

ORDINANCE NO. 627

AN ORDINANCE by the City Council of the City of Addison, Texas, authorizing the issuance of \$7,600,000 "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION BONDS, SERIES 1980-B", dated November 1, 1980; prescribing the form of said 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 taxes; enacting provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

WHEREAS, the City Council of the City of Addison, Texas hereby finds and determines that the authorized but unissued general obligation bonds in the total principal amount of \$7,600,000 voted at the election held July 28, 1979 should be issued and sold at this time; a summary of the amount of general obligation bonds authorized at said election, the respective purposes for which the same were authorized to be issued, amounts heretofore issued from such voted authorization, amounts herein authorized to be issued and sold and amounts remaining to be issued subsequent hereto being as follows:

Amount Authorized	Authorized Purposes	Amounts Heretofore Issued	Amounts Being Issued	Unissued Balance
\$11,440,000	Street Improvements	\$5,005,000	\$6,435,000	\$ 0
250,000	Waterworks Imp. & Ext.	145,000	105,000	0
250,000	Municipal Service Center	250,000	0	0
260,000	Fire Fighting Equip.	0	260,000	0
800,000	Parks	0	800,000	0
800,000	Airport Improvements	800,000	0	0

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1: That the bonds of said City, to be known as "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION BONDS, SERIES 1980-B", be and the same are hereby ordered to be issued in the principal sum of SEVEN MILLION SIX HUNDRED THOUSAND DOLLARS (\$7,600,000), for the purpose of making permanent public improvements and public purposes, to wit: \$6,435,000 for street improvements, including drainage and sidewalk improvements incidental thereto, \$105,000 for improvements and extensions to the City's Waterworks System, \$260,000 to purchase fire fighting equipment and \$800,000 to acquire or improve, or both, land for park purposes, under and by virtue of the Constitution and laws of the State of Texas and pursuant to the Charter of said City,

SECTION 2: That said bonds shall be numbered consecutively from One (1) through One Thousand Five Hundred Twenty (1520), shall each be in denomination of Five Thousand Dollars (\$5,000), shall be dated November 1, 1980; and shall become due and payable serially on May 1 in each of the years and bear interest at the per annum rates in accordance with the following schedule:

<u>BOND NUMBERS</u> (All Inclusive)	<u>MATURITY</u>	<u>AMOUNT</u>	<u>INTEREST</u> <u>RATES</u>
1 to 76	1982	\$ 380,000	9.00 %
77 to 152	1983	380,000	9.00 %
153 to 228	1984	380,000	9.00 %
229 to 304	1985	380,000	9.00 %
305 to 380	1986	380,000	9.00 %
381 to 456	1987	380,000	9.00 %
457 to 532	1988	380,000	9.00 %
533 to 608	1989	380,000	7.00 %
609 to 684	1990	380,000	7.00 %
685 to 760	1991	380,000	7.20 %
761 to 836	1992	380,000	7.35 %
837 to 912	1993	380,000	7.50 %
913 to 988	1994	380,000	7.75 %
989 to 1064	1995	380,000	7.90 %
1065 to 1140	1996	380,000	8.10 %
1141 to 1216	1997	380,000	8.25 %
1217 to 1292	1998	380,000	8.40 %
1293 to 1368	1999	380,000	8.55 %
1369 to 1444	2000	380,000	7.00 %
1445 to 1520	2001	380,000	7.00 %

PROVIDED, HOWEVER, that the City reserves the right to redeem the bonds of this series maturing on May 1, 1991, and subsequent, in whole or any part thereof, on May 1, 1990, or any interest payment date thereafter, at the price of par plus accrued interest to the date fixed for redemption; PROVIDED, FURTHER, that at least thirty (30) days prior to a date 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 FIRST CITY BANK OF DALLAS, Dallas, Texas (the paying agent named in each of said bonds); and if the City shall have made available by the date of redemption funds in amounts sufficient to pay the bonds to be redeemed and accrued interest thereon, any bond or bonds not be 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, or the redemption thereof in accordance with the terms prescribed therefor, at the per annum rates shown above, such interest to be evidenced by proper coupons attached to each of said bonds and said interest shall be payable on May 1, 1981, and semi-annually thereafter on November 1 and May 1 in each year.

SECTION 4: That both principal of and interest on this issue of 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 FIRST CITY BANK 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 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
STATE OF TEXAS
COUNTY OF DALLAS
CITY OF ADDISON, TEXAS, GENERAL OBLIGATION
BOND, SERIES 1980-B

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 FIRST DAY OF MAY, _____, with interest thereon from the date hereof to maturity, or the redemption hereof in accordance with the terms prescribed therefor, at the rate of _____ PER CENTUM (_____%) per annum, such interest being payable on May 1, 1981, and semiannually thereafter on November 1 and May 1 in each year, and evidenced by interest coupons attached hereto.

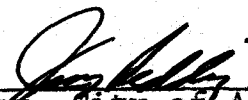
BOTH PRINCIPAL AND INTEREST are payable only upon presentation and surrender of this bond and the interest coupons hereto attached as the same severally become due at the FIRST CITY BANK OF DALLAS, Dallas, Texas, without exchange or collection charges to the bearer, thereof, and the bearer of this bond and its appurtenant interest coupons shall be deemed the absolute owner thereof for purposes of receiving payment and all other purposes, and neither the City nor the aforementioned place of payment shall be affected by any notice to the contrary.

THIS BOND is one of a series of bonds, dated November 1, 1980, numbered consecutively from One (1) through One Thousand Five Hundred Twenty (1,520), each in the denomination of Five Thousand Dollars (\$5,000), aggregating in principal amount SEVEN MILLION SIX HUNDRED THOUSAND DOLLARS (\$7,600,000), issued for the purpose of making permanent public improvements and public purposes, to wit: \$6,435,000 for street improvements, including drainage and sidewalk improvements incidental thereto, \$105,000 for improvements and extensions to the City's Waterworks System, \$260,000 to purchase fire fighting equipment and \$800,000 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 the Charter of said City of Addison, Texas, and an ordinance duly adopted by the City Council thereof 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 said series maturing on May 1, 1991, and subsequent, in whole or any part thereof, on May 1, 1990, 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 a date 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 FIRST CITY BANK OF DALLAS, Dallas, Texas; and if the City shall have made available by the date of redemption 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 an election held for that purpose in 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 levying 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 bond 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.



Mayor, City of Addison, Texas

COUNTERSIGNED:




City Secretary, City of
Addison, Texas

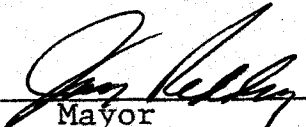
SECTION 7: That the form of interest coupons attached to each of said bonds shall be substantially as follows:

NO. _____ ON THE FIRST DAY OF _____ \$ _____
_____, _____,

*(unless the bond to which this coupon pertains has been redeemed in accordance with its terms,) the CITY OF ADDISON, in the County of Dallas, State of Texas, hereby promises to pay to bearer the amount shown hereon in lawful money of the United States of America, upon presentation and surrender of this coupon, at the FIRST CITY BANK OF DALLAS, Dallas, Texas, without exchange or collection charges, such amount being interest due on such date on "CITY OF ADDISON, TEXAS, GENERAL OBLIGATION BOND, SERIES 1980-B", dated November 1, 1980. Bond No. _____.



City Secretary



Mayor

*NOTE TO PRINTER: The expression in parenthesis to be included only in coupons maturing November 1, 1990, and subsequent, pertaining to optional bonds maturing in the years 1991 through 2001.

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

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

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 of the City of Addison, Texas, and said bond has this day been registered by me.

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 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 1980-B GENERAL OBLIGATION BOND FUND", which is hereby established for the payment of the obligations herein authorized. The 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, to pay the installments of interest to become due on the bonds on May 1, 1981 and November 1, 1981, the City has on hand current funds legally available and unappropriated for any other purpose, and, immediately following the delivery of the bonds, the City Treasurer shall cause to be deposited to the credit of the Special Fund hereinabove established such amount of available current funds which, together with the accrued interest received from the purchaser of the bonds, will be sufficient to pay the aforesaid installments of interest to become due on the bonds prior to the City's 1981 tax collections.

SECTION 10: That the sale of the bonds herein authorized to
First City National Bank of Houston & Associates

at the price of par and accrued interest to the date of delivery, plus a premium of \$ -0- , is hereby confirmed. Delivery of the bonds shall be made to said purchasers as soon as may be after the adoption of this ordinance, upon payment therefor in accordance with the terms of sale.

SECTION 11: That 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 said 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: That the City hereby certifies and covenants that the proceeds of the bonds are needed at this time to finance the costs of capital and public improvements planned by the City; based on current facts, estimates and circumstances, it is reasonably expected final disbursement of the bond proceeds will occur within three years from the date of the receipt thereof by the City; it is not reasonably expected the proceeds of the bonds or moneys deposited in the interest and sinking fund created for the payment of the bonds will be used or invested in a manner that would cause the bonds to be "arbitrage bonds" within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended, or any regulations or published rulings pertaining thereto; and save and except for the interest and sinking fund created herein, no other funds or accounts have been established or pledged for the payment of the bonds. Proper officers of the City charged with the responsibility in the issuance of the bonds are hereby authorized and directed to make, execute and deliver certifications as to facts, estimates and circumstances in existence as of the date of the issue of the bonds and stating whether there are any facts, estimates or circumstances which would materially change the City's current expectations, and the covenants herein made and certifications herein authorized are for the benefit of the holders of the bonds and coupons appertaining thereto and may be relied upon by the bondholders and bond counsel for the City.

SECTION 13: That the Mayor of said City shall be and 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 14: That CUSIP numbers may 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 15: That, in reference to the Official Statement prepared in the initial offering and sale of the bonds herein authorized by the City, the City Council ratifies and confirms its prior approval of the form and content thereof and hereby approves the form and content of any addendas, supplements and amendments thereto; the use of such Official Statement in the reoffering of the bonds by the above named purchaser(s) is hereby approved and authorized; and the proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to said Official Statement as prescribed therein, dated as of the date of payment for and delivery of the bonds.

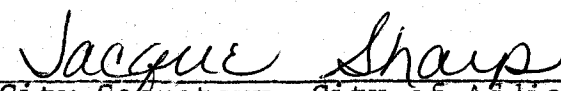
SECTION 16: That this ordinance shall take effect immediately from and after its passage, and it is so ordained.

PASSED AND ADOPTED, this 14th day of October, 1980.



Mayor, City of Addison, Texas

ATTEST:



City Secretary, City of Addison,
Texas

(City Seal)