

RESOLUTION NO. 44-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE BELL COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION TO TAKE ACTION WITHIN THE CITY OF MESQUITE IN REGARD TO CERTAIN BONDS AND APPROVING THE BOND ISSUE AND MAKING CERTAIN FINDINGS RELATING THERETO.

WHEREAS, the Bell County Health Facilities Development Corporation proposes to issue its \$8,310,000 Health Facilities Development Revenue Bonds (Emmaus Calling, Inc. Project), Series 1998 (the "Bonds"); and

WHEREAS, the proceeds of the Bonds are to be used to finance an assisted living center (the "Project") to be located at the corner of Matador and Lee Streets in the City of Mesquite, Texas, and to be owned by Emmaus Calling, Inc.; and

WHEREAS, a designee of the Bell County Health Facilities Development Corporation has conducted a public hearing regarding the proposed Bonds and Project after notice was posted in the manner required by Section 147(f) of the Internal Revenue Code of 1986 as amended; and

WHEREAS, under the provisions of Section 221.030 of the Texas Health and Safety Code, the Bell County Health Facilities Development Corporation may exercise its powers within the city limits of the City of Mesquite only with the consent of the City of Mesquite; and

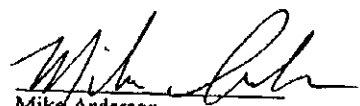
WHEREAS, it is the desire of the City Council to approve the issuance of the Bonds as required by Section 147(f) of the Internal Revenue Code, and to request the Bell County Health Facilities Development Corporation to act within the City of Mesquite in regard to the Project and the Bonds, subject in all respects to the limitations set forth in this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

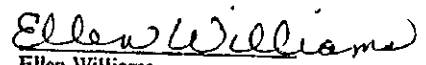
1. That the above recitals are true and correct.
2. That solely for the limited purposes of giving that approval required by Section 147(f) of the Internal Revenue Code of 1986, as amended, the City Council hereby approves the issuance of the Bonds for the Project.
3. That solely for the limited purposes of allowing the Bell County Health Facilities Development Corporation to issue the Bonds to finance the Project, the City Council hereby consents to the exercise by the Bell County Health Facilities Development Corporation of its powers within the city limits of the City of Mesquite, but solely for the purpose of issuing the Bonds to finance the Project and for no other purposes whatsoever.

4. That these approvals are given within the expressed understanding that the City of Mesquite, Texas, shall have no liability whatsoever in regard to the issuance of the Bonds or the Project.
5. That the City of Mesquite, Texas, hereby reserves any and all further rights of approval whatsoever related to the Project, including but not limited to approvals relating to City zoning ordinances, City building codes, and all other approvals whatsoever required by the City in connection with the construction, development, or operation of the Project.
6. It is officially found and determined that this meeting was open to the public as required by law and that notice of the time, place, and subject matter of this meeting has been posted in the manner required by law.

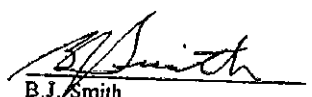
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on this the 1st day of December, 1997.


Mike Anderson
Mayor

ATTEST:


Ellen Williams
City Secretary

APPROVED:


B.J. Smith
City Attorney