

ORDINANCE NO. 232

BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS AUTHORIZING THE ISSUANCE OF \$20,000.00 OF PARK BONDS, SERIES 1959; PROVIDING FOR THE LEVY, ASSESSMENT AND COLLECTION OF A TAX SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AND TO CREATE A SINKING FUND FOR THE REDEMPTION THEREOF AT MATURITY; PRESCRIBING THE FORM OF BOND; AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT.

WHEREAS, heretofore on the 30th day of March, 1954, the City Council of the City of Mesquite, Texas, adopted a resolution calling an election to be held in said City on the 17th day of April, 1954, on the following proposition:

"Shall the City Council of the City of Mesquite, Texas, be authorized to issue the bonds of said City in the amount of \$60,000.00, maturing serially in such installments as may be fixed by the City Council, the maximum maturity date being not more than Forty (40) years from their date, bearing interest at a rate not to exceed Four (4%) per cent per annum, payable annually or semi-annually, and to levy a tax sufficient to pay interest as it accrues and principal as it matures on said issue of bonds, for the purpose of purchasing and/or improving lands for park purposes, as authorized by the Constitution and laws of the State of Texas."

WHEREAS, said election was duly and legally held on the day set and a majority of the legally qualified electors, owning taxable property in said City and who had duly rendered the same for taxation, voting at said election, sustained the proposition to issue the bonds hereinafter described by the following vote:

"FOR THE ISSUANCE OF PARK BONDS"	101 Votes;
"AGAINST THE ISSUANCE OF PARK BONDS"	84 Votes;

as is reflected in the election returns heretofore filed with the City Secretary; and

WHEREAS, heretofore \$40,000.00 of the above voted bonds have been previously issued, and now it is deemed advisable that the remaining voted bonds be issued at this time;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE:

1. That the bonds of said City to be called "City of Mesquite Park Bonds, Series 1959" be issued under and by virtue of the Constitution and laws of the State of Texas, in the principal sum of Twenty Thousand (\$20,000.00) Dollars, for the purpose of purchasing and/or improving lands for park purposes.

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2. That said bonds shall be numbered from One (1) to Twenty (20), both inclusive, shall be of the denomination of One Thousand (\$1,000.00) Dollars each, aggregating Twenty Thousand (\$20,000.00) Dollars.

3. That they shall be dated March 1, 1959, and shall become due and payable serially as follows:

<u>BOND NUMBERS</u>	<u>MATURITY DATES</u>	<u>AMOUNTS</u>
1 to 5, both inclusive	March 1, 1965	\$ 5,000.00
6 to 10, " "	March 1, 1966	5,000.00
11 to 15, " "	March 1, 1967	5,000.00
16 to 20, " "	March 1, 1968	5,000.00

4. Said bonds shall bear interest at the rate of Three and one-fourth (3-1/4%) per cent per annum, evidenced by coupons payable March 1, 1960, and semi-annually thereafter on September 1 and March 1 of each year.

5. That the principal of and interest on said bonds shall be payable upon presentation and surrender of bond or proper coupon at the Mercantile National Bank at Dallas, Dallas, Texas, without exchange or collection charges to the owner or holder thereof.

6. Each of said bonds and coupons shall be executed by the imprinted facsimile signature of the Mayor and countersigned by the imprinted facsimile signature of the City Secretary, and such facsimile signatures shall have the same effect as manual signatures, and the corporate seal of the City shall be impressed upon each of the bonds.

7. The form of the said bonds shall be substantially as follows:

NO. _____ \$1,000.00

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF DALLAS
CITY OF MESQUITE
PARK BOND
SERIES 1959

The City of Mesquite, in the County of Dallas, State of Texas, a municipal corporation, duly incorporated under the laws of the State of Texas, for value received, hereby promises to pay to bearer hereof on the 1st day of March, 19____, the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, with interest thereon from date hereof at the rate of Three and one-fourth (3-1/4%) per cent per annum, evidenced by coupons payable March 1, 1960, and semi-annually thereafter on

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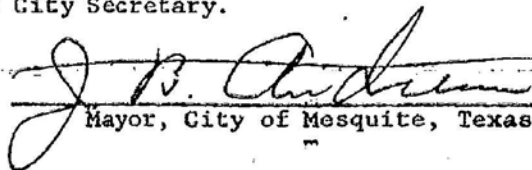
September 1 and March 1 of each year, both principal and interest payable upon presentation and surrender of bond or proper coupon at the Mercantile National Bank at Dallas, Dallas, Texas, without exchange or collection charges to the owner or holder hereof, and the City of Mesquite is hereby held and firmly bound and its faith and credit and all taxable pro perty in said City are hereby pledged for the prompt payment of the principal of this bond at maturity and the interest thereon as it accrues.

This bond is one of a series of Twenty (20) bonds of like tenor and effect, except as to number and maturity, numbered from One (1) to Twenty (20), both inclusive, of the denomination of One Thousand (\$1,000.00) Dollars each, aggregating Twenty Thousand (\$20,000.00) Dollars issued for the purpose of purchasing and/or improving land for park purposes, as authorized by the Constitution and laws of the State of Texas, and pursuant to an ordinance passed by the City Council of the City of Mesquite, Texas, which ordinance is duly of record in the minutes of said City Council.

The date of this bond, in conformity with the ordinance above mentioned, is March 1, 1959.

AND IT IS HEREBY CERTIFIED AND RECITED that the issuance of this bond, and the series of which it is a part, is duly authorized by law and by a vote of the resident, qualified electors who own taxable property in said City and who had duly rendered the same for taxation in the City of Mesquite, voting at an election held for that purpose within said City on the 17th day of April, 1954; that all acts, conditions and things required to be done precedent to and in the issuance of this series of bonds, and of this bond, have been properly done and performed and have happened in regular and due time, form and manner as required by law; that sufficient and proper provision for the levy and collection of taxes has been made which, when collected, shall be appropriated exclusively to the payment of this bond, and to the series of which it is a part, and to the payment of the interest coupons hereto annexed as the same shall become due; and that the total indebtedness of said City of Mesquite, Texas, including the entire series of bonds of which this is one, does not exceed any constitutional or statutory limitation.

IN TESTIMONY WHEREOF, the City Council of the City of Mesquite, Texas, has caused the seal of said City to be impressed hereon and this bond and the interest coupons hereto attached to be executed by the imprinted facsimile signatures of the Mayor and City Secretary.



Mayor, City of Mesquite, Texas.

COUNTERSIGNED:

City Secretary, City of Mesquite, Texas.

follows: 8. The form of said coupons shall be substantially as

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NO. _____

ON THE 1ST DAY OF _____

\$ _____

, 19 _____

The City of Mesquite, in the County of Dallas, State of Texas, will pay to the bearer at the Mercantile National Bank at Dallas, Dallas, Texas, without exchange or collection charges to the owner or holder hereof, the sum of _____ (\$ _____) Dollars, in lawful money of the United States of American, Being _____ months' interest due that day on "City of Mesquite Park Bond, Series 1959", dated March 1, 1959.

Bond No. _____

City Secretary


Mayor

9. That substantially the following certificate shall be printed on the back of each bond:

OFFICE OF COMPTROLLER :

STATE OF TEXAS :

I HEREBY CERTIFY That there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation upon said City of Mesquite, Texas, and said bond has this day been registered by me.

WITNESS MY HAND and seal of office at Austin, Texas,

Comptroller of Public Accounts of the State of
Texas.

10. That a special fund to be designated "City of Mesquite Park Bonds, Series 1959 Fund" is hereby created and the proceeds from all taxes collected for and on account of this series of bonds shall be credited to said Fund for the purpose of paying the interest as it accrues and to provide a sinking fund for the purpose of paying each installment of principal as it becomes due, and said Fund shall be used for no other purpose. For each year while any of said bonds or interest thereon are unpaid, there shall be computed and ascertained, at the time other taxes are levied, the rate of tax based on the latest approved rolls of said City as will be requisite and sufficient to make, raise and produce in each of said years a fund to pay the interest as it accrues and to pay the principal as it matures, or, to provide at least two (2%) percent of the principal as a

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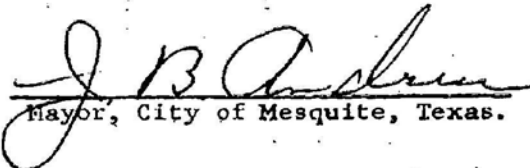
sinking fund, which ever is greater, full allowance being made for delinquencies and costs of collection. A tax at the rate as hereinabove determined is ordered to be levied and is hereby levied against all of the taxable property in said City for the current year and for each year hereafter while said bonds or any of them are outstanding and unpaid, and the said tax each year shall be assessed and collected and placed in the Fund hereby created and the Treasurer shall honor warrants against said Fund for the purpose of paying the interest on and principal of said bonds and for no other purpose.

11. Be it further ordained that the Mayor shall be authorized to take and have charge of all necessary records pending investigation by the Attorney General, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts. Upon registration of said bonds, the Comptroller of Public Accounts (or a deputy designated in writing to act for the Comptroller) shall manually sign the Comptroller's certificate of registration prescribed herein to be printed on the back of each bond, and the seal of said Comptroller shall be affixed to each of said bonds.


12. The Twenty Thousand (\$20,000.00) Dollars of Bonds authorized by this ordinance are hereby awarded to, and shall be sold and delivered to the First National Bank, Mesquite, Texas, for the price of par and accrued interest to date of delivery.

13. All ordinances and resolutions, and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

PASSED AND APPROVED this the 3rd day of March, 1959.


Mayor, City of Mesquite, Texas.

ATTEST:


City Secretary, City of Mesquite, Texas.