

**A RESOLUTION DECLARING CLAY, CRAIGHEAD, CRITTENDEN, CROSS, GREENE,
JACKSON, LAWRENCE, MISSISSIPPI, POINSETT, RANDOLPH, AND SHARP COUNTY AS
A RECOVERY ZONE FOR PURPOSES OF THE AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009**

**AT A MEETING OF THE ADFA BOARD OF DIRECTORS, STATE OF ARKANSAS,
ON THE 17TH DAY OF JUNE, 2010, THE FOLLOWING RESOLUTION WAS ADOPTED, TO-
WIT:**

WHEREAS, The American Recovery and Reinvestment Act of 2009 (“ARRA”) was signed into law on February 17, 2009 which includes the following Statement of Purposes: 1.) to preserve and create jobs and promote economic recovery; 2.) to assist those most impacted by the recession; 3.) to provide investments needed to increase economic efficiency by spurring technological advances in science and health; 4.) to invest in transportation, environmental protection and other infrastructure that will provide long-term economic benefits; and 5.) to stabilize State and local government counterproductive State and local tax increases; and

WHEREAS, the ARRA provides that gross income does not include interest on any bond designated by the issuer thereof as a recovery zone economic development bond or a recovery zone facility bond (“Recovery Zone Bonds”); and

WHEREAS, the ARRA provides that the proceeds of recovery zone economic development bonds must be used for qualified economic development purposes, i.e., expenditures for purposes of promoting development or other economic activity in a recovery zone; and

WHEREAS, the ARRA provides that ninety-five percent (95%) or more of the net proceeds of a recovery zone facility bond must be used for recovery zone property within a recovery zone and is in the active conduct of a qualified business by the taxpayer in such zone; and

WHEREAS, the ARRA provides with respect to recovery zone economic development bonds and recovery zone facility bonds that a recovery zone is 1.) any area designated by the state or by a county or large city receiving a volume cap allocation as having significant poverty, unemployment, rate of home foreclosures, or general distress, 2.) any area designated by the issuer of such bonds as distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990, and 3.) any area for which a designation as an empowerment zone or renewal community is in effect; and

WHEREAS, Recovery Zone Bonds are designed to provide tax incentives for State and local governmental borrowing at lower borrowing costs to promote job creation and economic recovery targeted to areas particularly affected by employment decline; and

WHEREAS, the ARRA provides that Recovery Zone Bonds shall be subject to volume cap allocations, any portion of which received by a county or large municipality may be waived and reallocated in any reasonable manner as such county or large municipality deems in good faith, in its discretion, to be reasonable; and

WHEREAS, on June 1, 2010 the unused Recovery Zone Bond allocations were deemed waived to the Arkansas Development Finance Authority pursuant to Governor Mike Beebe’s Executive Order EO 09-13 and the Authority’s Plan of Reallocation of Recovery Zone Volume Cap; and

WHEREAS, Internal Revenue Service Notice 2009-50 provides, in part, that issuers designate eligible recovery zones based on certain specified criteria and that any State, county or large municipality that receives a volume cap allocation for Recovery Zone Bonds may make designations of recovery zones in any reasonable manner as it shall determine in good faith, in its discretion.

WHEREAS, the staff of the Arkansas Economic Development Commission has collected and carefully considered the economic indicators for Clay, Craighead, Crittenden, Cross, Greene, Jackson, Lawrence, Mississippi, Poinsett, Randolph, and Sharp Counties (the "Jonesboro Work Force Area") and has concluded that the Jonesboro Workforce Area meets the statutory definition of a Recovery Zone pursuant to the ARRA.

BE IT THEREFORE RESOLVED that in order for the State of Arkansas to avail itself of the economic development stimulus provisions contained in the ARRA, the Arkansas Development Finance Authority, after careful consideration of the aforementioned matters, in its discretion and in good faith, and in compliance with Section 1400U-1(b) of the Internal Revenue Code of 1986, hereby designates all of the Jonesboro Work Force Area in the State of Arkansas, as a recovery zone ("Recovery Zone").

BE IT FURTHER RESOLVED that the Recovery Zone has suffered significant unemployment, increased poverty levels, low per capita income and general economic distress.

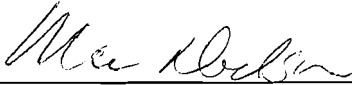
BE IT FURTHER RESOLVED that all actions of the officers, agents and employees of The City of Jonesboro, Arkansas on any other issuer of Recovery Zone Bonds in conformity with the purposes and intent of this Resolution, whether taken before or after the adoption hereof, are hereby ratified, confirmed and adopted.

BE IT FURTHER RESOLVED that the City of Jonesboro, Arkansas shall serve as issuer of any Recovery Zone Bonds for which an allocation is granted by the Arkansas Development Finance Authority for the benefit of Nordex USA, Inc., unless otherwise allocated by the State of Arkansas in accordance with ARRA.

APPROVED AND ADOPTED this 17th day of June, 2010.

ADFA Board of Directors

By: 
Thomas W. Spillards, Chair

By: 
Mac Dodson, President