

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

NORTHERN VIRGINIA TRANSPORTATION)
AUTHORITY,)

Plaintiff,)

v.)

STATUTORY DEFENDANTS PURSUANT TO)
VIRGINIA CODE §§ 15.2-2650, ET SEQ., TO WIT,)
TAXPAYERS, PROPERTY OWNERS AND)
CITIZENS OF THE COUNTIES OF ARLINGTON,)
FAIRFAX, LOUDOUN, AND PRINCE WILLIAM,)
AND THE CITIES OF ALEXANDRIA, FAIRFAX,)
FALLS CHURCH, MANASSAS, AND MANASSAS)
PARK, VIRGINIA, INCLUDING NONRESIDENTS)
OWNING PROPERTY OR SUBJECT TO)
TAXATION THEREIN, AND ALL OTHER)
PERSONS INTERESTED IN OR AFFECTED IN)
ANY WAY BY THE PROPOSED ISSUANCE BY)
THE NORTHERN VIRGINIA TRANSPORTATION)
AUTHORITY OF ITS NORTHERN VIRGINIA)
TRANSPORTATION AUTHORITY)
TRANSPORTATION FACILITIES REVENUE)
BONDS IN AN AMOUNT NOT TO EXCEED)
\$105,000,000,)

Defendants.)

2013 11988
Case No. _____

ORDER OF PUBLICATION

The Northern Virginia Transportation Authority ("NVTA"), pursuant to the pertinent provisions of the Public Finance Act of 1991 (the "Public Finance Act"), §§ 15.2-2650 *et seq.* of the Code of Virginia (the "Code") and the Northern Virginia Transportation Authority Act, §§ 15.2-4829 *et seq.* of the Code, has filed a Motion for Judgment seeking this Court's judicial determination that:

(a) Northern Virginia Transportation Authority Transportation Facilities Revenue Bonds, in an amount not to exceed \$105,000,000 (the "Bonds"), to be issued by NVTA pursuant to the NVTA Act, a resolution entitled "Resolution Authorizing the Issuance of Transportation Facilities Revenue Bonds" and adopted by NVTA on July 24, 2013 (the "Bond Resolution"), and the Indenture (as defined in the Bond Resolution) are valid and legal;

(b) All proceedings of NVTA heretofore taken in connection with or related to the authorization and issuance of the Bonds, including without limitation the proceedings by which NVTA selected projects the costs of which it will pay with its funds received in Fiscal Year 2014 (including the proceeds of the Bonds), all as described in the Bond Resolution and the FY 2014 Project Selection Process Resolution are valid and legal;

(c) the HB 2313 Transportation Revenues and all other means provided for payment of the Bonds are valid and legal;

(d) all pledges of revenues of NVTA and other security for the Bonds provided pursuant to the Bond Resolution and the Indenture, and the terms, covenants and provisions contained in the Bond Resolution and the Indenture, including, without limitation, the provisions for the application of such revenues to pay the administrative costs of NVTA, as provided in the Indenture, are valid and legal;

(e) the proposed application of the proceeds of the issuance of the Bonds is valid and legal;

(f) the Bonds, when issued, shall be payable only from the revenues of NVTA pledged for such purpose and shall not be a debt, liability or general obligation of the Commonwealth of Virginia or any political subdivision thereof other than NVTA; and

(g) Chapter 766, as it relates to the powers of NVTVA and the provisions for the payment of the Bonds, and the NVTVA Act, as amended by Chapter 766, and Virginia Code §§ 58.1-603.1, 58.1-604.01, 58.1-802.2, and 58.1-1742, as enacted, do not violate any provision of the Constitution of Virginia.

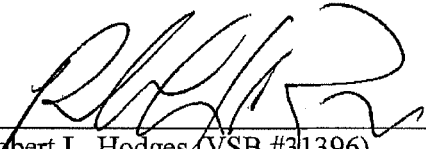
THEREFORE, IT IS ORDERED THAT:

1. A hearing will be held on Sept 30, 2013, at 10:00 ^{a.m.}, in the Circuit Court of the County of Fairfax to consider the Motion for Judgment and all matters relating to it;
2. A copy of this Order and a copy of the Motion for Judgment (without Exhibits) shall be published once a week for two consecutive weeks in *The Washington Times*, which is a newspaper published or having general circulation in the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park;
3. Any taxpayer, property owner, citizen of the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park or person interested in or affected by the issuance of the Bonds who wishes to participate in this proceeding and the hearing may do so and shall file a responsive pleading to the Motion for Judgment in the Clerk's Office of this Court no later than Aug 16, 2013 at 4:00 p.m. and serve a copy of such pleading on counsel for NVTVA listed below. Failure to file a responsive pleading timely shall preclude the person from participation; and
4. The Court shall hold a prehearing conference on Sept 10, 2013 at 10:00 a.m.. Counsel for all parties are expected to attend.

ENTERED this 25 day of July, 2013.

Ann Marie Rosh
Circuit Judge

WE ASK FOR THIS:



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