

GRANT COUNTY, NEW MEXICO  
RESOLUTION NO. R-09-19

AUTHORIZING THE GIVING OF NOTICE FOR BIDS,  
APPROVING FORMS OF OFFICIAL NOTICE OF BOND  
SALE, OFFICIAL BID FORM, NOTICE OF INTENTION TO  
SELL BONDS, AND PRELIMINARY OFFICIAL STATEMENT,  
AND AUTHORIZING OTHER ACTIONS RELATED TO THE  
SALE OF \$4,000,000 GRANT COUNTY, NEW MEXICO  
GENERAL OBLIGATION BONDS, SERIES 2009

WHEREAS, the Board of County Commissioners (the "Board") of Grant County, New Mexico (the "County"), hereby determines that the County, at its special election of August 23, 2005, was given authority to issue general obligations bonds in a principal amount of up to \$10,000,000 (the "Authorized Bonds") to demolish existing structures for and design, construct, improve, equip and furnish a County Detention and Law Enforcement Center (the "Project");

WHEREAS, the County has issued \$6,000,000 of the Authorized Bonds for the Project in its General Obligation Bonds, Series 2005, and has expended \$400,000 of those funds; and

WHEREAS, the County desires to issue the remaining \$4,000,000 of the Authorized Bonds (the "Series 2009 Bonds") to complete the Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF GRANT COUNTY AS FOLLOWS:

Section 1. The Series 2009 Bonds shall be designated as Grant County, New Mexico General Obligation Bonds, Series 2009. The Series 2009 Bonds shall be sold on a competitive basis and publicly advertised for sale. Sealed bids for the Series 2009 Bonds shall be received on Thursday, July 16, 2009 until the hour of 11:00 a.m. Mountain Daylight Time. Each bid must be either: (i) enclosed in a sealed envelope marked on the outside "Bid for Bonds" and addressed to the Board of County Commissioners, Grant County, New Mexico, 1400 E. US Highway 180, P.O. Box 898 (88062), Silver City, New Mexico 88061, Attention: County Clerk, or (ii) submitted as an electronic bid using the facilities of PARITY prior to the deadline for bids. Bids by telephone or facsimile will not be accepted. Bids will be publicly examined promptly thereafter in the County Clerk's Office. The examination, acceptance and ratification of bids may be postponed as stated in an "Official Notice of Bond Sale," the form of which is set forth in Exhibit A to this Resolution. The Series 2009 Bonds shall be awarded to the best bidder on an all or none basis as set forth in the Official Notice of Bond Sale. The form of the Official Notice of Bond Sale set forth in Exhibit A and the form of the Official Bid Form set forth in Exhibit B are hereby approved.

Section 2. The maximum net effective interest rate on the Series 2009 Bonds shall be 10% per annum. The purchase price for the Series 2009 Bonds shall be at least the aggregate principal amount of the Series 2009 Bonds. These and other terms of the Series 2009 Bonds shall be as stated in the Official Notice of Bond Sale.

Section 3. The County Clerk is authorized and directed to cause a "Notice of Intention to Sell Bonds," substantially in the form attached hereto as Exhibit C, which form is hereby approved, to be published in a daily newspaper having a local and general circulation in the County at least one week prior to the date of the sale.

Section 4. The County Manager, the County Treasurer and the County Clerk are authorized and directed to give such other notices and take such other actions not inconsistent with this Resolution as they shall individually or collectively determine, including but not limited to:

A. the publication of the notice in Exhibit C of this Resolution in any financial newspaper or periodical in addition to the publication required by Section 3 of this Resolution;

B. the distribution among investment bankers and others of a Preliminary Official Statement and an Official Statement which include information relating to the Series 2009 Bonds, the County, the Project to be financed with the proceeds of the Series 2009 Bonds and other required information and information deemed necessary or advisable by the County; and

C. the posting of the Official Notice of Bond Sale in Exhibit A of this Resolution, the Official Bid Form, the Preliminary Official Statement and Official Statement for viewing in electronic format, and the entering into agreements to accomplish these matters;

D. based on cash flows and financial market considerations, the adjustment of the maturity schedule of the principal amounts of the Series 2009 Bonds (including the optional redemption dates relative to that maturity schedule), or the postponement or cancellation of the sale, which adjustment, postponement or cancellation shall be contained, as applicable, in the Official Notice of Bond Sale in Exhibit A of this Resolution and the Preliminary Official Statement.

Section 5. The officers of the County are authorized and directed to take all action necessary or appropriate to give effect to the provisions of this Resolution, including, but not limited to:

A. the assembly of financial and other information concerning the County and the Series 2009 Bonds;

B. the execution and delivery by authorized officers of the County of an agreement to provide annual reports and notices of certain events to assist bidders in complying with Securities and Exchange Commission Rule 15c2-12;

C. the preparation of (i) a Preliminary Official Statement in substantially the form presented to the Board with this Resolution, which form is hereby approved, with such changes as the County Manager, County Treasurer or County Clerk shall approve, after consultation with County's bond counsel, and (ii) an Official Statement;

D. the making of electronic transmission and document viewing arrangements; and

E. the furnishing to prospective bidders of a reasonable number of copies of the Official Notice of Bond Sale (including the Official Bid Form) and a reasonable number of copies of the Preliminary Official Statement.

Section 6. After the award of the Series 2009 Bonds, the County shall provide copies of the Official Statement in reasonable quantities as requested by the purchaser and shall include in the Official Statement such additional information concerning the sale of the Series 2009 Bonds as the purchaser may reasonably request. Official Statements shall be provided on a timely basis in such quantities as may be necessary for the purchaser's regulatory compliance.

Section 7. All action previously taken by the Board and by the officers of the County on behalf of the Board directed toward the authorization, issuance or sale of the Series 2009 Bonds (including but not necessarily limited to any prior mailing of the Notice of Sale for the Series 2009 Bonds) is ratified, approved and confirmed by this Resolution.

Section 8. If any section, paragraph, clause or provisions of this Resolution are held to be invalid or unenforceable for any reason, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

[Signature page follows]

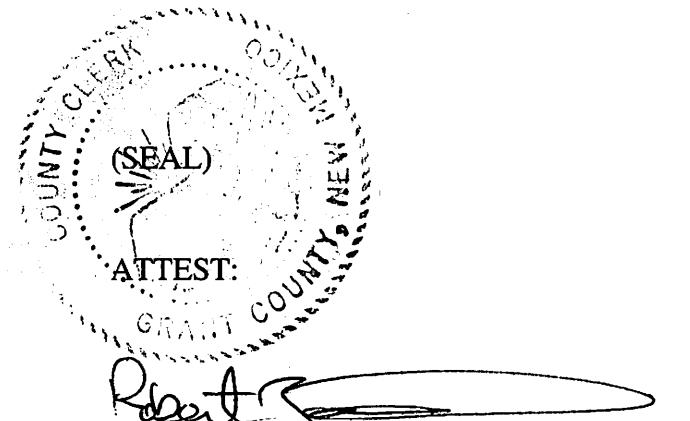
PASSED, ADOPTED, AND APPROVED this 25<sup>th</sup> day of June, 2009.

BOARD OF COUNTY COMMISSIONERS  
GRANT COUNTY, NEW MEXICO

By   
Jovita Gonzales, Chairperson

  
Mary Ann Sedillo, Member

  
Christy Miller, Member



I, Robert Zamarripa, County Clerk of Grant County, New Mexico, do hereby certify that the foregoing is a true and correct copy of Resolution No. R-09-19, which was duly adopted by the Board of County Commissioners of Grant County at a meeting thereof held on the 25<sup>th</sup> day of June, 2009, and that it was so adopted by the following vote:

AYES: 3

NOES: 0

ABSENT: 0

ABSTAIN: 0

IN WITNESS WHEREOF, I have hereunto set my hand this 25<sup>th</sup> day of June, 2009.



Robert Zamarripa, County Clerk  
Grant County, New Mexico

## EXHIBIT A

[Form of Official Notice of Bond Sale]

### OFFICIAL NOTICE OF BOND SALE

\$4,000,000  
GRANT COUNTY, NEW MEXICO  
GENERAL OBLIGATION BONDS  
SERIES 2009

NOTICE IS HEREBY GIVEN that the Board of County Commissioners ("Board"), governing body of Grant County, New Mexico (the "County"), will, until the hour of 11:00 a.m., local time, on Thursday, July 16, 2009, at the offices of the County Clerk, 1400 E. US Highway 180, Silver City, New Mexico 88061, receive bids and publicly open the same for the purchase of the County's General Obligation Bonds, Series 2009 ("Bonds"), in the aggregate principal amount of \$4,000,000. Bids may be submitted as a sealed bid or as an electronic bid using the facilities of PARITY. Submission of bids is further discussed below. The Board will hold an open meeting at the Grant County Courthouse, 1400 E. US Highway 180, Silver City, on July 16, 2009, beginning at 10:00 a.m., local time, and, after receipt of such bids, will consider whether to award the Bonds and adopt a bond resolution, and will consider any other related matters.

**For purposes of the written sealed bids, and bids received through the electronic bidding process, the time as maintained by PARITY shall constitute the official time.**

### METHOD FOR BIDS

#### Bids Delivered to the Board

Sealed bids, plainly marked "Bid for Bonds," should be addressed to "Board of County Commissioners," and delivered to Grant County, New Mexico, 1400 E US Highway 180, P.O. Box 898 (88062), Silver City, New Mexico 88061, Attention: County Clerk, prior to 11:00 a.m., local time, on Thursday, July 16, 2009, the date of the bid opening. Such bids must be submitted on the Official Bid Form, without alteration or interlineation. The bidder accepts responsibility for non-timely delivery of the bid and/or the good faith deposit.

#### Electronic Bidding Procedures

Any prospective bidder that intends to submit an electronic bid must submit its electronic bid through the facilities of PARITY. Subscription to Ipreo LLC's BiDCOMP Competitive Bidding System is required in order to submit an electronic bid. The Board will neither confirm any subscription nor be responsible for the failure of any prospective bidder to subscribe.

An electronic bid made through the facilities of PARITY shall be deemed an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Bond Sale, and shall be

binding upon the bidder as if made by a signed, sealed bid delivered to the Board. The Board and Kious & Co., Inc. (the "County's Financial Advisor") shall not be responsible for any malfunction or mistake made by or as a result of the use of the facilities of PARITY, the use of such facilities being the sole risk of the prospective bidder.

If any provisions of this Notice of Bond Sale conflict with information provided by PARITY, as the approved provider of electronic bidding services, this Notice of Bond Sale shall control. Further information about PARITY, including any fee charged, may be obtained from PARITY at (212) 849-5021.

For information purposes only, bidders are requested to state in their electronic bids the true interest cost to the Board, as described under "BASIS OF AWARD" below. All electronic bids shall be deemed to incorporate the provisions of this Official Notice of Bond Sale and the Official Bid Form.

#### THE BONDS

The Bonds will be dated the date of initial delivery, will be issued as fully registered bonds in the denomination of \$5,000 each or any integral multiple thereof. The Bonds will be issued in book-entry only form through the facilities of The Depository Trust Company, New York, New York, and beneficial owners will not receive physical delivery of Bond certificates. The Bonds will mature on September 1 in each of the years and in the principal amounts as follows:

<u>Years Maturing</u>	<u>Amounts Maturing</u>
2010	\$500,000
2011	\$600,000
2012	\$600,000
2013	\$600,000
2014	\$500,000
2015	\$500,000
2016	\$500,000
2017	\$200,000

Both principal of and interest on the Bonds will be payable in lawful money of the United States of America, and the principal of each Bond will be payable at the principal office of the paying agent/registrar to be selected by the Board. Such payments will then be distributed to the participating members thereof and by such participating members to the beneficial owners of the Bonds. This issue constitutes a portion of the bonds authorized at an election held on

August 23, 2005, for the purpose of demolishing existing structures for and designing, improving, equipping and furnishing a County Detention and Law Enforcement Center, and will constitute general obligation bonds of the County, payable from general taxes that may be levied without limitation as to rate or amount, on a parity with other general obligation bonds of the County, now or hereafter outstanding.

**NO OPTIONAL REDEMPTION**

The Bonds will not be subject to optional or mandatory redemption prior to maturity.

**PAYMENT OF PURCHASE PRICE**

The purchaser will be required to make payment of the balance of the purchase price of the Bonds (after credit for the bidder's good faith deposit, without interest to the purchaser) in immediately available funds at a depository designated by the County at the time of delivery of the Bonds.

**INTEREST RATE BID LIMITATIONS, AND MAXIMUM PREMIUM LIMITATION**

Interest on the Bonds will be payable on March 1, 2010, and semi-annually thereafter on March 1 and September 1 in each year until maturity.

The maximum net effective interest rate permitted on the Bonds is ten percent (10%) and no interest rate on any maturity of the Bonds may be greater than ten percent (10%) per annum. No bid shall specify more than one interest rate for each maturity; each interest rate specified must be stated in a multiple of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%) per annum; and the highest interest rate specified for any maturity may exceed the lowest interest rate specified for any other maturity by no more than one and one-half percent (1.5%).

The Bonds will not be sold for less than par nor will an aggregate bid premium in excess of \$80,000 be accepted.

Each bidder is required to submit an unconditional, written and sealed bid on the Official Bid Form or electronically for all of the Bonds specifying the lowest rate or rates of interest and premium, if any, at which such bidder will purchase the Bonds. For informational purposes only, each bidder is requested to specify the True Interest Cost on the Bonds stated as a nominal annual percentage rate (see "BASIS OF AWARD" below). Only unconditional bids shall be considered. The Official Bid Form may be obtained from the County's Financial Advisor or viewed in electronic format at [www.i-dealprospectus.com](http://www.i-dealprospectus.com) (see "FURTHER INFORMATION" below).

**INSURANCE**

The County may apply for municipal bond insurance for payment of principal of and interest on the Bonds. If the Bonds are approved for municipal bond insurance, the Bonds may be insured at the bidder's request and expense; and if the successful bidder desires that a legend be printed on the Bonds stating that they are insured, the form of such legend and a written

request that it be printed on the Bonds must be received by the County's Financial Advisor, identified under "FURTHER INFORMATION" below, within forty-eight (48) hours of the award of the Bonds to the successful bidder. At the delivery of the Bonds, the bidder is required to provide documentation to the County confirming that the premiums due the insurance company and any rating agency fees (other than the fee of Moody's Investors Service for the underlying rating on the Bonds, which will be paid by the County) have been fully paid.

#### BASIS OF AWARD

The Bonds will be awarded to the best bidder on an all or none basis, considering the interest rate or rates specified and the premium offered, if any, and subject to the right of the Board to reject any and all bids and re-advertise. The best bid will be determined and will be awarded on the basis of the True Interest Cost of the Bonds (i.e., using a True Interest Cost method) for each bid received, and an award will be made (if any is made) to the responsible bidder submitting the bid that results in the lowest actuarial yield on the Bonds. "True Interest Cost" of the Bonds, as used herein, means that yield, which if used to compute the present worth, as of the date of the Bonds, of all payments of principal and interest to be made on the Bonds, from their date to their respective maturity dates, as specified in the maturity schedule and without regard to the possible optional prior redemption of the Bonds, using the interest rates specified in the bid, produces an amount equal to the principal amount of the Bonds plus any premium bid. Such calculation shall be based on a 360-day year consisting of twelve thirty-day months and a semiannual compounding interval. **The Bonds will not be sold for less than par, nor will an aggregate bid premium in excess of \$80,000 be accepted.** The County reserves the right to waive any irregularity or informality in any bid, except time of filing.

#### GOOD FAITH DEPOSIT

All bids shall be sealed, except bids received by electronic transmission, and except for any bid of the State of New Mexico, if one is received, a good faith deposit of \$80,000 (in the form of a financial security bond, cash, cashier's or treasurer's check or by certified check drawn on a solvent commercial bank or trust company in the United States of America and payable to the order of Grant County, New Mexico) must accompany any bid or be submitted prior to the submission of such bid. If a financial security bond is used, it must be from an insurance company that is licensed to issue such a bond in the State of New Mexico and that has a long-term rating by a nationally recognized rating agency of one of the two highest rating categories for long term obligations. The financial security bond must identify each bidder whose good faith deposit is guaranteed by such bond. If the Bonds are awarded to a bidder utilizing a financial security bond, then that successful bidder is required to submit the amount of the good faith deposit to the County in the form of a cashier's, treasurer's or certified check as provided in the first sentence of this paragraph (or wire transfer such amount as instructed by the County or its Financial Advisor) not later than 2:00 p.m., local time, on the next business day following the opening of the bids for the Bonds. If such good faith deposit is not received by that time, the financial security bond may be drawn upon by the County to satisfy the good faith deposit requirement. No interest on such good faith deposit will accrue to the successful bidder. If the financial security bond is drawn against or the winning bidder wire transfers to the County the amount of the good faith deposit, such cash deposit will be applied to the purchase price of the Bonds.

The good faith deposit shall be returned for all non-successful bids or if no bid is accepted. If the successful bidder fails or neglects to complete the purchase of the Bonds within forty-five (45) days following the acceptance of the bid or within ten (10) days after the Bonds are offered for delivery, whichever is later, the amount of the deposit shall be forfeited to the County as liquidated damages. If all bids are rejected, the Board shall re-advertise the Bonds for sale in the same manner as herein provided for the original advertisement. If there be two or more equal bids and such bids are the best bids received, the Board shall determine which bid shall be accepted.

#### TIME OF AWARD AND DELIVERY

The Board will take action awarding the Bonds or rejecting all bids not later than twenty-four (24) hours after the expiration of the time herein prescribed for the receipt of the bids. Delivery of the Bonds will be made to the successful bidder through the facilities of The Depository Trust Company, New York, New York, within sixty (60) days of the acceptance of the bid. If for any reason delivery cannot be made within sixty (60) days, the successful bidder shall have the right to purchase the Bonds during the succeeding thirty (30) days upon the same terms, or at the request of the successful bidder, during said succeeding thirty (30) days, the good faith deposit will be returned, and such bidder shall be relieved of any further obligation. The successful bidder shall make final payment for the Bonds with Federal Reserve Funds or other funds acceptable to the County for immediate and unconditional credit to the account of the County. It is anticipated that the delivery of the Bonds will be on or about August 21, 2009.

#### FURTHER INFORMATION

Information concerning the Bonds, information regarding electronic bidding procedures, bids submitted by electronic transmission and other matters, including printed copies of this Notice, the Official Bid Form, and the Preliminary Official Statement ("Preliminary Official Statement") related to the Bonds may be obtained from the County's Financial Advisor, Kious & Co., Inc., 320 Gold Avenue SW, Suite 1210, Albuquerque, New Mexico 87102, phone 505-243-3703. This Notice, the Official Bid Form and the Preliminary Official Statement are available for viewing in electronic format at [www.i-dealprospectus.com](http://www.i-dealprospectus.com). All bidders must review the Preliminary Official Statement and, by submitting a bid for the Bonds, each bidder certifies that such bidder has done so prior to participating in the bidding. Upon the sale of the Bonds, the County agrees to provide the purchaser not later than seven (7) business days following the sale of the Bonds an aggregate of no more than 100 copies of the final Official Statement, reflecting interest rates and other terms relating to the initial offering of the Bonds. The cost of preparation of the Official Statement shall be borne by the County, except the costs of any final Official Statement in excess of the number specified shall be borne, prepared, and distribution by the successful bidder(s). The purchaser must provide the County, forty-eight (48) hours after the award of the Bonds, all necessary offering price information, selling compensation information, all other terms of sale which are dependent on such matters and any identification of the purchaser, all as may be necessary to complete the final Official Statement.

The County will undertake to provide certain periodic information and notices of material events in accordance with the Securities and Exchange Commission Rule 15c2-12, as described in the Preliminary Official Statement. The purchaser's obligation to accept and pay for the

### CUSIP NUMBERS

CUSIP identification numbers may be typed or printed on the Bonds, but neither the failure to provide such number on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser thereof to accept delivery of and to pay for the Bonds in accordance with the terms hereof. All expenses in relation to the CUSIP Service charge for the assignment of said numbers will be the responsibility of and will be paid for by the purchaser.

### BLUE SKY LAWS

The County has not investigated the eligibility of any institution or person to purchase or participate in the underwriting of the Bonds under any applicable legal investment, insurance, banking, or other laws.

By submitting a bid, the initial purchaser represents that the sale of the Bonds in states other than New Mexico will be made only under exemptions from registration, or, wherever necessary, the initial purchaser will register the Bonds in accordance with the securities laws of the state in which the Bonds are offered or sold. The County agrees to cooperate with the initial purchaser, at the initial purchaser's written request and expense, in registering the Bonds or obtaining an exemption from registration in any state where such action is necessary but will not consent to service of process in any such jurisdiction.

Dated: June 25, 2009.

[SEAL]

Attest:

(Manual Signature)

County Clerk

(Manual Signature)

Chairman, Board of County Commissioners

[End of Form of Official Notice of Bond Sale]

Bonds is conditioned upon the delivery to the purchaser or its agent of a certified copy of the resolution authorizing the Bonds containing the agreement described in the Preliminary Official Statement.

#### PRELIMINARY AND FINAL OFFICIAL STATEMENTS

The County has prepared a Preliminary Official Statement for each bidder to review in connection with the Sale of the Bonds. The Preliminary Official Statement is deemed final by the County for purposes of SEC Rule 15c2-12(b)(1) except for the omission of the following information: the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, any other terms or provision required by the County of such securities to be specified in a competitive bid, rating, other terms of securities depending on such matters, and the identity of the underwriter(s).

#### LEGAL OPINIONS AND TRANSCRIPT

The legality of the Bonds will be approved by Sutin, Thayer & Browne A Professional Corporation, Albuquerque and Santa Fe, New Mexico ("Bond Counsel"), whose opinion approving the legality of the Bonds will be furnished to the successful bidder at no cost to the successful bidder. The opinion will state in substance that the issue of the Bonds in the amount aforesaid is valid and legally binding upon the County, that all of the taxable property in the County is subject to the levy of a tax to pay the same without limitation of rate or amount, and that interest on the Bonds is excludable from gross income for purposes of federal income tax. In addition, the County Attorney's written approval of the Bonds, as to form and legality, will be supplied. The successful bidder (without cost to such bidder) will also be furnished with a complete transcript of the legal proceedings, including a no-litigation certificate stating that to the knowledge of the signer or signers thereof, as of the date of the delivery of the Bonds, no litigation is pending affecting the validity of the Bonds or the levy or collection of such taxes for payment on the Bonds.

#### QUALIFIED TAX-EXEMPT OBLIGATIONS

The County intends to designate the Bonds as "QUALIFIED TAX-EXEMPT OBLIGATIONS" for purposes of Section 265 of the Internal Revenue Code of 1986, as amended ("Code"). Section 265 of the Code permits the designation of governmental bonds, such as the Bonds, as qualified tax-exempt obligations based upon certain representations made hereinbelow (and certain representations by the initial purchaser of the Bonds):

- (a) The Bonds are not private activity bonds;
- (b) The County does not reasonably expect to issue qualified tax-exempt obligations in an aggregate principal amount exceeding \$30,000,000 during calendar year 2009; and
- (c) The County has not and will not designate more than \$30,000,000 in aggregate principal amount of qualified tax-exempt obligations during calendar year 2009.

## EXHIBIT B

### [Form of Official Bid Form]

\_\_\_\_\_, 2009

### OFFICIAL BID FORM

Board of County Commissioners  
Grant County, New Mexico  
1400 E. US Highway 180  
P.O. Box 898 (88062)  
Silver City, New Mexico 88061  
Attention: County Clerk

#### Members of the Board:

Pursuant to your Official Notice of Bond Sale dated June 25, 2009, relating to the Grant County, New Mexico General Obligation Bonds, Series 2009 (the "Bonds") in the principal amount of \$4,000,000, which by reference is made a part hereof, we submit the following bid:

For your legally issued Bonds as described in the Official Notice of Bond Sale, we will pay you par, plus a cash premium of \$\_\_\_\_\_ (maximum of \$80,000), provided the Bonds bear interest per annum as follows:

<u>Maturing (September 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2010	\$500,000	_____
2011	\$600,000	_____
2012	\$600,000	_____
2013	\$600,000	_____
2014	\$500,000	_____
2015	\$500,000	_____
2016	\$500,000	_____
2017	\$200,000	_____

Enclosed herewith is \*a financial security bond\*, \*cash\*, \*a cashier's or treasurer's check of \_\_\_\_\_\*, \*a certified check drawn on a solvent commercial bank or trust company in the United States of America\*, made payable to the order of Grant County, New Mexico, in the amount of \$80,000, which deposit represents our good faith deposit and is submitted in accordance with the terms set forth in the Official Notice of Bond Sale. We will pay the CUSIP Service Bureau charge, if any, for the assignment of CUSIP numbers.

The undersigned agrees to complete, execute, and deliver to the County, a certificate related to the "issue price" of the Bonds, in the form and to the effect approved by the County, within two business days from the date hereof.

We understand and agree that no more than one hundred (100) copies of the final Official Statement, including any amendments or supplements thereto will be supplied to us at the County's expense and that any additional copies requested will be subject to a charge to us. By accepting this bid, you agree to provide such copies of the final Official Statement and of any amendments or supplements thereto in accordance with the Official Notice of Bond

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\* Strike inapplicable words

Sale, and you undertake your other obligations described therein, as contemplated by Rule 15c2-12 of the Securities and Exchange Commission.

Respectfully submitted,

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By: \_\_\_\_\_  
Authorized Representative

For informational purposes only, our calculation of the True Interest Cost is as follows:

**True Interest Cost: (stated as a nominal annual percentage) \_\_\_\_\_ %**

Additionally, for informational purposes only, the following is requested:

Gross Interest Cost: \$ \_\_\_\_\_

Bond Insurance (if any) at Cost  
of Bidder:

Less Premium Bid: \$ \_\_\_\_\_

Name of Company

Net Interest Cost: \$ \_\_\_\_\_

Insurance Premium: \$ \_\_\_\_\_

Additional Rating (if any) at Cost  
of Bidder:

Name of Rating Agency:

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#### ACCEPTANCE CLAUSE

The above bid is hereby in all things accepted by the Board of County Commissioners of Grant County, New Mexico, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Chairman  
(Manual Signature)

\_\_\_\_\_  
County Clerk  
(Manual Signature)

RETURN OF GOOD FAITH DEPOSIT

Return of good faith deposit to us as an unsuccessful bidder on this \_\_\_\_\_, 2009, is hereby acknowledged.

\_\_\_\_\_  
Bidder

By: \_\_\_\_\_

## EXHIBIT C

[Form of Notice of Intention to Sell Bonds]

### NOTICE OF INTENTION TO SELL BONDS

\$4,000,000  
GRANT COUNTY, NEW MEXICO  
GENERAL OBLIGATION BONDS  
SERIES 2009

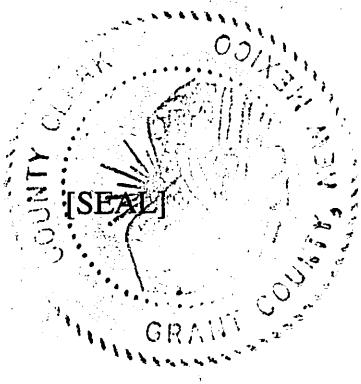
NOTICE IS HEREBY GIVEN that the Board of County Commissioners (the "Board"), governing body of Grant County, New Mexico (the "County"), will, until the hour of 11:00 a.m., local time, on Thursday, July 16, 2009, at the offices of the County Clerk, 1400 E. US Highway 180, Silver City, New Mexico 88061, receive bids and publicly open the same for the purchase of the County's General Obligation Bonds, Series 2009 (the "Bonds"), in the aggregate principal amount of \$4,000,000. Bids may be submitted as a sealed bid or as an electronic bid using the facilities of PARITY. The Board will hold an open meeting at the Grant County Courthouse, 1400 E. US Highway 180, Silver City, New Mexico on July 16, 2009, beginning at 10:00 a.m., local time, and, after receipt of such bids, will consider whether to award the Bonds and adopt a bond resolution, and consider any other related matters.

NOTICE IS HEREBY FURTHER GIVEN that the Bonds will be awarded to the best bidder, considering the interest rate or rates specified and the premium offered, if any, and subject to the right of the Board to reject any and all bids and re-advertise. The best bid will be determined and will be awarded on the basis of the True Interest Cost of the Bonds (i.e., using a True Interest Cost method) for each bid received, and an award will be made (if any is made) to the responsible bidder submitting the bid that results in the lowest actuarial yield on the Bonds. "True Interest Cost" of the Bonds, as used herein, means that yield, which if used to compute the present worth, as of the date of the Bonds, of all payments of principal and interest to be made on the Bonds, from their date to their respective maturity dates, as specified in the maturity schedule and without regard to the possible optional prior redemption of the Bonds, using the interest rates specified in the bid, produces an amount equal to the principal amount of the Bonds plus any premium bid. Such calculation shall be based on a 360-day year consisting of twelve thirty-day months and a semiannual compounding interval. The Bonds will not be sold for less than par, nor will an aggregate bid premium in excess of \$80,000 be accepted. The Board reserves the right to waive any irregularity or informality in any bid, except time of filing.

NOTICE IS HEREBY FURTHER GIVEN that the Bonds will be offered for public sale subject to the terms and conditions of the Official Notice of Bond Sale, dated June 25, 2009, provided that the maximum net effective interest rate permitted on the Bonds will be 10% and no interest rate on any maturity of the Bonds may be greater than 10% per annum. Each bidder must submit a bid specifying the lowest rate of interest and any premium above par at which the bidder will purchase the Bonds. Information concerning the Bonds, information regarding electronic bidding procedures, bids submitted by electronic transmission and other matters, including printed copies of the Official Notice of Bond Sale, the Official Bid Form, and the

Preliminary Official Statement related to the Bonds may be obtained from the County's financial advisor, Kious & Co., Inc., 320 Gold Avenue SW, Suite 1210, Albuquerque, New Mexico 87102, phone 505-243-3703. The Official Notice of Bond Sale, the Official Bid Form and the Preliminary Official Statement are available for viewing in electronic format at [www.i-dealprospectus.com](http://www.i-dealprospectus.com).

Dated: June 25, 2009.



  
(Manual Signature)

Robert Zamirripa, County Clerk  
Grant County, New Mexico  
ZAmarripa

[End of Form of Notice of Intention to Sell Bonds]