

RESOLUTION 2019-10

A RESOLUTION OF RANDAL PARK COMMUNITY DEVELOPMENT DISTRICT AMENDING SECTION 5 OF ITS RESOLUTION 2019-06; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, by an Agreement for Underwriting Services dated September 21, 2018 (the "Agreement") by and between MBS Capital Markets, LLC ("MBS") and Randal Park Community Development District (the "District") it was agreed in Section 2 thereof that the minimum underwriting fee to be paid for serving as underwriter for the Series 2018 Bonds as defined therein would be two-percent (2%) of the par amount of bonds issued or the minimum fee of \$50,000 (whichever is greater); and

WHEREAS, the Board of Supervisors of the District on November 16, 2018 adopted District Resolution 2019-06 (the "Delegation Resolution") which Delegation Resolution among other matters approved the sale of the District's \$1,770,000 Special Assessment Revenue Bonds, Series 2018 (Randal Walk) (the "Series 2018 Bonds") and provided in Section 5 thereof that the Underwriter's discount to be paid MBS for underwriting the 2018 Bonds was not to exceed two percent (2%) of the principal amount of the 2018 Bonds; and

WHEREAS, to resolve such conflict between the Agreement and the Delegation Resolution, it is in the best interest of the District to amend Section 5 of the Delegation Resolution for the sole purpose of providing that the Underwriter's fees shall not exceed either two-percent (2%) of the par amount of bonds issued or the minimum fee of \$50,000 (whichever is greater).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF RANDAL PARK COMMUNITY DEVELOPMENT DISTRICT, as follows:

SECTION 1. Amendment. Section 5 of the Delegation Resolution is amended solely to provide that the Underwriter's discount for the 2018 Bonds shall not exceed either two-percent (2%) of the par amount of bonds issued or the minimum fee of \$50,000 (whichever is greater).

SECTION 2. Inconsistent Resolutions and Motions. All prior resolutions of the District inconsistent with the provisions of this Resolution including specifically, the Delegation Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained and, except as so modified, supplemented and amended hereby, shall remain in full force and effect.

SECTION 3. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

SECTION 5. Approval of Prior Actions. All prior actions taken to date by the members of the Board and the staff of the District in accordance with this Resolution are hereby approved, confirmed and ratified.

ADOPTED this 14th day of December, 2018.

**RANDAL PARK COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Its: Chairman, Board of Supervisors

[SEAL]
Attest:

By: _____
Its: Secretary