

NOTICE OF PUBLIC HEARING

Members of the public may join the public hearing by calling:

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Meeting ID: 947 3459 9457

Password: 593722

Notice is hereby given that on Thursday, October 22, 2020, at 3:00 p.m., a public hearing will be held in Conference Room Number 201 in the Berkeley County Council offices, Berkeley County Administration Building, 400 West Stephen Street, Martinsburg, West Virginia, and by teleconference, at which time and place all interested parties may appear before the Berkeley County Building Commission (the “Building Commission”) and may be heard as to whether the following described Ordinance adopted by the Building Commission shall be put into effect by the Building Commission.

Notice is further hereby given that on October 8, 2020, the Building Commission enacted an Ordinance authorizing and directing the issuance of not more than \$20,000,000 in aggregate principal amount of Berkeley County Building Commission Lease Revenue Refunding Bonds (Berkeley County Judicial Center Project), in one or more series (the “Bonds”) pursuant to Chapter 8, Article 33, Chapter 8, Article 16 and Chapter 13, Article 2E of the Code of West Virginia, 1931, as amended (collectively, the “Act”) for the purposes of (i) refunding all or a portion of the Berkeley County Building Commission Lease Revenue Refunding Bonds (Berkeley County Judicial Center Project) Series 2014 A, the Berkeley County Building Commission Lease Revenue Refunding Bonds (Berkeley County Judicial Center Project) Series 2014 B and/or the Berkeley County Building Commission Lease Revenue Refunding Bonds (Berkeley County Judicial Center Project) Series 2015 (collectively, the “Bonds to be Refunded”), and (ii) paying costs of issuance and other costs relating thereto. The Ordinance further provides for the continued leasing by the Building Commission of the property financed or refinanced in whole or in part by the Bonds to be Refunded (the “Property”) to The County Council of Berkeley County, West Virginia (the “Lease”).

The Bonds will be special obligations of the Building Commission payable solely from the revenues, rentals, and other monies received by the Building Commission pursuant to the Lease and any other permitted lease of the Property and other security held pursuant to a Bond Indenture and Security Agreement described below and will not constitute a debt or liability of Berkeley County, West Virginia (except as provided in the Lease) or the State of West Virginia.

The Ordinance further provides for one or more supplements to the Bond Indenture and Security Agreement between the Building Commission and WesBanco Bank, Inc., as Trustee, as previously supplemented and amended, by which the Building Commission has assigned to the Trustee the right to receive rental and other payments under the Lease or other leases permitted by

the Bond Indenture and Security Agreement, as supplemented and amended, or the Credit Line Deed of Trust and Security Agreement, as supplemented and amended, that encumbers the Property, to further secure the owner or owners of the Bonds and other bonds issued pursuant to the Indenture. The Building Commission will deliver the Bonds in return for the purchase price thereof to be used to refund all or a portion of the Bonds to be Refunded. The Property will initially continue to be leased by the Building Commission to The County Council of Berkeley County, West Virginia pursuant to the Lease.

A certified copy of the Ordinance is on file for review by interested persons during regular office hours in the office of the Clerk of the County Council of Berkeley County, West Virginia, Berkeley County Courthouse, 100 West King Street, Martinsburg, West Virginia.

Published at the direction of the Berkeley County Building Commission, this 12th day of October 2020.

Secretary, Berkeley County Building Commission