

AN ORDINANCE by the City Council of the City of Addison, Texas, authorizing the issuance of \$2,500,000 "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION BONDS, SERIES 1977," dated March 1, 1977, for the purpose of providing funds for permanent improvements, to wit: \$2,145,000 for waterworks system improvements and extensions; \$200,000 for sanitary sewer system improvements and extensions; \$55,000 for street improvements and drainage incidental thereto; and \$100,000 to acquire or improve, or both, land for park purposes; prescribing the form of the bonds and the form of the interest coupons; levying a continuing direct annual ad valorem tax on all taxable property within the limits of said City to pay the interest on said bonds and to create a sinking fund for the redemption thereof and providing for the assessment and collection of such taxes; enacting provisions incident and relating to the subject and purpose of this ordinance; and declaring an emergency.

WHEREAS, as the result of an election held on September 11, 1976, the City Council became authorized and empowered to issue bonds, the amounts being issued and the amounts remaining for future issuance being as follows, to wit:

<u>Purpose</u>	<u>Amount Voted</u>	<u>Amount Being Issued</u>	<u>Amount Remaining</u>
Waterworks Imp & Ext	\$ 2,490,000	\$ 2,145,000	\$ 345,000
Sanitary Sewer Imp & Ext	485,000	200,000	285,000
Street Imp & Drainage	1,420,000	55,000	1,365,000
City Hall Annex & Site	240,000	-0-	240,000
Park Improvements	220,000	100,000	120,000
Fire Fighting Equipment	100,000	-0-	100,000
Totals	\$ 4,955,000	\$ 2,500,000	\$ 2,455,000

Said \$2,500,000 in bonds being issued at this time should be issued in a single combined series; and

WHEREAS, the City expressly reserves the right to issue the remaining amounts of bonds authorized at the aforesaid election in one or more series at a future date or dates when, in the judgment of the City Council, the amounts thereof are needed for the purposes for which authorized; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON TEXAS:

SECTION 1: That the bonds of the City of Addison, Texas, to be known as "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION BONDS, SERIES 1977," be and the same are hereby ordered to be issued in the principal sum of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) for the following purposes, to wit: \$2,145,000 for waterworks system improvements and extensions; \$200,000 for sanitary sewer system improvements and extensions; \$55,000 for street improvements and drainage incidental thereto; and \$100,000 to acquire or improve, or both, land for park purposes, under and by virtue of the Constitution and laws of the State of Texas.

SECTION 2: That said bonds shall be numbered consecutively from One (1) through Five Hundred (500); shall each be in the denomination of Five Thousand Dollars (\$5,000), aggregating TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000); shall be dated March 1, 1977; and shall bear interest at the per annum rates and become due and payable serially on March 1st in each of the years in accordance with the following schedule:

<u>BOND NUMBERS</u> (All Inclusive)	<u>MATURITY</u>	<u>AMOUNT</u>	<u>RATE</u>
1 to 20	1978	\$ 100,000	_____%
21 to 40	1979	100,000	_____%
41 to 60	1980	100,000	_____%
61 to 80	1981	100,000	_____%
81 to 100	1982	100,000	_____%
101 to 120	1983	100,000	_____%
121 to 140	1984	100,000	_____%
141 to 165	1985	125,000	_____%
166 to 190	1986	125,000	_____%
191 to 215	1987	125,000	_____%
216 to 245	1988	150,000	_____%
246 to 275	1989	150,000	_____%
276 to 305	1990	150,000	_____%
306 to 335	1991	150,000	_____%
336 to 365	1992	150,000	_____%
366 to 395	1993	150,000	_____%
396 to 430	1994	175,000	_____%
431 to 465	1995	175,000	_____%
466 to 500	1996	175,000	_____%

PROVIDED, HOWEVER, that the City reserves the right to redeem the bonds of this series maturing on March 1, 1993, and subsequent, in whole or any part thereof, on March 1, 1992, or on any interest payment date thereafter, at the price of par and accrued interest to the date fixed for redemption; PROVIDED, FURTHER, that at least thirty (30) days prior to any interest payment date upon which any of said bonds are to be redeemed, a notice of redemption, signed by the City Secretary (specifying the serial numbers and amount of bonds to be redeemed) shall have been filed with the TEXAS BANK & TRUST COMPANY OF DALLAS, Dallas, Texas (the paying agent named in each of said bonds); and if by the date so fixed for redemption the City shall have made available funds in amounts sufficient to pay the bonds to be redeemed and accrued interest thereon, any bond or bonds not presented for redemption pursuant to such notice shall cease to bear interest from and after the date so fixed for redemption.

SECTION 3: That said bonds shall bear interest from date to maturity at the per annum rate or rates shown in the above schedule, such interest to be evidenced by proper coupons attached to each of said bonds, and said interest shall be payable on September 1, 1977, and semiannually thereafter on March 1 and September 1 in each year.

SECTION 4: That both principal of and interest on said bonds shall be payable in lawful money of the United States of America, without exchange or collection charges to the owner or holder, at the TEXAS BANK & TRUST COMPANY OF DALLAS, Dallas, Texas, upon presentation and surrender of bonds or proper coupons.

SECTION 5: That the seal of said City may be impressed on each of said bonds or, in the alternative, a facsimile of such seal may be printed on the said bonds. The bonds and interest coupons appurtenant thereto may be executed by the imprinted facsimile signatures of the Mayor and City Secretary of the City, and execution in such manner shall have the same effect as if such bonds and coupons had been signed by the Mayor and City Secretary in person by their manual signatures. Inasmuch as such bonds are required to be registered by the Comptroller of Public Accounts for the State of Texas, only his signature (or that of a deputy designated in writing to act for the Comptroller) shall be required to be manually subscribed to such bonds in connection with his registration certificate to appear thereon, as hereinafter provided; all in accordance with the provisions of Article 717j-1, V.A.T.C.S.

SECTION 6: That the form of said bonds shall be substantially as follows:

NO. _____ UNITED STATES OF AMERICA \$5,000
STATE OF TEXAS
COUNTY OF DALLAS
CITY OF ADDISON, TEXAS, GENERAL OBLIGATION
BOND, SERIES 1977

The CITY OF ADDISON, a municipal corporation of the State of Texas, acknowledges itself indebted to and, FOR VALUE RECEIVED, hereby promises to pay to bearer, the sum of

FIVE THOUSAND DOLLARS

(\$5,000), in lawful money of the United States of America, on the 1st day of March, 19___, with interest thereon from the date hereof to maturity at the rate of _____ PER CENTUM (____%) per annum, payable on September 1, 1977, and semiannually thereafter on March 1 and September 1 in each year, and interest falling due on or prior to maturity hereof is payable only upon presentation and surrender of the interest coupons hereto attached as they severally become due.

BOTH PRINCIPAL OF and interest on this bond are hereby made payable at the TEXAS BANK & TRUST COMPANY OF DALLAS, Dallas, Texas, without exchange or collection charges to the owner or holder, and for the prompt payment of this bond and the interest thereon at maturity, the full faith, credit and resources of the City of Addison, Texas, are hereby irrevocably pledged.

THIS BOND is one of a series of Five Hundred (500) serial bonds, numbered consecutively from One (1) through Five Hundred (500), each in denomination of Five Thousand Dollars (\$5,000), aggregating TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000), issued for the following purposes, to wit: \$2,145,000 for waterworks system improvements and extensions; \$200,000 for sanitary sewer system improvements and extensions; \$55,000 for street improvements and drainage incidental thereto; and \$100,000 to acquire or improve, or both, land for park purposes, under authority of the Constitution and laws of the State of Texas and pursuant to an ordinance duly adopted by the City Council of the City of Addison, Texas, and duly recorded in the Minutes of said City Council.

AS SPECIFIED in the ordinance hereinabove mentioned, the City reserves the right to redeem the bonds of this series maturing on March 1, 1993, and subsequent, in whole or any part thereof, on March 1, 1992, or on any interest payment date thereafter, at the price of par and accrued interest to the date fixed for redemption; PROVIDED, HOWEVER, that at least thirty (30) days prior to any interest payment date upon which any of said bonds are to be redeemed, a notice of redemption, signed by the City Secretary (specifying the serial numbers and amount of bonds to be redeemed) shall have been filed with the TEXAS BANK & TRUST COMPANY OF DALLAS, Dallas, Texas (the paying agent named in each of said bonds); and if by the date so fixed for redemption the City shall have made available funds in amounts sufficient to pay the bonds to be redeemed and accrued interest thereon, any bond or bonds not presented for redemption pursuant to such notice shall cease to bear interest from and after the date so fixed for redemption.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that the issuance of this bond and the series of which it is a part is duly authorized by law and by authority expressly conferred at an election held for that purpose within said City; that all acts, conditions and things required to be done precedent to and in the issuance of this series of bonds and of this bond, have been properly done and performed and have happened in regular and due time, form and manner as required by law; that sufficient and proper provision has been made for the levy and collection of taxes which, when collected, shall be appropriated exclusively to the payment of this bond and the series of which it is a part, and to the payment of the interest coupons thereto annexed, as the same shall become due, and that the total indebtedness of the City of Addison, Texas, including the entire series of bonds of which this is one, does not exceed any constitutional or statutory limitation.

IN TESTIMONY WHEREOF, the City Council of the City of Addison, Texas, in accordance with the provisions of Article 717j-1, V.A.T.C.S., has caused the seal of said City to be impressed or a facsimile thereof to be printed hereon, and this bond and its appurtenant coupons to be executed with the imprinted facsimile signatures of the Mayor and City Secretary of said City; the date of this bond, in conformity with the ordinance above referred to, being the FIRST DAY OF MARCH, 1977.

Mayor, City of Addison, Texas

COUNTERSIGNED:

City Secretary,
City of Addison, Texas

SECTION 7: That the form of interest coupons attached to each of said bonds shall be substantially as follows:

NO. _____ ON THE 1ST DAY OF _____, \$ _____
19____,

*(unless the bond to which this coupon pertains has been properly called for redemption in accordance with its terms,) the CITY OF ADDISON, a municipal corporation of the State of Texas, hereby promises to pay to bearer, at the TEXAS BANK & TRUST COMPANY OF DALLAS, Dallas, Texas, without exchange or collection charges to the owner or holder, the sum of

_____ DOLLARS

(\$ _____), in lawful money of the United States of America, said sum being _____ months' interest due that day on "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION BOND, SERIES 1977," dated March 1, 1977. Bond No. _____.

City Secretary

Mayor

SECTION 8: That the following certificate shall be printed on the back of each bond:

OFFICE OF COMPTROLLER §
STATE OF TEXAS § REGISTER NO. _____

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation upon said City of Addison, Texas, and said bond has this day been registered by me.

*NOTE TO PRINTER: The expression in parentheses to be included only in coupons maturing September 1, 1992 and subsequent pertaining to optional bonds, maturing in the years 1993 through 1996.

WITNESS MY HAND AND SEAL OF OFFICE at Austin, Texas, _____.

Comptroller of Public Accounts
of the State of Texas

SECTION 9: That to provide for the payment of the debt service requirements on the said bonds, being (i) the interest on said bonds and (ii) a sinking fund for their redemption at maturity or a sinking fund of 2% (whichever amount shall be greater), there shall be and there is hereby levied for the current year and each succeeding year thereafter while said bonds or interest thereon shall remain outstanding and unpaid, a sufficient tax on each one hundred dollars' valuation of taxable property in said City, adequate to pay such debt service requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the said debt service requirements, and the same shall not be diverted to any other purpose. The taxes so levied shall be paid into a fund known as "SPECIAL SERIES 1977 GENERAL OBLIGATION BOND FUND," which is hereby established for the payment of the obligations herein authorized. The City Council hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient for such bonds, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding obligations.

PROVIDED, HOWEVER, that to pay the installment of interest in the amount of \$_____ to become due on said bonds on September 1, 1977, the sum of \$_____ is hereby appropriated out of funds now on hand legally available for such purpose and unappropriated to any other purpose, and the City Secretary of the City of Addison is hereby ordered and directed to set aside said amount to the credit of this series of bonds, and the same amount shall be applied to the purpose stated and none other.

SECTION 10: The sale of the bonds herein authorized to

at the price of par and accrued interest to date of delivery, is hereby confirmed. Delivery of the bonds shall be made to such purchaser as soon as may be after the adoption of this ordinance, upon payment therefor in accordance with the terms of sale.

SECTION 11: The purchasers' obligation to accept delivery of the bonds herein authorized is subject to their being furnished a final opinion of Messrs. Dumas, Huguenin, Boothman and Morrow, Attorneys, Dallas, Texas, approving such bonds as to their validity, said opinion to be dated and delivered as of the date of delivery and payment for such bonds. Printing of a true and correct copy of said opinion on the reverse side of each of such bonds, with appropriate certificate pertaining thereto executed by facsimile signature of the City Secretary of the City of Addison, Texas, is hereby approved and authorized.

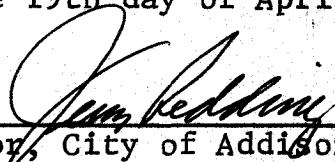
SECTION 12: CUSIP numbers are to be printed on the bonds herein authorized. It is expressly provided, however, that the presence or absence of CUSIP numbers on the bonds shall be of no significance or effect as regards the legality thereof and neither the City nor attorneys approving said bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the bonds.

SECTION 13: That the City hereby covenants that the proceeds from the sale of said bonds will be used as soon as practicable for the purpose for which said 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 said bonds to be or become "arbitrage bonds" within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings prescribed or made pursuant thereto.

SECTION 14: That the Mayor of the City of Addison shall be, and he is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and their registration by the Comptroller of Public Accounts.

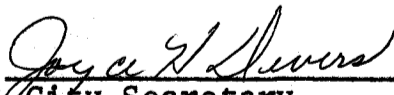
SECTION 15: That the public importance of this measure and the fact that it is to the best interest of the City to provide funds for the improvements herein contemplated at the earliest possible date constitute and create an emergency and an urgent public necessity, requiring that any rule providing for ordinances to be read more than one time or at more than one meeting of the City Council be suspended, and requiring that this ordinance be passed and take effect as an emergency measure, and such rules and provisions are accordingly suspended, and this ordinance is passed as an emergency measure, and shall take effect and be in full force from and after its passage.

PASSED AND APPROVED, this the 19th day of April, 1977.



Mayor, City of Addison, Texas

ATTEST:



City Secretary,
City of Addison, Texas

(City Seal)

ORDINANCE AUTHORIZING ISSUANCE OF \$2,500,000
 "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION
 BONDS, SERIES 1977," DATE MARCH 1, 1977

THE STATE OF TEXAS §
 §
 COUNTY OF DALLAS §
 §
 CITY OF ADDISON §

ON THIS, the 19th day of April, 1977, the City Council of the City of Addison, Texas, convened in Regular session at the regular meeting place thereof in the City Hall, the meeting being open to the public and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members present and in attendance, to wit:

JERRY REDDING		MAYOR
RICHARD RODER)	
TERRY ROBERTS)	
BILL SELLMAYER)	ALDERMEN
JOHN B. ALLEN)	
A. E. MARCY)	

and with the following absent: None, constituting a quorum; and among other proceedings had by said City Council were the following:

The Mayor introduced a proposed ordinance. The ordinance was read in full.

Alderman A.E. Marcy made a motion that any rule requiring ordinances to be read more than one time or at more than one meeting be suspended. The motion was seconded by Alderman Terry W. Roberts and carried by the following vote:

AYES: Aldermen Roder, Roberts, Sellmeyer, Allen and Marcy.
 NOES: None.

Alderman Terry W. Roberts made a motion that the ordinance be passed finally. The motion was seconded by Alderman John B. Allen and carried by the following vote:

AYES: Aldermen Roder, Roberts, Sellmeyer, Allen and Marcy.
 NOES: None.

The Mayor announced that the ordinance had been finally passed.

The ORDINANCE is as follows: