



## BOISE COUNTY RESOLUTION #2012-23

RESOLUTION OF THE BOISE COUNTY BOARD OF COUNTY COMMISSIONERS, RELATING TO THE VOIDING OF REGISTERED WARRANT NO. R-10 AND ISSUING OF AN AMENDED REGISTERED WARRANT R-10A TO REPLACE SAID VOIDED REGISTERED WARRANTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County of Boise, Idaho (the "County"), is duly organized and existing under the laws of the State of Idaho; and

WHEREAS, the County adopted Resolution No. 2012-07 which authorized issuance of warrants in the amount of \$1,200,000.00 redeemable on November 14, 2011, and another warrant in the amount of \$1,050,000.00 on or before December 21, 2011. The County Treasurer is authorized to issue warrants in the amount of \$405,500.00 maturing as follows: February 28, 2013, September 1, 2013, February 28, 2014, September 1, 2014, February 28, 2015, September 1, 2015, February 28, 2016 and September 1, 2016 (the "Warrants"), are hereby authorized to be issued, sold and delivered in the manner hereinafter provided.

WHEREAS, the County has received an Order from Hon. B. Lynn Winmill in the Alamar Case, Docket No. 245 ("Order"); wherein the County is required to issue warrants to pay the settlement amount of \$5,400,000.00 and other consideration to Plaintiffs specified therein ("settlement amount"), said warrants to be issued in a series to be paid in fiscal years 2012-2016 and possibly additional fiscal years until paid as described in the Order; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BOISE, IDAHO, as follows:

Section 1: The Board hereby finds and declares as follows:

- A. Registered Warrant No. R-10 dated November 11, 2011 is hereby revoked and voided.
- B. Registered Warrant No. R-10A shall be amended and issued in the amount of \$311,500 in the form attached hereto as Exhibit "A".

Section 2: The County reserves the right to prepay any warrant, in full, on any date, without penalty.

Section 3: The Chairperson of the Board of Commissioners, County Clerk and County Treasurer, or either, as may be appropriate to the document being executed, are hereby

further authorized to execute such further documents and certifications as may be necessary or appropriate to carry out the intent of this resolution.

Section 4: Nothing in this resolution shall be construed as limiting the right of the county to issue additional registered warrants for the payment of the lawful expenses of the county, so long as the county, at the time of issuance of such additional registered warrants, shall make due provision for the levy of a tax or the provision of other revenues sufficient to redeem such additional registered warrants when due.

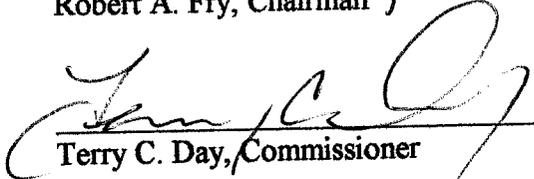
Section 5: The Registered Owner may request the county to deliver the original copies of the outstanding warrants R-3, 4, 5, 6, 7, 8, 9 and 10A if they so determine necessary.

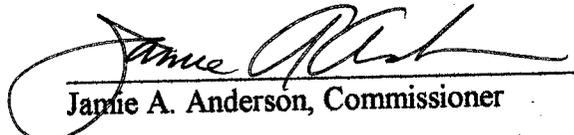
Section 6: This resolution shall take effect and be in force from and after its passage and approval.

DATED this 25 day of June, 2012.

COUNTY OF BOISE, IDAHO

  
Robert A. Fry, Chairman

  
Terry C. Day, Commissioner

  
Jamie A. Anderson, Commissioner



  
Mary T. Prisco, County Clerk

Registered  
No. R-10A

\$311,500.00  
Maturity Date:  
September 1, 2016

UNITED STATES OF AMERICA  
STATE OF IDAHO

COUNTY OF BOISE  
AMENDED REGISTERED WARRANT, SERIES 2012

THE COUNTY OF BOISE, IDAHO (the "County") hereby voids Registered Warrant No. R-10 issued November 10, 2011, and replaces same Registered Warrant No. R-10 with this Amended Registered Warrant No. R-10A to correct a clerical error in the amount, and the County, acknowledges itself to owe and, for value received, promises to pay to Alamar Ranch, LLC, an Idaho limited liability company and YTC, LLC, an Idaho limited liability company to the client trust account of Banducci, Woodard, Schwartzman PLLC, Boise, Idaho, as Registered Owner, as set forth in Resolution No. 2012-07, on its Maturity Date of September 1, 2016, in accordance with the endorsement and registration hereon executed by the County Treasurer, the principal sum of

THREE HUNDRED ELEVEN THOUSAND AND FIVE HUNDRED DOLLARS

(\$311,500.00), together with interest thereon at the rate of five and fifty hundredths percent (5.50%) per annum accruing beginning November 15, 2011, payable at maturity or prior payment by the County as set forth herein. Interest due on or prior to maturity shall be payable only upon presentation of this Warrant and shall be computed on a daily basis according to the actual number of days elapsed.

The Registered Owner cannot present this Warrant for payment prior to its Maturity Date, however, the County reserves the right to prepay the principal and interest of this Warrant, in whole or in part, at any time, without premium or penalty and without notice prior to its Maturity Date.

Both principal of and interest on this Warrant are payable in lawful money of the United States of America at the office of the Treasurer of the County of Boise, P.O. Box 1300, Idaho City, Idaho 83631.

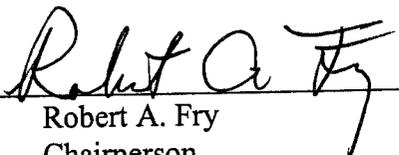
This Warrant is registered, both as to principal and as to interest, with the Treasurer of the County, and any transfer hereto must likewise be registered.

This Warrant is issued by the County pursuant to Sections 31-1608 and 31-1510, Idaho Code, and pursuant to Resolution No. 2012-07 of the County, adopted on November 10, 2011 (the "Warrant Resolution"), for the purpose of paying the Alamar Judgment (as defined in the Warrant Resolution). This Warrant replaces Registered Warrant No. R-10. Registered Warrant No. R-10 is hereby null and void. This Warrant is payable from taxes to be certified and levied in 2012 for the 2013 Fiscal Year of the County and deposited into the Warrant Redemption Fund of the County, established by the Warrant Resolution. The County has covenanted with the Registered Owner of this Warrant that it will establish the Warrant Redemption Fund and will certify for levy and collection, for the 2012 Fiscal Year of the County, taxes, in addition to all other taxes of the County, fully sufficient, together with all other revenues of the County deposited into the Warrant Redemption Fund, to pay this Warrant and the Warrants of this issue, principal and interest, on or before the date of maturity. The provisions of the Warrant Resolution are by reference incorporated herein and made a part of this Warrant. Payment of this Warrant and the Warrants of this issue is not limited solely to the taxes to be so levied, but this Warrant and the Warrants of this issue are the direct and general obligations of the County for which the full faith and credit of the County are pledged.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all matters, acts, conditions, and things required by the Constitution and laws of the State of Idaho and by the Warrant Resolution of the County precedent to and in the issuance of this Warrant exist, have happened, and have been performed.

IN WITNESS WHEREOF, the County of Boise, Idaho, has caused this Warrant to be executed by the manual signatures of the Chairperson of the Board of Commissioners and County Clerk, and to be endorsed and registered by the County Treasurer, and the corporate seal of the County to be impressed hereon, as of the 25 day of June, 2012.

COUNTY OF BOISE, IDAHO

By   
Robert A. Fry  
Chairperson

ATTEST:

  
Mary T. Prisco  
County Clerk  
SEAL  
(SEAL)

Endorsement and Registration by County Treasurer

The undersigned hereby acknowledges presentation of this Warrant by its Registered Owner and, pursuant to Section 31-2125, Idaho Code, endorses and registers this Warrant as follows:

1. This Warrant is "Not paid for want of funds."
2. Date of Issuance: November 14, 2011.
3. Date of Maturity: September 1, 2016.
4. Rate of interest: 5.5% per annum.

DATED this 25 day of June, 2012.

  
April Hutchings  
Boise County Treasurer