

RESOLUTION NO. 41-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR THE CITY OF MESQUITE, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (POLO RIDGE PUBLIC IMPROVEMENT DISTRICT NO. 2 PHASE #1 PROJECT) AND APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR THE CITY OF MESQUITE, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (POLO RIDGE PUBLIC IMPROVEMENT DISTRICT NO. 2 PHASE #2-6 MAJOR IMPROVEMENT PROJECT); AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "PID Act") authorizes the City of Mesquite, Texas (the "City"), to create a public improvement district within the City's extraterritorial jurisdiction and within the corporate limits of the City; and

WHEREAS, on February 26, 2018, BD MR Development, LLC, a Texas limited liability company, submitted and filed with the City Secretary of the City a petition requesting the establishment of a public improvement district to be known as the Polo Ridge Public Improvement District No. 2 (the "District"); and

WHEREAS, the City Council of the City (the "City Council") approved the creation of the District by Resolution No. 24-2018, adopted by the City Council on April 16, 2018; and

WHEREAS, on March 18, 2019, by Resolution No. 27-2019, to correct an error in the boundary of the District, the City Council adopted an amended and restated resolution authorizing and creating the Polo Ridge Public Improvement District No. 2 to include approximately 805.79 acres of land generally located South of FM 740, West of FM 2757 and North of Kelly Road in Kaufman County, Texas, and being more particularly described in Resolution No. 27-2019 (the "PID"); and

WHEREAS, BD MR Development, LLC intends to develop property within the PID; and

WHEREAS, the City intends to issue bonds to be designated "City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2019 (Polo Ridge Public Improvement District No. 2 Phase #1 Project) and City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2019 (Polo Ridge Public Improvement District No. 2 Phase #2-6 Major Improvement Project)" (the "Bonds") to fund certain improvements in the PID as authorized by the PID Act; and

WHEREAS, the City Council has been presented Preliminary Limited Offering Memorandums relating to the Bonds (the "Preliminary Limited Offering Memorandums"); and

WHEREAS, the City Council finds and determines that it is necessary and in the best interests of the City to approve the form and content of the Preliminary Limited Offering Memorandums and authorize the use of the Preliminary Limited Offering Memorandums in the offering and sale of the Bonds by the Underwriter of the Bonds, FMSbonds, Inc., under the conditions outlined herein.

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

SECTION 1. That the form and content of the Preliminary Limited Offering Memorandums are hereby approved with such changes, addenda, supplements or amendments as may be approved by the City Manager.

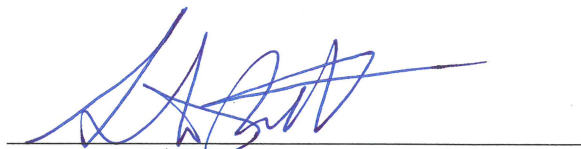
SECTION 2. That the City hereby authorizes the Preliminary Limited Offering Memorandums to be used by FMSbonds, Inc. (the "Underwriter"), in connection with the initial marketing and sale of the Bonds; provided that such Preliminary Limited Offering Memorandums shall not be released to the public without the approval of the City Manager, which approval shall be made in consultation with Hilltop Securities, Inc., the City's Financial Advisor, and Bracewell, the City's Bond Counsel.

SECTION 3. That the City Council hereby delegates to the City Manager the authority to approve release of the Preliminary Limited Offering Memorandums to the public for use in marketing the Bonds under the conditions outlined herein.

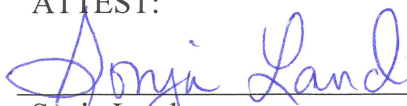
SECTION 4. That City staff is authorized and directed to do all things proper and necessary to carry out the intent hereof.

SECTION 5. That this Resolution shall become effective from and after its date of passage in accordance with law.

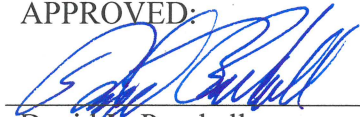
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 20th day of May 2019.



Stan Pickett
Mayor

ATTEST:


Sonja Land
City Secretary

APPROVED:


David L. Paschall
City Attorney