

AN ORDINANCE BY THE CITY COUNCIL OF THE
CITY OF CUMBY, TEXAS APPROVING AND AUTHORIZING
PUBLICATION OF NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION
ORDINANCE 2012-7

THE STATE OF TEXAS)
COUNTY OF HOPKINS)
CITY OF CUMBY)

WHEREAS, the City Council of the City of Cumby, Texas finds that it is required by the Texas Department of Transportation to replace and relocate its water and wastewater lines located in the FM 275 (Frisco Street) right-of-way, and

WHEREAS, the City Council has determined that certificates of obligation should be issued under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code sec. 271.041, et. seq., and the Public Security Procedures Act, as amended, Section 1201.001, et. seq., Texas Government Code, for the purpose of paying contractual obligations to be incurred for (1) the costs of replacing and relocating City water and wastewater lines located in the FM 275 (Frisco Street) right-of-way, together with associated engineering costs, and (2) the costs of issuance including attorneys and financial advisors in connection therewith; and

WHEREAS, prior to the issuance of such certificates, the Council is required to publish notice of its intention to issue the same in a newspaper that is of general circulation in the City, said notice stating (1) the time and place this Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (2) the maximum amount to be issued, (3) the purposes for which the certificates are to be issued, and (4) the manner in which the City proposes to pay the certificates;

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

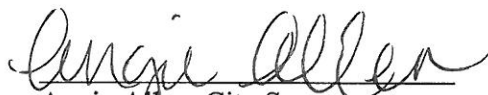
SECTION 1: That the Mayor is hereby authorized and directed to cause notice to be published in the Sulphur Springs News Telegram of this Council's intention to issue certificates of obligation in an amount not to exceed \$695,000 for the purpose of paying contractual obligations to be incurred for (1) the costs of replacing and relocating City water and wastewater lines located in the FM 275 (Frisco Street) right-of-way, together with associated engineering costs, and (2) the costs of issuance including attorneys and financial advisors in connection therewith as described above.

SECTION 2: That the notice substantially in the form attached hereto, which is made a part of this Ordinance for all purposes, shall be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be before the thirtieth (30th) day before the date tentatively set for the passage of the Ordinance authorizing the issuance of the certificates.

PASSED AND APPROVED this the 7th day of August, 2012.


Jeff Strickland, Mayor
City of Cumby, Texas

ATTEST:


Angie Allen, City Secretary
City of Cumby, Texas

[City Seal]



CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS)
COUNTY OF HOPKINS)
CITY OF CUMBY)

We, the undersigned officers of the City Council of said City, hereby certify as follows:

1. The City Council of said City convened in Regular session on the 7th day of August, 2012, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of the City Council, to-wit:

Jeff Strickland	Mayor
Chuck Tuggle	Alderman, Place. 1
Bill Jenkins	Alderman, Place. 2
Cody Talley	Alderman, Place. 3
Larry White	Alderman, Place. 4
Kathy Hall Carter	Alderman, Place. 5

and all of said persons were present, except: Bill Jenkins - Alderman, Place 2
thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting:

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COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

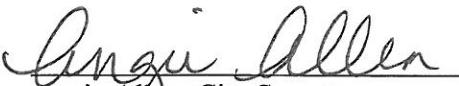
was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said Ordinance be passed; and, after due discussion, said motion, carrying with it the passage of said Ordinance, prevailed and carried by the following vote:

AYES: 4 NOES: 0 ABSTENTIONS: 0

2. That a true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said Ordinance has been duly recorded in the City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the City Council's minutes of said Meeting pertaining to the passage of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose; that said meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED this 7th day of August, 2012.


Angie Allen, City Secretary

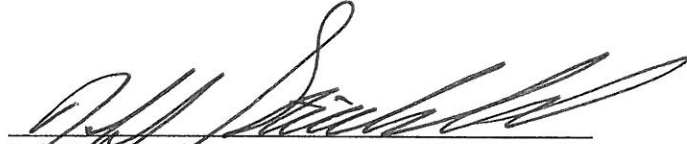

Jeff Strickland, Mayor

(SEAL)



NOTICE OF INTENTION TO ISSUE CITY OF CUMBY TEXAS
CERTIFICATES OF OBLIGATION

TAKE NOTICE, that the City Council of the City of Cumby, Texas will convene at 6:00 o'clock p.m. on the 25th day of September, 2012, at the regular meeting place of the City Council, located at 100 East Main Street, Cumby, Texas, and during such meeting the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, to be payable from a combination of City ad valorem taxes and surplus net revenues from the City water and wastewater systems. The certificates will be issued in an amount not to exceed \$695,000 for the purpose of paying for: (1) the costs of replacing and relocating City water and wastewater lines located in the FM 275 (Frisco Street) right-of-way, together with associated engineering costs, and (2) the costs of issuance including attorneys and financial advisors fees incurred in connection with the issuance of the certificates. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code sec. 271.041, et. seq., and the Public Security Procedures Act, as amended, Section 1201.001, et. seq., Texas Government Code.



Jeff Strickland, Mayor
City of Cumby, Texas