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**Section 26.** If any one or more of the covenants, agreements or provisions hereof should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held or determined invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed severable from the remaining covenants, agreements or provisions hereof, and shall in no way affect the validity of all the other provisions hereof or the Bonds.

**Section 27.** The execution, delivery, acceptance and/or due performance of the Series 2022 A Bonds, the Lease, the Assignment, the Funds Assignment, the Deed of Trust, the Tax Certificate and the Bond Purchase Agreement are hereby in all respects approved, authorized, ratified and confirmed, and it is hereby ordered that the Chairman, the Secretary and other board members, officers and employees of the Issuer execute and deliver such other documents, certificates, agreements and instruments and take such other action as may be required or desirable to carry out the purposes of this Ordinance, the Series 2022 A Bonds and the aforesaid documents, agreements, instruments and certificates.

Any requirement for execution or attestation of the Series 2022 A Bonds, the Lease, the Assignment, the Funds Assignment, the Deed of Trust, the Tax Certificate, the Bond Purchase Agreement or any certificate or other document, agreement or instrument, or affixing of the seal of the Issuer thereon, by a Chairman, President or Secretary or other officer shall mean that such Series 2022 A Bonds, the Lease, the Assignment, the Funds Assignment, the Deed of Trust, the Tax Certificate, the Bond Purchase Agreement, certificate or other document, agreement or instrument may be executed or attested or such seal affixed by the Vice Chairman, Vice-President, Assistant or Acting Secretary or Assistant to such other officer, notwithstanding anything herein to the contrary.

**Section 28.** All ordinances, orders, resolutions or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 29.** The Issuer covenants that all acts, conditions, things and procedures required to exist, to happen, to be performed or to be taken precedent to and in the adoption and enactment of this Ordinance do exist, have happened, have been performed and have been taken in regular and due time, form and manner as required by and in full compliance with the laws and Constitution of the State of West Virginia applicable thereto; and that the Chairman, Secretary and members of the Board were at all times when any actions in connection with this Ordinance occurred and are duly in office and duly qualified for such office.

**Section 30.** This Ordinance shall take effect immediately following the public hearing hereon.

**Section 31.** Upon adoption on second reading, an abstract of this Ordinance, determined by the Issuer to contain sufficient information as to give notice of the contents hereof, shall be published once a week for two successive weeks within a period of fourteen (14) consecutive days, with at least six (6) full days intervening between each publication, in *The Dominion Post*, a newspaper published and of general circulation in the City, together with a notice stating that this Ordinance has been adopted and that the Issuer contemplates the issuance of the Series 2022 A Bonds, and that any person interested may appear before the Issuer upon a date certain, not less than ten (10) days subsequent to the date of the first publication of the said abstract and notice, and present protests, and that a certified copy of the Ordinance is on file in the office of the Secretary of the Issuer for review by interested parties during regular office hours. At such hearing, all objections and suggestions shall be heard, and the members of the Issuer shall take such action as they shall deem proper in the premises.

Adopted on First Reading: \_\_\_\_\_, 2022

Enacted on Second Reading: \_\_\_\_\_, 2022

Placed Into Effect on Third  
Reading Following Public Hearing: \_\_\_\_\_, 2022

**MORGANTOWN BUILDING COMMISSION**

By: \_\_\_\_\_  
Its Chairman

CERTIFICATION

The undersigned, being the duly qualified, elected and acting Secretary of the Morgantown Building Commission, does hereby certify that the foregoing Ordinance was duly adopted and enacted by the Morgantown Building Commission following a public hearing thereon, at regular or special meetings duly held, pursuant to proper notice thereof, on \_\_\_\_\_, 2022, \_\_\_\_\_, 2022 and \_\_\_\_\_, 2022, a quorum being present and acting throughout, and which Ordinance has not been repealed, rescinded, modified, amended or revoked and is a true, correct and complete copy thereof as witness my hand and the seal of the Morgantown Building Commission this \_\_\_\_\_, 2022.

By: \_\_\_\_\_  
Its Secretary