

ORDINANCE AUTHORIZING THE ISSUANCE OF  
GENERAL OBLIGATION BONDS

WHEREAS, the bonds hereinafter authorized were duly and favorably voted at an election held in said City on the 7th day of February, 1970; and

WHEREAS, the bonds hereinafter authorized are to be issued and delivered pursuant to law, including Vernon's Articles 823 and 1175; and

WHEREAS, it is hereby officially found and determined: that a case of emergency or urgent public necessity exists which requires the holding of the meeting at which this Ordinance is passed, such emergency or urgent public necessity being that the proceeds from the proposed bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; that said meeting was open to the public as required by law; and that public notice of the time, place and purpose of said meeting was given as required by Chapter 227, Acts of the 61st Legislature, Regular Session, 1969.

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

Section 1. That said City's bonds to be designated the "CITY OF MESQUITE GENERAL OBLIGATION BONDS, SERIES 1970," are hereby authorized to be issued and delivered in the principal amount of \$1,500,000 for the purpose of THE CONSTRUCTION AND IMPROVEMENT OF THE ROADS, BRIDGES, AND STREETS OF SAID CITY, INCLUDING PROVIDING DRAINAGE IN CONNECTION THEREWITH.

Section 2. That said bonds shall be dated APRIL 15, 1970, shall be in the denomination of \$5,000 EACH, shall be numbered consecutively from 1 THROUGH 300, and shall mature on APRIL 15 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>
1971	\$50,000	1981	\$ 75,000
1972	50,000	1982	75,000
1973	50,000	1983	75,000
1974	50,000	1984	75,000
1975	75,000	1985	75,000
1976	75,000	1986	75,000
1977	75,000	1987	100,000
1978	75,000	1988	100,000
1979	75,000	1989	100,000
1980	75,000	1990	100,000



Said bonds may be redeemed prior to their scheduled maturities, at the option of said City, on the dates stated, and in the manner provided, in the FORM OF BOND set forth in this Ordinance. 89

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 1971 through 1974, 7.00%  
maturities 1975 through 1981, 5.50%  
maturities 1982 through 1984, 6.00%  
maturities 1985 through 1986, 6.40%  
maturities 1987, 6.60%  
maturities 1988 through 1990, 6.70%

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:

FORM OF BOND:

No. \_\_\_\_\_

\$5,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF DALLAS  
CITY OF MESQUITE GENERAL OBLIGATION BOND  
SERIES 1970

ON APRIL 15, 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 APRIL 15, 1971, and semi-annually thereafter on each OCTOBER 15

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and APRIL 15 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, or, at the option of the bearer, at THE FIRST NATIONAL BANK, MESQUITE, TEXAS, or MESQUITE STATE BANK, MESQUITE, TEXAS, which places shall be the paying agents for this Series of bonds.

THIS BOND is one of a Series of bonds dated APRIL 15, 1970, issued in the principal amount \$1,500,000 FOR THE PURPOSE OF THE CONSTRUCTION AND IMPROVEMENT OF THE ROADS, BRIDGES, AND STREETS OF SAID CITY, INCLUDING PROVIDING DRAINAGE IN CONNECTION THEREWITH.

ON APRIL 15, 1985, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, any outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said City, IN WHOLE, OR IN PART, for the principal amount thereof and accrued interest thereon to the date fixed for redemption. At least thirty days prior to the date fixed for any such redemption said City shall cause a written notice of such redemption to be published at least once in a financial publication published 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 which are to be so redeemed and accrued interest thereon to the date fixed for redemption. If such 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 their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the paying agents with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; that this bond is a general obligation of said City, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said City, and have been pledged irrevocably for such payment, within the limit prescribed by law.

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IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Mayor of 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 this bond.

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XXXXXXXXX  
\_\_\_\_\_  
CITY SECRETARY, City of Mesquite

XXXXXXXXX  
\_\_\_\_\_  
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

XXXXXXXXX  
\_\_\_\_\_  
COMPTROLLER OF PUBLIC ACCOUNTS OF THE  
STATE OF TEXAS

FORM OF INTEREST COUPON:

NO. \_\_\_\_\_ \$ \_\_\_\_\_  
ON \_\_\_\_\_ 15, 19\_\_

THE CITY OF MESQUITE, in the County of Dallas, State of Texas, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, 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, or MESQUITE STATE 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 1970, DATED APRIL 15, 1970. Bond No. \_\_\_\_\_.

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

XXXXXXX  
\_\_\_\_\_  
Mayor

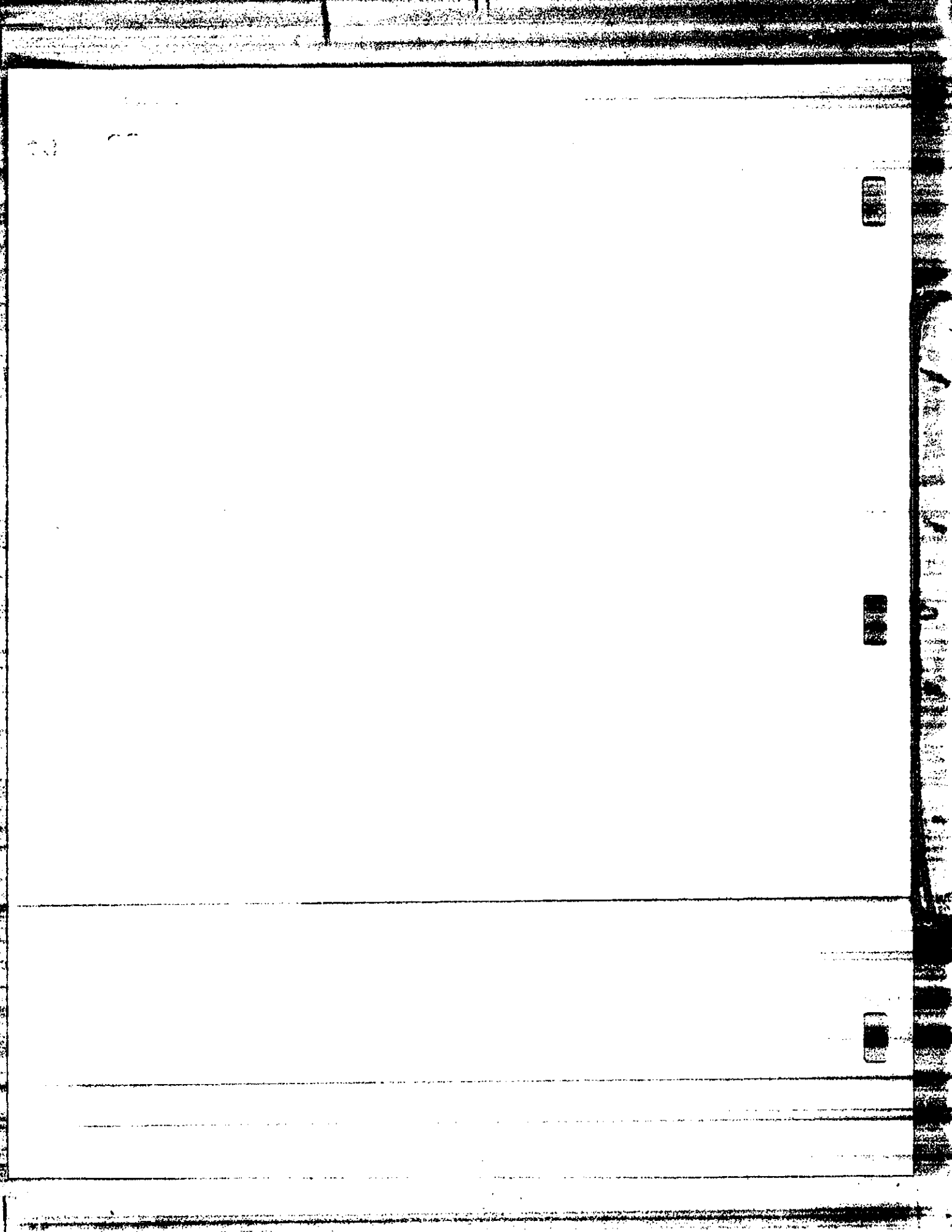




Section 6. That a special fund or account, to be designated the "City of Mesquite General Obligation Bonds, Series 1970, Interest and Sinking Fund," is hereby created and shall be established and maintained by said City at an official depository bank of said City. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said City, and shall be used only for paying the interest on and principal of said bonds. All ad valorem taxes levied and collected for and on account of said bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. 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 a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on said bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of such bonds as such principal matures (but never less than 2% of the original principal amount of said bonds as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said City, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be 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 tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said bonds, as such interest comes due and such principal matures, are hereby pledged irrevocably for such payment, within the limit prescribed by law.

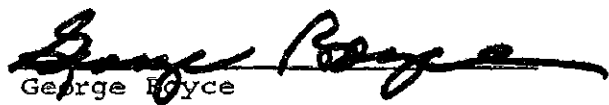
Section 7. That the Mayor of said City is hereby authorized to have control of said bonds and all necessary records and proceedings pertaining to said bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration 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 8. That said bonds are hereby sold and shall be delivered to Rowles, Winston & Co., Inc. and White, Weld & Co., for the principal amount thereof and accrued interest to the date of delivery, plus a premium of \$424.00.

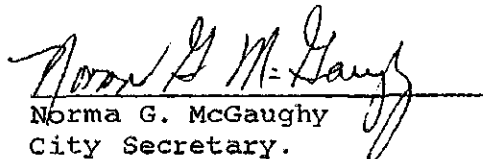


Section 9. The City hereby covenants that the proceeds 97  
from the sale of the bonds will be used as soon as practicable for  
the purpose for which the bonds are issued; that such proceeds  
will not be invested in any securities or obligations except for  
the temporary period pending such use; and that such proceeds  
will not be used directly or indirectly so as to cause all or any  
part of the bonds to be or become "arbitrage bonds" within the  
meaning of Section 103(d) of the Internal Revenue Code of 1954,  
as amended, or any regulations or rulings prescribed or made  
pursuant thereto.

Duly adopted by the City Council of the City of  
Mesquite on the 24th day of March, 1970.

  
George E. Royce  
Mayor

ATTEST:

  
Norma G. McGaughy  
City Secretary.

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