

**A RESOLUTION DECLARING INTENTION TO ADVANCE FUNDING  
AND REIMBURSE EXPENDITURES RELATED TO THE PROPOSED  
IMPROVEMENTS TO STATE HIGHWAY 99**

WHEREAS, the Fort Bend County Commissioners Court (the "Court") is preparing to consider, and Fort Bend County (the "County") is proposing to pursue several agreements with the State of Texas, acting by and through the Texas Department of Transportation ("TxDOT") to improve certain segments of State Highway 99 that will require a contribution of ten percent (10%) of the total costs for the design and construction of such segments of State Highway 99 from the County ("Local Contribution");

WHEREAS, the County anticipates permanent funding to finance the Local Contribution through the issuance of County bonds, notes or other obligations (collectively, the "Bonds") after the date hereof, currently expected to have a minimum aggregate principal amount of approximately \$90,000,000.00, of which not more than \$90,000,000.00 is expected to be used for the Local Contribution and cost of issuance;

WHEREAS, no funds of the County are, or are reasonably expected to be, allocated, reserved, or otherwise set aside in the County's budget on a long-term basis to pay the cost of the Local Contribution;

WHEREAS, the Bonds will be payable from taxes levied, assessed and collected by the County;

WHEREAS, the County anticipates that after the date hereof and prior to the issuance of the Bonds, it will be obligated to make certain payments to TxDOT constituting expenditures properly chargeable to a capital account (under general federal income tax principles) in connection with the Local Contribution in the aggregate amount of not more than \$90,000,000.00 (herein, the "Expenditures");

WHEREAS, the money to be used to pay the Expenditures set forth in this Resolution is in the General Fund (herein, the "Fund"), the general purpose and function of which is used to pay operating and maintenance expenditures of the County and such money is not appropriated for any other purpose;

WHEREAS, the County reasonably expects that it will be reimbursed for the Expenditures with proceeds of the Bonds; and

WHEREAS, after the issuance of the Bonds, County will: (1) evidence each allocation of proceeds of the Bonds to the reimbursement of the Expenditures with an entry in its books and records maintained with respect to the Bonds, and (2) identify in such entry the actual prior Expenditures being reimbursed or the fund from which the Expenditure was made.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS THAT:

Section 1. The Court hereby adopts the findings set out in the preamble hereof and declares its intent within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended, to issue Bonds to pay the Local Contribution, of which a maximum amount of \$90,000,000.00 is expected to be used to reimburse the County for capital expenditures paid in connection with the Local Contribution prior to the issuance of the Bonds.

Section 2. The County will maintain this Resolution at the office of the County at 301 Jackson Street, Richmond, Texas 77469 and make it continuously available for inspection by the general public during normal business hours on business days beginning within thirty (30) days after the date of this Resolution.

PASSED AND APPROVED this \_\_\_\_\_, 2022.

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KP George, County Judge  
Fort Bend County, Texas

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Laura Richard, County Clerk

(SEAL)