

RESOLUTION NO. _____

**RESOLUTION CONCURRING IN ADOPTION OF
RESOLUTION OF [NAME OF CITY], NORTH CAROLINA
TO PARTICIPATE IN THE IN THE COMMERCIAL
PROPERTY ASSESSED CAPITAL EXPENDITURE (C-
PACE) PROGRAM**

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(a)(1), the [_____] ¹, of the [Name of City], North Carolina (the “City²”) adopted a resolution (the “Resolution of Intent”) declaring the intent of the [City] to participate in the Commercial Property Assessed Capital Expenditure (C-PACE Program) established under Article 10B of Chapter 160A of the General Statutes of North Carolina, as amended (the “C-PACE Act”); and

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(b), after adopting the Resolution of Intent the [City] (a) held a public hearing on its intent to participate in the C-PACE Program and (b) thereafter adopted a resolution to join the C-PACE Program (the “Authorizing Resolution”); and

WHEREAS, under N.C. Gen. Stat § 160A-239.14(b), the Authorizing Resolution shall be effective only with the concurrence of the governing body of the county in which the [City] is located; and

WHEREAS, the [City] is located within the County of [_____] (the “County”) and the Board of Commissioners, as the governing board of the County, desires to concur with the adoption of the Authorizing Resolution pursuant to N.C. Gen. Stat § 160A-239.14(b);

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of [_____] , North Carolina as follows:

Section 1. The County hereby concurs with the Authorizing Resolution for purposes of N.C. Gen. Stat § 160A-239.14(b).

Section 2. Nothing in this resolution shall be interpreted as authorizing the County to pledge, offer, or encumber its full faith and credit, and the County shall not pledge, offer, or encumber its full faith and credit in connection with any C-PACE Financing.

Section 3. Should any provision or provisions of this Resolution be declared invalid or unenforceable in any respect by final decree of any court of competent jurisdiction, the invalidity or unenforceability of any such provisions shall not affect the remaining provisions of such Resolution.

¹ NTD: Insert name of governing body (e.g., “Town Council”, “City Council”, “Village Council” or “Board of Commissioners”).

² NTD: Insert “Town” or “Village”, as appropriate.

Section 4. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. This Resolution shall take effect upon its adoption.

* * * * *

ADOPTED AND APPROVED this ___ day of _____, 20__.

* * * * *

I, _____, Clerk to the [Governing Body] for the [County of _____] Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the [Governing Body] of the County at a regular meeting duly called and held on _____.

WITNESS my hand and the official seal of the [County] this ___ day of _____, 20__.

_____, Clerk
[Governing Body]
[County of _____]

(SEAL)