

ORDINANCE NO. 591

ORDINANCE AUTHORIZING THE ISSUANCE OF REVENUE 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, the following previously have been issued and delivered:

\$500,000 out of a voted total of \$2,670,000, for the purpose of improving and extending the City's Waterworks System, represented by part of the bonds of Series 1963 and Series 1964;

\$775,000 out of a voted total of \$1,750,000, for the purpose of improving and extending the City's Sewer System, represented by part of the bonds of Series 1963 and Series 1964; and

WHEREAS, the bonds hereinafter authorized are to be issued and delivered pursuant to Vernon's Articles 1111 through 1118; and

WHEREAS, it is hereby found and determined that the improvements and extensions of the City's Waterworks and Sewer System, to be made with the proceeds from the sale of the bonds hereinafter authorized, are necessary and economically feasible.

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

Section 1. That said City's coupon bonds to be designated the "CITY OF MESQUITE WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 1965," 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 \$500,000 for the purpose of providing \$300,000 FOR IMPROVING AND EXTENDING THE CITY'S WATERWORKS SYSTEM, and providing \$200,000 FOR IMPROVING AND EXTENDING THE CITY'S SEWER SYSTEM.

Section 2. That said bonds shall be dated JUNE 1, 1965, shall be numbered consecutively from 1 THROUGH 100, 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:

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<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1966	\$15,000	1978	\$20,000
1967	15,000	1979	25,000
1968	15,000	1980	25,000
1969	15,000	1981	25,000
1970	15,000	1982	25,000
1971	15,000	1983	25,000
1972	20,000	1984	25,000
1973	20,000	1985	30,000
1974	20,000	1986	30,000
1975	20,000	1987	30,000
1976	20,000	1988	30,000
1977	20,000		

Section 3. That the bonds scheduled to mature during the years, respectively, set forth below shall bear interest from their date, until maturity or redemption, at the following rates per annum:

maturities 1966 through 1970, 6%  
 maturities 1971 through 1975, 3.10%  
 maturities 1976 through 1978, 3.25%  
 maturities 1979 through 1981, 3.40%  
 maturities 1982 through 1986, 3.50%  
 maturities 1987 through 1988, 3.60%

Said interest shall be evidenced by interest coupons which shall appertain to said bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Ordinance.

Section 4. That said bonds and interest coupons shall be payable, shall have the characteristics, and shall be signed and executed (and said bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Ordinance.

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 of said bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, shall be, respectively, substantially as follows:

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FORM OF BOND:

NO. \_\_\_\_\_

\$5,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF DALLAS  
CITY OF MESQUITE WATERWORKS AND SEWER SYSTEM REVENUE BOND  
SERIES 1965

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 SEPTEMBER 1, 1965, and semi-annually thereafter on each MARCH 1 and SEPTEMBER 1 while this bond is outstanding. The principal of this bond and the interest coupons appertaining 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, which place shall be the paying agent for this Series of bonds.

THIS BOND is one of a Series of coupon bonds dated June 1, 1965, issued in the principal amount of \$500,000 for the purpose of providing \$300,000 FOR IMPROVING AND EXTENDING THE CITY'S WATERWORKS SYSTEM, and providing \$200,000 FOR IMPROVING AND EXTENDING THE CITY'S SEWER SYSTEM.

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; and that the interest on and principal of this bond, and the Series of which it is a part, together with other outstanding waterworks and sewer system revenue bonds of said City, are secured by and payable from a first lien on and pledge of the Net Revenues of said City's Waterworks and Sewer System.

Said City has reserved the right, subject to the restrictions stated, or adopted by reference, in the Ordinance authorizing this Series of bonds, to issue additional parity revenue bonds which also may be secured by and made payable from a first lien on and pledge of said City's Waterworks and Sewer System.

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The holder hereof shall never have the right of demand payment of this obligation out of any funds raised or to be raised by taxation.

IN WITNESS WHEREOF, this bond and the interest coupons appended hereto have been signed with the facsimile signature of the Mayor said City and countersigned with the facsimile signature of the City Secretary of said City, and the official seal of said City has been duly impressed or placed in facsimile, on the 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 States of Texas.

Witness my signature and seal this

\_\_\_\_\_  
Comptroller of Public Accounts of  
State of Texas.

FORM OF INTEREST COUPON:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

ON \_\_\_\_\_ 1, 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 of collection charges to the bearer, upon presentation and surrender of this interest coupon, at the MERCANTILE NATIONAL BANK AT DALLAS, DALLAS, TEXAS, said amount being interest due that day on the bond, bearing the number hereinafter designated of that issue of CITY OF MESQUITE WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 1965, DATED JUNE 1, 1965. The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. Bond No. \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

Section 6. That the term "Outstanding Bonds," as used herein, shall mean the outstanding bonds of the following issues of said City:

Waterworks and Sewer Refunding and Improvement Revenue Bonds, Series 1957, authorized by ordinance dated March 5, 1957;

Waterworks and Sewer System Revenue Bonds, Series 1959, authorized by ordinance dated March 3, 1959;

Waterworks and Sewer System Revenue Bonds, Series 1960, authorized by ordinance dated February 10, 1960;

Waterworks and Sewer System Revenue Bonds, Series 1961, authorized by ordinance dated October 2, 1961;

Waterworks and Sewer System Revenue Bonds, Series 1963, authorized by ordinance dated March 18, 1963;

Waterworks and Sewer System Revenue Bonds, Series 1964, authorized by ordinance dated March 16, 1964.

The Series 1965 Bonds authorized hereby are parity "Additional Bonds" as defined and permitted in the aforesaid ordinance dated March 5, 1957, and Sections 12 through 29 of said ordinance are adopted by reference and shall be applicable to said Series 1965 Bonds for all purposes, except to the extent hereinafter specifically modified and supplemented. The Series 1965 Bonds and the Outstanding Bonds are and shall be secured by and payable from a first lien on and pledge of the Net Revenues of said City's Waterworks and Sewer System, and all of said obligations shall be on a parity and of equal dignity in all respects.

Section 7. That, in addition to all other amounts required by the ordinances, respectively, authorizing the Outstanding Bonds, there shall be deposited into the Interest and Redemption Fund, created for the benefit of said Outstanding Bonds and all Additional Bonds, the following:

(a) such amounts, in equal monthly installments, made on or before the 10th day of each month hereafter, as will be sufficient to pay the interest scheduled to come due on said Series 1965 Bonds on the next interest payment date; and

(b) such amounts, in equal monthly installments, made on or before the 10th day of each month hereafter, as will be sufficient to pay the next maturing principal of said Series 1965 Bonds.

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Section 8. That, in addition to all other amounts required by the ordinances, respectively, authorizing the Outstanding Bonds, there shall be deposited into the Reserve Fund, created for the benefit of said Outstanding Bonds and all Additional Bonds, on June 10, 1965, and on or before the 10th day of each month thereafter, the sum of at least \$390 until the aggregate amount of \$285,000 shall have been accumulated in said Reserve Fund. Thereafter said aggregate amount shall be maintained therein, for the benefit of the Outstanding Bonds, the Series 1965 Bonds, and all Additional Bonds, in accordance with the procedures, as herein modified and supplemented, set forth in the ordinances authorizing the Outstanding Bonds.

Section 9. That said bonds are and shall be special obligations of said City, and the holder or holders thereof shall never have the right to demand payment of said obligations out of any funds raised or to be raised by taxation.

Section 10. 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 printed and endorsed on each of said bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of said bonds.

Section 11. That said bonds are hereby sold and shall be delivered to Rowles, Winston & Co., Inc. and associates, being the highest and best bidder, for the principal amount thereof and accrued interest to the date of delivery, plus a premium of \$ None.

PASSED by the City Council on the 3rd day of May, 1965.

  
Norma G. McGaughy  
City Secretary

  
George Boyce