*Authority's Resolution*"), such issuance being conditioned upon, among other things, the granting of approval to the issuance of the Bonds by the Cochise County Board of Supervisors; and

WHEREAS, the Authority's Resolution has been made available to the Cochise County Board of Supervisors, and the Authority's Resolution has been duly considered this date; and

WHEREAS, the Authority's Resolution authorizes, among other things, the issuance of the Bonds and the execution and delivery of [DESCRIPTION OF MAIN FINANCING DOCUMENTS] and such other documents as required for the issuance of the Bonds; and

WHEREAS, the terms, maturities, provisions for redemption, security and sources of payment for the Bonds are set forth in the [Indenture] and the form of Bonds themselves; and

WHEREAS, copies of said documents have been made available to the Cochise County Board of Supervisors, together with the Authority's Resolution; and

WHEREAS, the Cochise County Board of Supervisors has been informed that said documents have been reviewed by competent Bond Counsel, [FIRM], and said Bond Counsel has determined that said documents adequately meet the requirements of the Act and the Internal Revenue Code of 1986, as amended (the "*Code*"); and

WHEREAS, in accordance with Section 35-721.B of the Act, the proceedings of the Authority under which the Bonds are to be issued require the approval of the Board of Supervisors of the issuance of the Bonds; and

WHEREAS, pursuant to Section 147(f) of the Code, the chief elected official representing this Cochise County Board of Supervisors must approve the issuance of the Bonds

after a public hearing following reasonable notice, which hearing has been conducted by the Authority; and

WHEREAS, this Board has presented to it information regarding the Bonds and information regarding the public hearing held by the Authority concerning the Bonds and is further informed and advised with regard to the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA, as follows:

1. Pursuant to Section 147(f) of the Code and Section 35-721.B of the Act, the Board of Supervisors, as the governing body of the Authority and the applicable elected representative of a governmental unit having jurisdiction over the facilities to be financed and/or refinanced with the proceeds of the Bonds, hereby approves the Bonds and the proceedings under which the Bonds are to be issued by the Authority, including specifically the Authority's Resolution, the [DOCUMENTS], and all other related or appropriate documents;
2. This Resolution shall be in full force and effect from and after its passage as provided by law, and any provisions of any previous resolutions in conflict with the provisions herein are hereby superseded;
3. The appropriate officers of the Cochise County Board of Supervisors are hereby authorized and directed to do all such things and to execute and deliver all such documents on behalf of Cochise County as may be necessary or desirable to effectuate the intent of this Resolution and the Authority's Resolution in connection with the issuance of the Bonds; and

It is necessary for the preservation of the peace, health and safety of Cochise County that this resolution becomes immediately effective, and, accordingly, an emergency is hereby declared to exist, and this resolution shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Board of Supervisors of Cochise County, Arizona this \_\_\_ day of \_\_\_\_\_, 2023.

COCHISE COUNTY BOARD OF SUPERVISORS

ATTEST:

Clerk  
COCHISE COUNTY BOARD OF SUPERVISORS

APPROVED AS TO FORM:

Bond Counsel

