

**AN ORDINANCE OF THE COUNTY COMMISSIONERS  
OF THE COUNTY OF LACKAWANNA  
(PENNSYLVANIA)  
ENACTED JULY 26, 2005 AND NUMBERED 162.**

WHEREAS, the County Commissioners of the County of Lackawanna (the "County"), pursuant to an Ordinance enacted March 22, 2005 and numbered 158 (the "Bond Ordinance"), determined to undertake a project as described therein (the "Project") and to issue its General Obligations Bonds, Series A of 2005 (the "Bonds") in order to finance the Project; and

WHEREAS, Section 2.05 of the Bond Ordinance authorized the County Commissioners of the County to amend, add to, subtract or substitute for or otherwise alter the uses of the proceeds of the Bonds upon proper enactment of an ordinance and compliance with all provisions of law, and Section 6.01 of the Bond Ordinance permits the amendment of the Bond Ordinance without the consent of Bondholders to affect such change in use of proceeds; and

WHEREAS, the County Commissioners of the County desire to authorize additional uses of the proceeds of the Bonds beyond those set forth in the Bond Ordinance;

NOW, THEREFORE, BE IT, AND IT HEREBY IS, ENACTED by the affirmative vote of a majority of all members of the County Commissioners of the County as follows:

1. Change to Use of Proceeds of the Bonds. The definition of Project in the Bond Ordinance is hereby amended to include the additional capital projects of the County set forth on Exhibit A attached hereto (the "Additional Projects") and the County is hereby authorized to spend proceeds of the Bonds on the Additional Projects.
2. Compliance with the Debt Act. The County hereby finds that the use of the proceeds of the Bonds to finance the Additional Projects complies with the Local Government Unit Debt Act, as codified by the Act of December 19, 1996 (P.L. 1158 No. 177), as amended.
3. Filing of Ordinance. The proper officials of the County are hereby authorized to file a copy of this Ordinance with the Sinking Fund Depository (as defined in the Bond Ordinance) and with the Department of Community and Economic Development.
4. Effective Date. This Debt Ordinance shall be effective for all purposes upon the last to occur of: (a) seven days following the publication of the notice required by Section 1.3-311 of the County's Home Rule Charter; and (b) ten days after the date hereof.