

ORDINANCE NO. 472ORDINANCE AUTHORIZING THE ISSUANCE OF TAX BONDS

WHEREAS, the bonds hereinafter authorized were duly and favorably voted, as required by the Constitution and laws of the State of Texas, at an election held in said City on the 16th day of December, 1961; and

WHEREAS, out of the bonds voted at said election, for the purposes hereinafter described, the following previously have been issued and delivered:

\$515,000 out of a voted total of \$4,600,000, for the purpose of improving the streets of said City, represented by part of the General Obligation Bonds, Series 1961;

\$ 45,000 out of a voted total of \$ 350,000, for the purpose of constructing and permanently equipping Fire Stations for said City, represented by part of the General Obligation Bonds, Series 1961;

\$450,000 out of a voted total of \$2,135,000, for the purpose of purchasing and improving lands for park purposes, represented by the Park Bonds, Series 1961;

WHEREAS, the bonds hereinafter authorized are to be issued and delivered pursuant to Vernon's Articles 823 and 6081e, respectively.

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

PERTAINING TO THE GENERAL OBLIGATION BONDS

Section 1. That said City's coupon bonds to be designated the "City of Mesquite General Obligation Bonds, Series 1963", are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas in the principal amount of \$1,475,000 for the purpose of providing \$1,000,000 for improving the streets of said City, \$200,000 for constructing and permanently equipping an addition to the City Hall of said City, \$110,000 for constructing and permanently equipping Fire Stations for said City, and \$165,000 for constructing and permanently equipping a Public Library for said City.

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Section 2. That said bonds shall be dated March 1, 1963, shall be numbered consecutively from 1 through 295, shall be in the denomination of \$5,000 each, and shall mature and become due and payable serially on March 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1966	\$5,000	1983	\$25,000
1967	10,000	1984	25,000
1968	10,000	1985	30,000
1969	15,000	1986	30,000
1970	10,000	1987	30,000
1971	15,000	1988	35,000
1972	15,000	1989	40,000
1973	15,000	1990	70,000
1974	15,000	1991	75,000
1975	20,000	1992	75,000
1976	20,000	1993	80,000
1977	15,000	1994	80,000
1978	15,000	1995	85,000
1979	15,000	1996	95,000
1980	15,000	1997	220,000
1981	20,000	1998	230,000
1982	20,000		

Section 3. That as to said bonds scheduled to mature on and after March 1, 1984, said City shall have the right and option to redeem such bonds prior to their scheduled maturities, in whole, or in part, on March 1, 1983, or on any interest payment date thereafter, for the principal amount thereof plus accrued interest to the date fixed for redemption.

At least thirty days before the date fixed for any such redemption, the City shall cause a written notice of such redemption to be published at least once in a financial publication printed in the City of New York, New York. By the date fixed for any such redemption, due provision shall be made with the paying agents for the payment of the principal amount of the bonds to be so redeemed, plus accrued interest thereon to the date fixed for redemption. If the written notice of redemption is published, and if due provision for payment is made, all as provided above, the bonds, which are to be so redeemed, thereby automatically shall be redeemed prior to maturity, and they shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the purpose of receiving the funds so provided for such payment.

Section 4. That said bonds shall bear interest from their date, until maturity or redemption, at the following rates:

- all bonds scheduled to mature during the years 1966 through 1974.....5% per annum;
 - all bonds scheduled to mature during the years 1975 through 1978.....3% per annum;
 - All bonds scheduled to mature during the years 1979 through 1986.....3.40% per annum;
 - All bonds scheduled to mature during the years 1987 through 1991.....3-1/2% per annum;
 - All bonds scheduled to mature during the years 1992 through 1998.....3.60% per annum;
- with said interest to be evidenced by interest coupons payable on March 1, 1964, and semi-annually thereafter on each September 1 and March 1.

Section 5. That the form of said bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each bond, and the form of the interest coupons to be attached to said bonds, shall be, respectively, substantially as follows:

(FORM OF BOND)

NO. _____

\$5,000

UNITED STATES OF AMERICA
 STATE OF TEXAS
 COUNTY OF DALLAS
 CITY OF MESQUITE GENERAL OBLIGATION BOND
 SERIES 1963

On March 1, 19___, the City of Mesquite, in the County of Dallas, State of Texas, promises to pay to bearer the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of % per annum, evidenced by interest coupons payable March 1, 1964, and semi-annually thereafter on each September 1 and March 1 while this bond is outstanding. The principal of this bond and the interest coupons attached hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the Mercantile National Bank at Dallas, Dallas, Texas, or, at the option of the bearer, at The First National Bank, Mesquite, Texas, which places shall be the paying agents for this Series of bonds.

This bond is one of a Series of coupon bonds dated March 1, 1963, issued in the principal amount of \$1,475,000 for the purpose of providing \$1,000,000 for improving the streets of said City, \$200,000 for constructing and permanently equipping an addition to the City Hall of said City, \$110,000 for constructing and permanently equipping Fire Stations for said City, and \$165,000 for constructing and permanently equipping a Public Library for said City.

The bonds of this Series scheduled to mature on and after March 1, 1984, may be redeemed prior to their scheduled maturities, in whole, or in part, at the option of said City, on March 1, 1983, or on any interest payment date thereafter, for the principal amount thereof plus accrued interest to the date fixed for redemption. At least thirty days before the date fixed for any such redemption the City shall cause a written notice of such redemption to be published at least once in a financial publication printed in the City of New York, New York. By the date fixed for any such redemption, due provision shall be made with the paying agents for the payment of the principal amount of the bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption. If the written notice of redemption is published, and if due provision for such payment is made, all as provided above, the bonds, which are to be so redeemed, thereby automatically shall be redeemed prior to maturity, and they shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the purpose of receiving the funds so provided for such payment.

It is hereby certified and recited that this bond has been duly and validly voted, authorized, issued, and delivered in accordance with the Constitution and laws of the State of Texas; that this bond is a general obligation of said City, issued on the full faith and credit thereof; and that the ad valorem taxes, upon all taxable property in said City, necessary to pay the interest on and principal of this bond, as such interest comes due, and such principal matures, have been pledged irrevocably for such purpose, within the limit prescribed by law.

In witness whereof, this bond and the interest coupons attached hereto have been signed by the imprinted or lithographed facsimile signature of the Mayor of said City and countersigned by the imprinted or lithographed facsimile signature of the City Secretary of said City, and the official seal of said City has been duly impressed, or printed, or lithographed on this bond.

City Secretary, City of Mesquite

Mayor, City of Mesquite

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(FORM OF REGISTRATION CERTIFICATE)

COMPTROLLER'S REGISTRATION CERTIFICATE: : REGISTER NO. _____

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas; and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the
State of Texas.

(FORM OF INTEREST COUPON)

NO. _____ \$ _____

On _____, 19____, the City of Mesquite, in the County of Dallas, State of Texas, promises to pay to bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon is attached, the amount of _____ Dollars, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this interest coupon, at the Mercantile National Bank at Dallas, Dallas, Texas, or, at the option of the bearer, at The First National Bank, Mesquite, Texas, said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of City of Mesquite General Obligation Bonds, Series 1963, dated March 1, 1963. Bond No. _____.

City Secretary

Mayor

PERTAINING TO THE PARK IMPROVEMENT BONDS

Section 6. That said City's coupon bonds to be designated the "City of Mesquite Park Improvement Bonds, Series 1963", are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas in the principal amount of \$100,000 for the purpose of purchasing and improving lands for park purposes.

Section 7. That said bonds shall be dated March 1, 1963, shall be numbered consecutively from 1 through 20, shall be in the denomination of \$5,000 each, and shall mature and become due and payable serially on March 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1965	\$5,000	1975	\$5,000
1966	5,000	1976	5,000
1967	5,000	1977	5,000
1968	5,000	1978	5,000
1969	5,000	1979	5,000
1970	5,000	1980	5,000
1971	5,000	1981	5,000
1972	5,000	1982	5,000
1973	5,000	1983	5,000
1974	5,000	1984	5,000

Section 8. That said bonds shall bear interest from their date, until maturity, at the following rates:

all bonds scheduled to mature during the years

1965 through 1974.....5 % per annum;

All bonds scheduled to mature during the years

1975 through 1978.....3 % per annum;

All bonds scheduled to mature during the years

1979 through 1984.....3.40% per annum;

with said interest to be evidenced by interest coupons payable on March 1, 1964, and semi-annually thereafter on each September 1 and March 1.

Section 9. That the form of said bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each bond, and the form of the interest coupons to be attached to said bonds, shall be, respectively, substantially as follows:

(FORM OF BOND)

NO. _____

\$ 5,000

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF DALLAS

CITY OF MESQUITE PARK IMPROVEMENT BOND

SERIES 1963

On March 1, 19__ , the City of Mesquite, in the County of Dallas, State of Texas, promises to pay to bearer, the principal amount of

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FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of ___% per annum, evidenced by interest coupons payable March 1, 1964, and semi-annually thereafter on each September 1 and March 1 while this bond is outstanding. The principal of this bond and the interest coupons attached hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the Mercantile National Bank at Dallas, Dallas, Texas, or, at the option of the bearer, at The First National Bank, Mesquite, Texas, which places shall be the paying agents for this Series of bonds.

This bond is one of a Series of coupon bonds dated March 1, 1963, issued in the principal amount of \$100,000 for the purpose of purchasing and improving lands for park purposes.

It is hereby certified and recited that this bond has been duly and validly voted, authorized, issued, and delivered in accordance with the Constitution and laws of the State of Texas; that this bond is a general obligation of said City, issued on the full faith and credit thereof; and that the ad valorem taxes, upon all taxable property in said City, necessary to pay the interest on and principal of this bond, as such interest comes due, and such principal matures, have been pledged irrevocably for such purpose, within the limit prescribed by law.

In witness whereof, this bond and the interest coupons attached hereto have been signed by the imprinted or lithographed facsimile signature of the Mayor of said City and countersigned by the imprinted or lithographed facsimile signature of the City Secretary of said City, and the official seal of said City has been duly impressed, or printed, or lithographed on this bond.

City Secretary, City of Mesquite

Mayor, City of Mesquite

(FORM OF REGISTRATION CERTIFICATE)

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas; and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the
State of Texas.

(FORM OF INTEREST COUPON)

NO. _____ \$ _____

On _____, 19____, the City of Mesquite, in the County of Dallas, State of Texas, promises to pay to bearer, the amount of _____ Dollars, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this interest coupon, at the Mercantile National Bank at Dallas, Dallas, Texas, or, at the option of the bearer, at The First National Bank, Mesquite, Texas, said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of City of Mesquite Park Improvement Bonds, Series 1963, dated March 1, 1963. Bond No. _____.

City Secretary

Mayor

PERTAINING TO BOTH SERIES OF BONDS

Section 10. That the principal of and interest on said bonds shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of proper bond or interest coupon, at the Mercantile National Bank at Dallas, Dallas, Texas, or, at the option of the bearer, at The First National Bank, Mesquite, Texas, which places shall be the paying agents for said bonds.

Section 11. That each of said bonds and interest coupons shall be signed by the imprinted or lithographed facsimile signature of the Mayor of said City and countersigned by the imprinted or lithographed facsimile signature of the City Secretary of said City, and the official seal of said City shall be impressed, or printed, or lithographed on each of said bonds.

Section 12. That the following special funds or accounts are hereby created and shall be established and maintained by said City at its official depository bank, to be designated:

"City of Mesquite General Obligation Bonds, Series 1963, Interest and Sinking Fund"; and

"City of Mesquite Park Improvement Bonds, Series 1963, Interest and Sinking Fund".

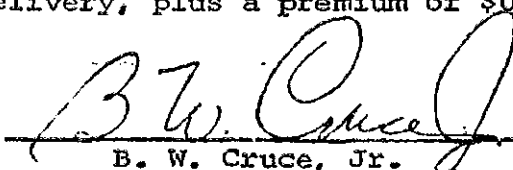
Said Interest and Sinking Funds, respectively, shall be kept separate and apart from each other and from all other funds and accounts of said City, and shall be used only for paying the interest on and principal of each of said Series of bonds, respectively. All taxes levied and collected for and on account of each of said Series of bonds, respectively, shall be deposited, as collected, to the credit of the applicable one of the

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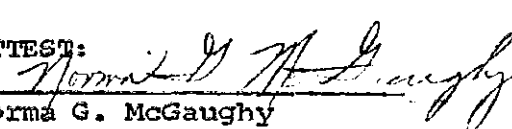
aforesaid Interest and Sinking Funds. During each year while any of said bonds or interest coupons appertaining thereto are outstanding and unpaid, the City Council of said City shall compute and ascertain the rate and amount of ad valorem tax, based on the latest approved tax rolls of said City, with full allowances being made for tax delinquencies and costs of tax collections, which will be sufficient to raise and produce the money required to pay the interest on each of said Series of bonds as such interest comes due, and to provide a sinking fund to pay the principal of each of said Series of bonds as such principal matures, but never less than 2% of the original principal amount of each of said Series of said bonds as a sinking fund each year. Said rate and amount of ad valorem tax is hereby ordered to be levied and is hereby levied against all taxable property in said City for each year while any of said bonds or interest coupons appertaining thereto are outstanding and unpaid, and said ad valorem tax shall be assessed and collected each such year and deposited to the credit of the applicable one of the aforesaid Interest and Sinking Funds. Said ad valorem taxes necessary to pay the interest on and principal of each of said Series of bonds, as such interest comes due, and such principal matures, are hereby pledged irrevocably for such purpose, within the limits prescribed by law.

Section 13. That the Mayor of said City is hereby authorized to have control of said bonds and all necessary records and proceedings pertaining to said bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of said bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein to be printed and endorsed on each bond, and the seal of said Comptroller shall be impressed, or printed, or lithographed on each of said bonds.

Section 14. That said bonds are hereby sold and shall be delivered to a syndicate managed by Rowles, Winston & Co., and White, Weld & Co., being the highest and best bidder, for the principal amount thereof and accrued interest to the date of delivery, plus a premium of \$0.


B. W. Cruce, Jr.
Mayor

ATTEST:


Norma G. McGaughy
City Secretary