



FINANCE AND POLICY COMMITTEE MEETING

MONDAY, NOVEMBER 4, 2024 | 6PM

4th committee meeting

The Committee will meet in Mauldin City Hall at 5 East Butler Road in the Council Chambers at 6 p.m.

The meeting will be available remotely through Zoom. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.
A quorum of Council will be present.

**FINANCE AND POLICY COMMITTEE
MEETING
NOVEMBER 4, 2024, 6PM
CITY HALL - COUNCIL
CHAMBERS 5 E. BUTLER
ROAD**

Committee Members: Michael Reynolds (Chair), Members Carol King and Taft Matney

- | | |
|--|----------------------|
| 1. <u>Call to Order</u> | Chairperson Reynolds |
| 2. <u>Public Comment</u> | Chairperson Reynolds |
| 3. <u>Reading and Approval of Minutes</u> | Chairperson Reynolds |
| a. Finance Committee Minutes-September 3, 2024 [Pages 3-4] | |
| 4. <u>Reports or Communications from City Officers</u> | Chairperson Reynolds |
| a. City Administrator Seth Duncan | |
| b. Finance Director Holly Abercrombie
Budget Review | |
| c. HR Director Mark Putnam | |
| 5. <u>Unfinished Business</u>- None | Chairperson Reynolds |
| 6. <u>New Business</u> | Chairperson Reynolds |
| a. Ordinance 1047- Ordinance providing for the issuance and sale of a not exceeding \$4,250,000 taxable Accommodations Tax and Hospitality Tax revenue bond [Pages 5-18] | |
| 7. <u>Public Comment</u> | Chairperson Reynolds |
| 8. <u>Committee Concerns</u> | Chairperson Reynolds |
| 9. <u>Adjournment</u> | Chairperson Reynolds |

MINUTES
FINANCE AND POLICY COMMITTEE MEETING
SEPTEMBER 3, 2024, 6PM
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD
1st committee meeting

Committee Members present were Michael Reynolds (Chair). Councilman Taft Matney joined via Zoom. Councilwoman Carol King was not present. Finance Director Holly Abercrombie, HR Director Mark Putnam and City Administrator Seth Duncan were also present.

1. Call to Order- Chairman Reynolds

2. Public Comment- None

3. Reading and Approval of Minutes

a. Finance Committee Minutes-August 5, 2024

Motion: Councilman Matney made a motion to approve the minutes with Chairman Reynolds seconding.

Vote: The vote was unanimous (2-0).

b. Finance Committee Workshop Minutes- July 1, 2024

Motion: Councilman Matney made a motion to approve the minutes with Chairman Reynolds seconding.

Vote: The vote was unanimous (2-0).

4. Reports or Communications from City Officers

a. City Administrator Seth Duncan- Mr. Duncan reported SOOIE. BBQ Festival will be held next weekend.

b. Finance Director Holly Abercrombie- Ms. Abercrombie advised the committee that the audit will begin at the end of this month.

c. HR Director Mark Putnam- Mr. Putnam told committee the employee evaluation process should be complete by the end of September. He also advised that insurance open enrollment will take place the week of October 21st.

5. Unfinished Business- None

6. New Business

a. Ordinance 1045- Franchise Agreement with Frontier Communications

Frontier Communications is an existing fiber and telecommunications company operating

It was discovered recently during an encroachment permit request that the company did not have a franchise agreement with the City. The agreement as drafted is a standard franchise agreement that allows the company to install fiber connections within the City's rights-of-way and to operate in the City.

As a condition of the franchise agreement, Frontier Communications will pay \$1,000 per year to the City for the privilege of operating in the City. The City will not ask for past payments.

Motion: Councilman Matney made a motion to move this item to Council with a recommendation of approval with Chairman Reynolds seconding.

Vote: The vote was unanimous (2-0).

b. FY 2024 Surplus Plan

The FY 2024 budget has a surplus this year. Staff is recommending \$500,000 added to General Fund fund balance, \$1,000,000 transferred to Capital Projects fund for future projects or equipment and to fund capital lease principal and interest payments and \$1,500,000 transferred to Capital Projects Transportation for streetscaping, sidewalks, trails, and other transportation related improvements. If there is a larger surplus, the overage will be added to the capital projects fund.

Chairman Reynolds thanked the department and Finance staff for their work and responsible budgeting.

Motion: Councilman Matney made a motion to move this item to Council with a recommendation of approval with Chairman Reynolds seconding.

Vote: The vote was unanimous (2-0).

7. Public Comment- None

8. Committee Concerns- None

9. Adjournment- Chairman Reynolds adjourned the meeting at 6:18 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

FINANCE & POLICY COMMITTEE

MEETING DATE: November 4, 2024

AGENDA ITEM: 6a

TO: Mauldin City Council
FROM: Seth Duncan, City Administrator
SUBJECT: Ordinance H&A Tax Bond

DISCUSSION

The Finance and Policy Committee is being asked to make a positive recommendation to Council to approve an ordinance for the issuance and sale of an Accommodations Tax and Hospitality Tax Revenue Bond.

HISTORY/BACKGROUND

In October 2024, City Council approved a development agreement with Greenville Pro Soccer, CenterPlace, LLC, and BridgeWay Owners Association that would ensure the development of a stadium at BridgeWay Station. As a condition of the agreement in general, and to necessitate the transfer of property from CenterPlace, LLC to the City, the City must commit to the City Obligation (\$4,000,000 into the project). This commitment will be made in the way of a Revenue Bond derived from Hospitality and Accommodations Tax Revenue.

ANALYSIS or STAFF FINDINGS

The City seeks to issue an H&A Tax Revenue Bond in an amount up to \$4,250,000 for the construction of a stadium at BridgeWay Station. If approved by Council, the Bond would set as follows:

1. Principal amount not exceeding \$4,250,000
2. Project is described as the acquisition, construction, renovation, installation and equipping of a multi-purpose entertainment venue, which will be utilized to host a variety of entertainment and sporting events.
3. Federally taxable – not exceeding 6.5% interest rate
4. Maturity date not later than 12/31/2045 (20 years)
5. Allows for negotiated sale with a bank or competitive sale, at your option

Council would still retain some flexibility and could shorten the Bond term to 15 years, if it desires. The Bond would be limited to only defraying the costs of the acquisition, construction, renovation, installation and equipping of a multi-purpose entertainment venue (stadium). The Bond is grossed up to \$4.25 million to cover the cost of financing and development agreement attorney fees, and should net the City Obligation of \$4 million.

The Ordinance and Exhibits were prepared by Brad Love, the City's bond attorney.

FISCAL IMPACT

The City currently has one outstanding H&A Revenue Bond with a balance of \$2,379,000 for the GateWay Pedestrian Bridge. This Bond, up to \$4,250,000, would support the construction of the stadium at BridgeWay Station. The H&A Fund has the ability to repay the Bond with an available (unaudited) fund balance of \$2,906,939 and a planned contribution to fund balance in this year's budget of \$504,311. H&A Revenues continue to come in stronger year over year, and with additional buildout of BridgeWay and other growing commercial areas, we anticipate revenues to remain strong for the foreseeable future.

RECOMMENDATION

Staff recommends City Council approve the Bond issuance.

ATTACHMENTS

- Ordinance Fourth Supplemental Ordinance H&A Tax Revenue Bond

FOURTH SUPPLEMENTAL ORDINANCE

A FOURTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$4,250,000 TAXABLE CITY OF MAULDIN, SOUTH CAROLINA ACCOMMODATIONS TAX AND HOSPITALITY TAX REVENUE BOND; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED by the City Council of the City of Mauldin (the “*Council*”), the governing body of the City of Mauldin, South Carolina (the “*City*”):

Section 1. **Findings of Fact.**

As an incident to the enactment of this ordinance, and the issuance of the bond provided for herein, the Council finds that the facts set forth in this **Section 1** exist and the following statements are in all respects true and correct:

(a) The Council has made general provision for the issuance of Accommodations Tax and Hospitality Tax Revenue Bonds of the City by a General Bond Ordinance enacted by the Council on October 18, 2010 (the “*General Bond Ordinance*”).

(b) The City presently has outstanding the following Series of Bonds secured by the General Bond Ordinance and by the Pledged Fee Revenues:

(i) the outstanding \$2,379,000 of an original issue of a \$2,841,000 City of Mauldin, South Carolina Accommodations Tax and Hospitality Tax Revenue Bond, Series 2020 (the “*Series 2014B Bond*”) dated July 8, 2020.

(c) The Council has determined that it is in the best interest of the City to issue a Series of Bonds for the purposes of (i) defraying the costs of the acquisition, construction, renovation, installation and equipping of a multi-purpose entertainment venue, including the drafting and negotiating of agreements related thereto, which venue will be utilized to host a variety of entertainment and sporting events (the “*Project*”), and (ii) paying Costs of Issuance related thereto.

Section 2. **Definitions.** The terms defined above and in this **Section 2** and all words and terms defined in the General Bond Ordinance (the General Bond Ordinance, as from time to time amended or supplemented by Supplemental Ordinances, being defined as the “*Ordinance*”) (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Fourth Supplemental Ordinance have the respective meanings given to them in the Ordinance and in this **Section 2**.

“*2025 Construction Fund*” shall mean the Construction Fund established pursuant to **Section 5** hereof.

“*Interest Payment Date*” shall mean, with respect to the Series 2025 Bond any April 1 or October 1 beginning on such April 1 or October 1 as determined by the City Administrator, or such other dates as may be determined by the City Administrator, until the principal of the Series 2025 Bond has been paid in full.

“*Series 2025 Bond*” shall mean the City’s not exceeding \$4,250,000 Taxable Accommodations Tax and Hospitality Tax Revenue Bond, Series 2025 authorized to be issued hereunder.

Section 3. Authorization of Series 2025 Bond, Maturities and Interest Rate.

(a) There is hereby authorized to be issued a Series of Bonds designated “Taxable Accommodations Tax and Hospitality Tax Revenue Bond, Series 2025” (the “*Series 2025 Bond*”), or other appropriate annual designation with an appropriate sub-series designation, in the total principal amount of not exceeding Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) for the purpose of providing funds for defraying the Project Costs and paying the Costs of Issuance.

(b) The Series 2025 Bond shall be issued as a single fully-registered Bond in the denomination of \$4,250,000 or such lesser amount as is actually issued. The Series 2025 Bond shall be dated as of its date of delivery, shall mature on April 1 (or such other date determined by the City Administrator) in the years and in the principal amounts, and shall be subject to mandatory sinking fund redemption on such dates and in such amounts, if any, as approved by the City Administrator, upon advice of the City’s Municipal Advisor, provided that the aggregate principal amount may not exceed \$4,250,000 and the final maturity date shall not be later than December 31, 2045. The Series 2025 Bond shall bear interest at such rate or rates as agreed to by the City and the successful purchaser thereof; provided that the net interest rate shall not exceed 6.5% per annum. The Series 2025 Bond shall be numbered R-1.

(c) Principal of and premium, if any, on the Series 2025 Bond when due, shall be payable by the City without presentation or surrender of the Series 2025 Bond. Interest on the Series 2025 Bond shall be payable from the date of initial issuance of the Series 2025 Bond. No accrued interest shall be due. Interest on the Series 2025 Bond (calculated on the basis of a 360-day year of twelve 30-day months) shall be payable on each Interest Payment Date, in each case to the Holder as of the immediately preceding Record Date, interest to be paid by check or draft mailed to the Holder at its address as it appears on the Books of Registry maintained by the City; provided that payment to a Holder of \$1,000,000 or more may be made by wire transfer to an account within the continental United States in accordance with written instructions filed with the City no later than the Record Date.

(d) The Series 2025 Bond shall be executed on behalf of the City by the Mayor and the City Administrator and attested by the City Clerk and be in substantially the form attached hereto as *Exhibit A*, with any necessary or appropriate variations, omissions, and insertions as are incidental to the series, numbers, denominations, maturities, interest rate or rates, redemption provisions, the purpose of issuance, and other details thereof or as are otherwise permitted or required by law or by the Ordinance, including this Fourth Supplemental Ordinance.

Section 4. Optional Redemption of the Series 2025 Bond. The Series 2025 Bond shall be subject to redemption prior to maturity upon the terms as agreed to by the City Administrator, upon advice of the City’s Municipal Advisor, and the successful purchaser.

Section 5. 2025 Construction Fund.

(a) There is hereby created and established the 2025 Construction Fund to be held in a separate account of the City. Withdrawals from the 2025 Construction Funds shall be made only for the purposes of paying Project Costs and Costs of Issuance.

(b) Promptly after the completion of the Project Date, the City shall transfer any moneys held in the 2025 Construction Fund and not needed to pay Project Costs or Costs of Issuance to the Debt

Service Fund and such funds shall be used only to (i) pay the principal of, premium, if any, and interest on the Series 2025 Bond or (ii) be applied to other lawful purposes as permitted under the Enabling Act.

Section 6. Use and Disposition of Series 2025 Bond Proceeds. Upon the delivery of the Series 2025 Bond and receipt of the proceeds thereof, such proceeds shall be deposited into the 2025 Construction Fund to be utilized to pay Project Costs and Costs of Issuance of the Series 2025 Bond. Such proceeds shall be invested at the direction of the City in investments authorized for political subdivisions under State law.

Section 7. Certain Findings and Determinations. The City finds and determines:

(a) This Fourth Supplemental Ordinance supplements the Ordinance, constitutes and is a “Supplemental Ordinance” within the meaning of the quoted term as defined and used in the General Bond Ordinance, and is enacted under and pursuant to the General Bond Ordinance.

(b) The Series 2025 Bond constitutes and is a “Bond” within the meaning of the quoted word as defined and used in the Ordinance.

(c) The Pledged Fee Revenues pledged under the Ordinance are not encumbered by any lien or charge thereon or pledge thereof, other than the lien and charge thereon and pledge thereof created by the General Bond Ordinance, as amended and supplemented, providing for payment and security of the Bonds.

(d) As of the date hereof, the Series 2020 Bond constitutes the only Outstanding Bond of the City secured by the Pledged Fee Revenues, and the Series 2025 Bond has been authorized to be issued pursuant to the Ordinance and this Fourth Supplemental Ordinance.

(e) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute an Event of Default under the Ordinance.

(f) The Series 2025 Bond is being issued to defray the Project Costs and to pay Costs of Issuance related thereto.

(g) There is no Debt Service Reserve Requirement for the Series 2025 Bond nor for the Series 2020 Bond.

(h) An estimate of the Project Costs is \$4,250,000.

Section 8. Continuing Disclosure.

Pursuant to Section 11-1-85 of the Code of Laws of South Carolina 1976, as amended, the City has covenanted to file with a central repository for availability in the secondary bond market, when requested, an annual independent audit, within 30 days of its receipt of the audit; and event specific information within 30 days of an event adversely affecting more than five (5%) percent of its revenue or tax base. The only remedy for failure by the City to comply with the covenant in this **Section 8** shall be an action for specific performance of this covenant. The City specifically reserves the right to amend or repeal this covenant to reflect any change in or repeal of Section 11-1-85, without the consent of any Bondholder. Failure to comply with this **Section 8** shall not constitute an Event of Default hereunder or under the Series 2025 Bond.

Section 9. Award of Series 2025 Bond.

(a) The Series 2025 Bond is hereby authorized to be sold via either negotiated or competitive sale as determined by the City Administrator upon advice of the City's Municipal Advisor. The City Administrator is authorized to accept the proposal from the successful purchaser and to execute any commitment letter or term sheet from the successful purchaser on behalf of the City provided the terms thereof are consistent herewith.

(b) The Council hereby authorizes and directs all of the officers and employees of the City to carry out or cause to be carried out all obligations of the City under the Ordinance and to perform all other actions as they shall consider necessary or advisable in connection with the issuance, sale, and delivery of the Series 2025 Bond.

Section 10. Federally Taxable. Interest on the Series 2025 Bond is not excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 11. Interested Parties. Nothing in the Ordinance expressed or implied is intended or shall be construed to confer upon, or to give or grant to, any person or entity, other than the City and the Registered Holder of the Series 2025 Bond, any right, remedy or claim under or by reason of the Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in the Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City and the Registered Holder of the Series 2025 Bond.

Section 12. Additional Provisions. As supplemented herein, the General Bond Ordinance remains in full force and effect and shall govern the issuance of the Series 2025 Bond.

Section 13. Additional Documents. The Mayor, the City Administrator, the Finance Director and the City Clerk, acting jointly or individually, are each fully authorized and empowered to take any further action and to execute and deliver any closing documents or agreements as may be necessary and proper to effect the issuance and delivery of the Series 2025 Bond in accordance with the terms and conditions herein set forth, and the action of the officers or any one or more of them in executing and delivering any documents or agreements, in the form as he, she, or they shall approve, is hereby fully authorized.

Section 14. Section Headings; Table of Contents. The headings and titles of the several sections hereof, and any Table of Contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this Fourth Supplemental Ordinance.

Section 15. Effective Date. This Fourth Supplemental Ordinance shall become effective immediately upon its enactment.

DONE in meeting duly assembled this 16th day of December, 2024.

CITY OF MAULDIN, SOUTH CAROLINA

Mayor

ATTEST:

City Clerk

First Reading: November 18, 2024
Second Reading: December 16, 2024

EXHIBIT A

FORM OF BOND

**UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF MAULDIN
TAXABLE ACCOMMODATIONS TAX AND
HOSPITALITY TAX REVENUE BOND
SERIES 2025**

NO. R-__ \$_____

INTEREST RATE MATURITY DATE ORIGINAL ISSUE DATE

REGISTERED HOLDER: _____

PRINCIPAL SUM: _____ AND NO/100 DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that the City of Mauldin, South Carolina (the “City”), a body politic and corporate and a municipal corporation organized and existing under the laws of the State of South Carolina (the “State”), is justly indebted, and, for value received, hereby promises to pay, but only from the Pledged Fee Revenues (as defined in the Ordinances as hereinafter defined) pledged to the payment hereof, to the Registered Holder, or registered assigns, hereof on the Maturity Date set forth above, the Principal Sum set forth above subject to the principal maturity schedule set forth below (unless this bond be subject to redemption and shall have been duly called for previous redemption and payment of the redemption price made or provided for), and to pay interest on the Principal Sum from the date hereof or from the _____ 1 or _____ 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is an _____ 1 or _____ 1 to which interest shall have been paid, in which case from that date, interest being payable to the maturity hereof on _____ 1 and _____ 1 of each year (those dates being hereinafter referred to as the “*Interest Payment Dates*”), commencing _____ 1, 20__, at the Interest Rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months), until payment of the Principal Sum.

Principal of this Bond is payable on _____ 1 in each of the years and in the amounts as follows:

Year Principal Amount Year Principal Amount

The interest so payable and to be punctually paid or duly provided for on any Interest Payment Date will be paid to the person in whose name this bond is registered at the close of business on the fifteenth day (whether or not a business day) of the calendar month next preceding the Interest Payment Date (the “*Regular Record Date*”), mailed to the Registered Holder hereof by the City at his address as it appears on the registration books (the “*Books of Registry*”) of the City or at any other address as is furnished in writing by the Registered Holder to the City; provided that payment to any Registered Holder of \$1,000,000 or more of the Series 2025 Bond (as hereinafter defined) may be made by wire transfer to

an account in the continental United States in accordance with written instructions filed thereto no later than the Regular Record Date. The principal of and premium, if any, of this bond, when due, shall be payable without presentation or surrender. Both the principal of and interest on this bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF SECTION 6-1-760 UTILIZING THE PROCEDURES OF TITLE 6, CHAPTER 17 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED (COLLECTIVELY, THE “*ENABLING STATUTE*”), AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, 1895, AS AMENDED, AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES PERMITTED THEREIN) OR STATUTORY LIMITATION AND SHALL NEVER CONSTITUTE NOR GIVE RISE TO A PECUNIARY LIABILITY OF THE CITY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS BOND.

This bond and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments of the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except estate, transfer or certain franchise taxes.

It is hereby certified and recited that all acts, conditions, and things required by the Constitution and laws of the State to exist, to happen, and to be performed precedent to or in the issuance of this bond exist, have happened, and have been done and performed in regular and due time, form, and manner, and that the amount of this bond does not exceed any constitutional or statutory limitation thereon.

This bond shall not be entitled to any benefit under the Ordinances or become valid or obligatory for any purpose until it shall have been authenticated by the execution of the Certificate of Authentication which appears hereon by the signature of an authorized officer of the City as Bond Registrar.

This bond is issuable only as a single fully registered bond in the principal amount of _____ Dollars (\$_____) (the “*Series 2025 Bond*”) and is issued pursuant to a General Bond Ordinance enacted by the City Council of the City on October 18, 2010, and a Fourth Supplemental Ordinance enacted by the City Council of the City on December 16, 2024 (collectively, the “*Ordinances*”), and under and in full compliance with the Constitution and statutes of the State, including particularly Article X, Section 14, Paragraph 10 of the Constitution of the State of South Carolina, 1895, as amended, and the Enabling Statute, to obtain funds to (i) defray the Project Costs and (ii) pay Costs of Issuance related thereto (all as defined in the Ordinances).

[This Series 2025 Bond shall be subject to redemption prior to maturity, at the option of the City, _____, at the redemption price of _____, together, in each case, with the interest accrued on the principal amount to the date fixed for redemption.]

In the event any portion or all of the Series 2025 Bond shall be called for redemption, notice of redemption shall be given by first-class mail, not less than thirty (30) days and not more than sixty (60) days prior to the redemption date, to the Registered Holder of the Series 2025 Bond to be redeemed in whole or in part at the address shown on the Books of Registry. Interest on the Series 2025 Bond or portion thereof to be redeemed shall cease to accrue from and after the redemption date specified in the notice, unless the City defaults in making due provisions for the payment of the redemption price thereof.

All principal, interest, or other amounts due hereunder shall be payable only to the Registered Holder hereof. The City will maintain the Books of Registry for the registration or transfer of this bond. This bond may not be transferred except by the Registered Holder hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the City as Bond Registrar duly executed by the Registered Holder of this bond or his duly authorized attorney. Any purported assignment in contravention of the foregoing requirements shall be, as to the City, absolutely null and void. The person in whose name this bond shall be registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of and interest on this bond shall be made only to or upon the order of the Registered Holder or his legal representative. All payments made in this manner shall be valid and effective to satisfy and discharge the liability of the City upon this bond to the extent of the sum or sums paid. No person other than the Registered Holder shall have any right to receive payments, pursue remedies, enforce obligations, or exercise or enjoy any other rights under this bond against the City. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in this bond as against a person (including the Registered Holder) other than the City, as in the case where the Registered Holder is a trustee or nominee for two or more beneficial owners of an interest in this bond.

The City shall not be required (a) to exchange or transfer the Series 2025 Bond (i) from the Regular Record Date to the next succeeding Interest Payment Date or (ii) for a period of fifteen (15) days following any selection of the Series 2025 Bond to be redeemed or thereafter until after the first publication or mailing of any notice of redemption or (b) to transfer the Series 2025 Bond called for redemption.

The principal of, premium, if any, and interest on the Series 2025 Bond are payable solely from the Pledged Fee Revenues (as defined in the Ordinances). The pledge of and lien on the Pledged Fee Revenues made to secure the payment of the Series 2025 Bond have priority over all other pledges of and liens on the Pledged Fee Revenues except the pledge and lien in favor of Bonds (as defined in the Ordinances) issued or to be issued under the Ordinances on a parity with the Series 2025 Bond.

No recourse shall be had for the payment of the principal of, premium, if any, and interest on the Series 2025 Bond against the several funds of the City, except in the manner and to the extent provided in the Ordinances, nor shall the credit or taxing power of the City be deemed to be pledged to the payment of the Series 2025 Bond. The Series 2025 Bond shall not be a charge, lien, or encumbrance, legal or equitable, upon any property of the City or upon any income, receipts, or revenues of the City, other than the Pledged Fee Revenues that have been pledged to the payment thereof, and this bond is payable solely from the Pledged Fee Revenues pledged to the payment thereof, and the City is not obligated to pay the same except from the Pledged Fee Revenues.

Whenever the terms of this bond require any action be taken on a Saturday, Sunday, or legal holiday or bank holiday in the State, the action shall be taken on the first business day occurring thereafter.

The Ordinances contain provisions defining terms; set forth the terms and conditions upon which the covenants, agreements, and other obligations of the City made therein may be discharged at or prior to the maturity of this bond with provisions for the payment thereof in the manner set forth in the Ordinances; and set forth the terms and conditions under which the Ordinances may be amended or modified with or without the consent of the Registered Holder of this bond. Reference is hereby made to the Ordinances, to all the provisions of which any Registered Holder of this bond by the acceptance hereof thereby assents.

IN WITNESS WHEREOF, THE CITY OF MAULDIN, SOUTH CAROLINA, has caused this bond to be signed in its name by the Mayor and the City Administrator of the City and attested by the City Clerk, under the Seal of the City, impressed or reproduced hereon.

CITY OF MAULDIN, SOUTH CAROLINA

(SEAL)

Mayor

City Administrator

ATTEST:

City Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is the Bond designated herein and issued under the provisions of the within-mentioned Ordinances.

**CITY OF MAULDIN, SOUTH CAROLINA
as Bond Registrar**

Authorized Officer

Date of Authentication: _____

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants in entireties
JT TEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT - _____
(Cust)

Custodian _____
(Minor)

under Uniform Gifts to Minors Act _____
(State)

Additional abbreviations may also be used, though not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (Social Security No. or other Identifying Number of Assignee _____) the within Bond of the **CITY OF MAULDIN, SOUTH CAROLINA**, and does hereby irrevocably constitute and appoint _____ to transfer the within Bond on the books kept for registration thereof with full power of substitution in the premises.

DATED: _____

Signature Guaranteed: _____

NOTICE: Signature must be guaranteed by an institution who is a participant in the Securities Transfer Agent Medallion Program (“**STAMP**”) or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

CERTIFIED COPY OF ORDINANCE

I, the undersigned City Clerk of the City of Mauldin, South Carolina (the “*City*”), do hereby certify that attached hereto is a true, accurate and complete copy of an ordinance which was given two readings on two separate days, with an interval of at least six days between the readings, and received approval, by the City Council of the City (the “*Council*”) at its meetings of November 18, 2024 and December 16, 2024, at which meetings a quorum of members of the Council were present and voted, and an original of which ordinance is filed in the permanent records of the Council.

IN WITNESS WHEREOF, I have hereunto set my Hand this 16th day of December, 2024.

CITY OF MAULDIN, SOUTH CAROLINA

City Clerk

First Reading: November 18, 2024
Second Reading: December 16, 2024