

REGULAR SESSION
DECEMBER 13, 1976

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONER'S COURT met in Regular Session, Monday December 13, 1976, in the Titus County Courtroom with following members present.

William Wayne Landrum

C.H. Reese

Bert Parr

Bill Reynolds

Allan LaPrade

County Judge

Commissioner Precinct #1

Commissioner Precinct #3

Commissioner Precinct #4

County Clerk

and the following proceedings were had to-wit:

WAIVER

STATE OF TEXAS
COUNTY OF TITUS

I, the under signed County Attorney of Titus County, Texas do hereby acknowledge that the Commissioners' Court of the said County has notified me to file suit for the collection of delinquent taxes in said county; however, due to the fact that it would be physically impossible for me to personally file and handle such suits, and at the same time to properly discharge the other duties of my office, and to the further fact that the statutes do not provide adequate compensation for a County Attorney to file and to prosecute suits for delinquent taxes, but do make provisions for other attorneys to handle the same, I do hereby decline to file such suits do hereby waive the thirty days written notice provided in Article 7335, Revised Civil Statutes, and do hereby agree that the Commissioners' Court of said County may contract with some other competent attorney to enforce or assist in the enforcement of the collection of delinquent State and County taxes.

Witness my hand this, the 13 day of December A.D., 1976.

/s/ Tully R. Florey

County Attorney

Term Expires December 31 1980

Titus

County, Texas

STATE OF TEXAS
COUNTY OF TITUS

I, Allan LaPrade County Clerk of Titus County, Texas, do hereby certify that the above and foregoing is a true and correct copy of a certain waiver executed by Tully R. Florey III County Attorney, of Titus County, Texas.

as the same appears of record in Volume 10 Page 372 of the minutes of the Commissioners' Court of Titus County Given under my hand and seal of office, this 13th day of December 1976.

/s/ Allen LaPrade
County Clerk
Titus County Texas

RESOLUTION AND ORDER

On this the 13 day of December 1976, at a regular meeting of the Commissioners' Court of Titus County, Texas, there came on for consideration the making of a contract for the collection of delinquent taxes, and motion was made by Bert Parr County Commissioner of Precinct No. 2, seconded by Bill Reynolds County Commissioner of Precinct No. 4, that subject to approval by the Comptroller of Public Accounts and Attorney and Attorney General of Texas said Commissioners' Court in behalf of said County do make and enter into a contract with Jack McCreary, a licensed attorney, for the latter to collect delinquent taxes in said County for 15% of the amount of taxes, penalty and interest collected, said contract to end on the 31 day of Dec. 1978, with six months thereafter to complete pending suits, requiring said attorney to give bond in the sum of \$250.00, and to be on forms currently promulgated and recommended by the State Comptroller, Said motion being put to vote, it carried by a vote of 3 to 0. Those voting "Aye" were:

C.H. Reese, Precinct #1
Bill Reynolds, Precinct #4
Bert Parr, Precinct #2

Those voting No were:

It is therefore ordered that said contract be prepared and executed, submitted to the Comptroller of Public Accounts and Attorney General of Texas, and if approved by them, recorded in the minutes of this Court.

/s/ William Wayne Landrum
County Judge

/s/ C.H. Reese
County Commissioner Precinct No. 1

/s/ Bert B. Parr
County Commissioner Precinct No. 2

/s/ Bill Reynolds
County Commissioner Precinct No. 4

STATE OF TEXAS
COUNTY OF TITUS

I, the undersigned, County Clerk of Titus County, Texas, do hereby certify that the above and foregoing is a true and correct copy of a certain Resolution and Order, of the Commissioners' Court, of record in Volume 10 Page 372, of the Minutes of said Court.

Witness my official hand and seal this 13 day of December 1976

/s/ Allen LaPrade
County Clerk

Titus County, Texas

**IN THE MATTER OF RENEWAL
OF CONTRACT WITH MCCREARY & HUBY**

Motion by Commissioner Parr and seconded by Commissioner Reynolds to renew contract with McCreary & Huby to handle delinquent taxes.

**IN THE MATTER OF
PAYING COUNTY ROAD HANDS**

Motion by Commissioner Martin and seconded by Commissioner Parr to pay County road hands upon approval of County Auditor. Motion carried.

**IN THE MATTER OF
PAYING MONTHLY BILLS**

Motion by Commissioner Parr and seconded by Commissioner Reynolds to pay monthly bills upon approval of County Auditor. Motion carried.

**IN THE MATTER OF APPROVING
OFFICERS MONTHLY REPORTS**

Motion by Commissioner Reynolds and seconded by Commissioner Parr to approve officers monthly reports. Motion carried.

**IN MATTER OF OFFICERS
EXPENSE ACCOUNTS**

Motion by Judge Landrum and seconded by Commissioner Parr to pay officers expense accounts upon approval of County Auditor. Motion carried.

**IN THE MATTER OF
CONTRACT OF TITUS COUNTY PLAN PROPOSAL**

Motion by Judge Landrum and seconded by Commissioner Parr to approve contract of Titus County Plan Proposal with Research & Planning Consultants. Motion carried.

**IN THE MATTER OF DUMPED
FOR PRECINCT 4**

Motion by Commissioner Reynolds and seconded by Judge Landrum to purchase a dumped for Precinct 4 from Leland Equip. upon approval of County Auditor. Motion carried.

LELAND EQUIPMENT COMPANY

To Titus County Precinct #4
C/O County Auditor
Mt. Pleasant, Texas 75455
As per request of Bill Reynolds

Date December 8, 1976
Delivery Time Stock Items
Cash Discount Net 1 30 Days on Merchandise only
No Discount on Freight-Taxes or Labor.
we are pleased to quote as follows:

QUAN.	DESCRIPTION	UNIT PRICE	DISC.	NET PRICE
1	Model CD-44250 Galion twin cylinder hoist with power take off and drive parts.			845.00
1	Model FLD-12 Galion all steel body 12' long, 7' wide inside, 13" sides with stake pockets, double acting tail gate, 2" radial covers from floor to side for cleaner dumping, 42" cab guard with expanded metal window, clearance lights and reflectors.			1170.00
1	Set mud flaps			8.00
11	Labor to install above equipment			225.00
				2258.00

All Prices F.O.B. Longview, Texas

IN THE MATTER OF
REJECTING BIDS

Motion by Commissioner Parr and seconded by Commissioner Reese to reject all bids received for trucks for Precinct #1 and Precinct No. 2. Motion carried.

IN MATTER OF SALE
OF 1953 AND 1970 TRUCK

Motion by Commissioner Reynolds and seconded by Commissioner Parr to accept bid from Laing Diesel Service to purchase unused equipment from Precinct 4., in the sum of \$1001.00. Motion carried.

LAING'S DIESEL SERVICE
P.O. BOX 123
COOKVILLE, TEXAS 75558

1 bid \$1001.00 on 1953 Chevrolet and 1970 International Junk trucks.

/s/ W.D. Laing

Accepted /s/ William Wayne Landrum

IN THE MATTER OF
ACCEPTING BUDGET FOR 1977

Motion by Judge Landrum and seconded by Commissioner Reynolds to accept the budget as proposed for 1977. Motion carried.

IN THE MATTER OF
CHRISTMAS AND NEW YEARS HOLIDAYS

Motion by Commissioner Parr and seconded by Commissioner Reese to close offices in courthouse, at noon on Dec. 24 and the whole day on Dec. 27 in observance of Christmas Holiday and on Friday Dec. 31. for New Years. Motion carried.

IN THE MATTER OF
CHANGING COURT MEETING

Motion by Judge Landrum and seconded by Commissioner Parr to change next Commissioners Court Meeting from 24 day of Dec. to the 22 day of Dec. Motion carried.

IN THE MATTER OF
APPRAISALS FOR ROW LAND

Motion by Commissioner Reynolds and seconded by Commissioner Parr to approve the appraisals of lands needed for north part of ROW for Farm Road 1735. Motion carried.

IN THE MATTER OF
LEASE AGREEMENT

Motion by Judge Landrum and seconded by Commissioner Reynolds to approve a lease agreement with Sam Williams and Billy C. Garrett and Titus County Commissioners Court. Said lease to be effective as of Oct. 13, 1976 for the sum of \$600.00 per year. Motion carried.

LEASE

THE STATE OF TEXAS
COUNTY OF TITUS

This agreement made and entered into on this the 12th day of October A.D. 1976, by and between Sam Williams and Billy C. Garrett of Titus County Texas, hereinafter called LESSOR AND TITUS COUNTY COMMISSIONERS COURT of said County, TEXAS HEREINAFTER STYLED LESSEE,
WITNESSETH:

The Lessors have leased unto the Lessee, for a period of one year from the above date,
Two Mixing Pits, and surface enough to accomplish the use of said Two Mixing Pits, located on the following described lands.
Being situated in Titus County Texas and being situated South of Cookville, Texas, and being apart of the George Clapham N.E. Survey and being 36.5 acres of land out of said survey, and being fully described in a deed from G.A. Witt and his children to Billy C. Garrett under date of Sept. 2nd 1965, and filed for record Oct. 21st 1963, and of record in volume 283 page 313 deed records Titus County Texas, to which deed and the record thereof, reference is hereto made and made aparthereof, for a better description.
The Lessee being granted the privilege and right to locate upon the above lands the said 2 MIXING PITS, and the necessary land to use in the operation and use of said Mixing Pits,
The said Titus County Texas, is to pay in advance the said sum of \$600.00 (Six Hundred and no/100 Dollars, to said Lessors, the receipt of which is herewith acknowledged and confessed.,
All necessary work in the installation of said mixing pits shall be at the expense of the Lessee.,
At the expiration of said one year, if a renewal or another agreement is desired, and upon such terms as per agreement, if not, then the Lessee agree to refill such mixing pits, at its own cost and expense.,
The said Lessee shall have the right of ingress and Egress to enter upon said land and traverse same at any and all times for the purpose of using such mixing pits in full capacity.,
WITNESS our hands on this the 13 day of October AD 1976,
The Commissioners Court of said Titus County Texas, acting herein and authorizing the Hon. William Wayne Landrum, County Judge of said County, to sign this instrument, having been duly authorized by the majority members of said Commissioners Court.,

/s/ Billy C. Garrett

/s/ Sam Williams

LESSORS,

Titus County Texas, acting herein by its County Judge, /s/ William Wayne Landrum County Judge Titus Co, Texas

(HOSPITAL)
CERTIFICATE FOR
ORDER AUTHORIZING THE ISSUANCE OF BONDS
THE STATE OF TEXAS 1
COUNTY OF TITUS 1

We, the undersigned officers of the Commissioners Court of said County, hereby certify as follows:

1. The Commissioners Court of said County convened in REGULAR TERM ON THE 13TH DAY OF DECEMBER, 1976, at the County Courthouse, and the roll was called of the duly constituted officers and members of said Commissioners Court, to-wit:

Allen LaPrade, County Clerk
C.H. Reese
Hubert Martin
William Wayne Landrum, County Judge
Bert B. Farr
Bill Reynolds

and all of said persons were present, except the following absentees: Hubert Martin thus constituting a quorum. Whereupon, among other business, the following was transacted at said Term: a written ORDER AUTHORIZING THE ISSUANCE OF BONDS was duly introduced for the consideration of said Commissioners Court and read in full. It was then duly moved and seconded that said Order be passed; and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried by the following vote:

AYES: All members of said Commissioners Court shown present above voted "AYE"
NOES: None.

2. That a true, full and correct copy of the aforesaid Order passed at the Term described in the above and foregoing paragraph is attached to and follows this Certificate; that said Order has been duly recorded in said Commissioners Court's minutes of said Term; that the above and foregoing paragraph is a true, full and correct excerpt from said Commissioners Court's minutes of said Term pertaining to the passage of said Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Commissioners Court as indicated therein; that each of the officers and members of said Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Term, and that said Order would be introduced and considered for passage at said Term, and each of said officers and members consented, in advance, to the holding of said Term for such purpose; that said Term was open to the public and public notice of the time, place and purpose of said Term was given, all as required by Vernon's Ann. Civ. St. art. 6252-17, as amended.

SIGNED AND SEALED the 13th day of December, 1976.

/s/ Allen LaPrade
County Clerk
(COMMISSIONERS COURT SEAL)
/s/ William Wayne Landrum
County Judge

ORDER AUTHORIZING THE ISSUANCE OF BONDS

THE STATE OF TEXAS
COUNTY OF TITUS
TITUS COUNTY HOSPITAL DISTRICT

WHEREAS, all the bonds hereinafter authorized were lawfully and favorably voted at an election duly held in said District on the 7th day of December, 1974; and

WHEREAS, out of the bonds voted at said election, the following previously have been issued and delivered:

\$1,000,000 out of a voted total of \$1,500,000 for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping the same for hospital purposes (Series 1975); and

WHEREAS, the Commissioners Court of Titus County, Texas, deems it necessary and advisable to authorize, issue and deliver the remaining bonds authorized at said election; and

WHEREAS, the bonds hereinafter authorized and designated were voted and are to be issued and delivered pursuant to Acts 1963, 58th Leg., Reg. Sess., Ch. 298;

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS (FOR AND ON BEHALF OF TITUS COUNTY HOSPITAL DISTRICT):

Section 1. That said District's bonds are hereby authorized in the aggregate principal amount of \$500,000 FOR THE PURPOSE OF THE PURCHASE, CONSTRUCTION, ACQUISITION, REPAIR OR RENOVATION OF BUILDINGS AND IMPROVEMENTS AND EQUIPPING THE SAME FOR HOSPITAL PURPOSES.

Section 2. That said bonds shall be designated as the TITUS COUNTY HOSPITAL DISTRICT GENERAL OBLIGATION BONDS, SERIES 1977.

Section 3. That said bonds shall be dated JANUARY 1, 1977, shall be in the denomination of \$5,000 each, shall be numbered consecutively from one upward, and shall mature serially on the maturity date, in each of the years, and in the amounts, respectively, as set forth in the following schedule:

MATURITY DATE: SEPTEMBER 1

YEARS	AMOUNTS
1978	\$50,000
1979	50,000
1980	50,000
1981	50,000
1982	50,000
1983	50,000
1984	50,000
1985	50,000
1986	50,000
1987	50,000

Section 4. That said bonds scheduled to mature during the years, respectively, set forth below shall bear interest at the following rates per annum:

maturities 1978 through	5.00 %
maturities 1979 through	4.75 %
maturities 1980 through	4.50 %
maturities 1981 through	4.00 %

maturities 1982 through _____	4.15 %
maturities 1983 through _____	4.25 %
maturities 1984 through _____	4.40 %
maturities 1985 through _____	4.50 %
maturities 1986 through _____	4.60 %
maturities 1987 through _____	4.70 %

Said interest shall be evidenced by interest coupons which shall appertain to said bonds, and which shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in this order.

Section 5. That said bonds shall be issued, shall be payable, shall have the characteristics, and shall be signed and executed (and said bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND as forth in this Order.

Section 6. That the form of said bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of said bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, shall be, respectively, substantially as follows:

FORM OF BOND:

NO. _____ \$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF TITUS
TITUS COUNTY HOSPITAL DISTRICT
GENERAL OBLIGATION BOND
SERIES 1977

ON SEPTEMBER 1, _____, the Commissioners Court of Titus County, Texas, for and on behalf of TITUS COUNTY HOSPITAL DISTRICT, a body politic and corporate in Titus County, Texas, organized and existing under the laws of the State of Texas (the District), hereby promises to pay to bearer hereof the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from date hereof, at the rate of _____ % per annum, evidenced by interest coupons payable September 1, 1977, and semi-annually thereafter while this bond is outstanding.

THE PRINCIPAL of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Paying Agent" for this Series of Bonds:

REPUBLIC NATIONAL BANK OF DALLAS, DALLAS, TEXAS, OR, AT THE OPTION OF THE BEARER, AT THE FIRST NATIONAL BANK, MOUNT PLEASANT, TEXAS

THIS BOND is one of a Series dated as of January 1, 1977, authorized, issued, and delivered in the principal amount of \$5000,000 for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping the same for hospital purposes.

IT IS HEREBY certified, recited and covenanted that this bond has been duly and validly voted, authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the voting, authorization, issuance and delivery of this bond have been performed, existed and been done in accordance with law; that this bond is a general obligation of said District, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to create an interest and sinking fund to pay the interest on and principal of this bond, as they mature, have been levied and ordered to be levied against all taxable property in said District, and have been pledged irrevocably for such payment, within the limit prescribed by law.

IN WITNESS WHEREOF, the Commissioners Court of Titus County, Texas, has caused this bond and the interest coupons appertaining hereto to be signed with the facsimile signature of the County Judge and countersigned with the facsimile signature of the County Clerk, and the official seal of said Court to be duly impressed, or placed in facsimile, on this bond.

County Judge, Titus County, Texas

County Clerk, Titus County, Texas

**FORM OF REGISTRATION CERTIFICATE:
COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.**

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness by signature and seal this

Comptroller of Public Accounts of the State of Texas

FORM OF INTEREST COUPON:

NO. _____ \$ _____
ON _____

THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS, for and on behalf of TITUS COUNTY HOSPITAL DISTRICT, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this interest coupon, at

REPUBLIC NATIONAL BANK OF DALLAS, DALLAS, TEXAS, OR, AT THE OPTION OF THE BEARER, AT THE FIRST NATIONAL BANK, MOUNT PLEASANT, TEXAS.

and amount being interest coming due that day on the bond, bearing the number hereinafter designated, of that issue of TITUS COUNTY HOSPITAL DISTRICT GENERAL OBLIGATION BONDS, SERIES 1977, DATED JANUARY 1, 1977. Bond No. _____

County Clerk

County Judge

Section 7. (a) That a special "Interest and Sinking Fund" is hereby created solely for the benefit of said bonds, and said Interest and Sinking Fund shall be established and maintained by said District at an official depository bank of said District. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said District, and shall be used only for paying the interest on and principal of said Bonds.

All ad valorem taxes levied and collected for and on account of said bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said bonds or interest coupons appertaining thereto are outstanding and unpaid, the Commissioners Court of said County shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on said bonds as such interest comes due, and to create and maintain a sinking fund adequate to pay the principal of such bonds as such principal matures; and said tax shall be based on the latest approved tax rolls of said County, with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said District for each year while any of said bonds or interest coupons appertaining thereto are outstanding and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said bonds, as such interest comes due and such principal matures, are hereby pledged irrevocably for such payment, within the limit prescribed by law.

(b) That there shall be transferred from surplus general funds of said County on hand and not needed for County purposes and deposited in the aforesaid Interest and Sinking Fund the amount required to pay the interest coming due on said bonds on September 1, 1977.

Section 8. That the County Judge of said County is hereby authorized to have control of said bonds and all necessary records and proceedings pertaining to said bonds pending their delivery and their investigation, examination and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of said bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of said bonds and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of said bonds.

Section 9. That the District covenants to and with the purchasers of the bonds that it will make no use of the proceeds of the bonds at any time throughout the term of this issue of bonds which, if such use had been reasonably expected on the date of delivery of the bonds to and payment for the bonds by the purchasers, would have caused 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 rulings pertaining thereto; and by this covenant the District is obligated to comply with the requirements of the aforesaid Section 103(c) and all applicable and pertinent Department of the Treasury regulations relating to arbitrage bonds. The District further covenants that the proceeds of the bonds will not otherwise be used directly or indirectly so as to cause all or any part of the bonds to be or become arbitrage bonds within the meaning of the aforesaid Section 103(c), or any regulations or rulings pertaining thereto.

Section 10. That said bonds are hereby sold and shall be delivered to Sam Raney, Treasurer for cash for the par value thereof and accrued interest thereon to date of delivery, plus a premium of \$

Section 11. That the Commissioners Court approves the form and content of the Official Statement dated November 18, 1976, relating to the bonds, and any addenda, supplement or amendment thereto and approves the distribution of such Official Statement in the reoffering of the bonds by the Purchaser in final form, with such changes therein or additions thereto as the officer executing the same may deem advisable, such determination to be conclusively evidenced by his execution thereof.

Section 12. That it is hereby officially found and determined that a case of emergency or urgent public necessity exists which requires the meeting at which this Order is passed, such emergency or urgent public necessity being that the proceeds from the sale of said bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; and 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 Vernon's Ann. Civ. St. art. 6252-17, as amended.

APPROPRIATION CERTIFICATE

THE STATE OF TEXAS |
COUNTY OF TITUS |

I, the undersigned, County Treasurer of the County of Titus, Texas, hereby certify that, in accordance with the Order passed by the Commissioners Court of said County on the 13th day of December, 1976, authorizing the issuance of Titus County Hospital District General Obligation Bonds, Series 1977, there has been transferred, from surplus general funds of said County on hand and not needed for County purposes, and deposited in the Interest and Sinking Fund created in said Order, and now established in the official depository of said County, the amount required to pay the interest coming due on said bonds on September 1, 1977.

SIGNED AND SEALED this the 13th day of December, 1976.

/s/ Clarence C. Clark
County Treasurer

(SEAL OF COMMISSIONERS COURT)

GENERAL CERTIFICATE

THE STATE OF TEXAS |
COUNTY OF TITUS |
TITUS COUNTY HOSPITAL DISTRICT |

We, the undersigned, hereby officially certify that we are the County Judge and County Clerk, respectively, of Titus County, Texas, and we further hereby certify as follows:

1. That this certificate is executed and on behalf of Titus County Hospital District with reference to the issuance of the proposed Titus County Hospital District General Obligation Bonds, Series 1977, dated January 1, 1976, in the principal amount of \$500,000.

2. That said District was created pursuant to an election held within the District on the 16th day of January, 1973, as authorized by Acts 1963, 38th Leg., Reg. Sess., Ch 298, with boundaries coextensive with the boundaries of Titus County; that no changes have been made in the boundaries of said District; that at all times since said election said District has been fully recognized by all State and County authorities as a hospital district duly established and operating under the laws of the State of Texas; that said District has never been declared invalid; and that since the aforesaid election no litigation or proceedings whatsoever have been filed in any court of this State, questioning the validity of the boundaries of said District, and no such litigation or proceedings are pending.

3. That no litigation of any nature has ever been filed pertaining to, affecting, questioning, or contesting: (a) the election which authorized said District's proposed bonds described in paragraph 1 of this certificate; (b) the issuance, execution, delivery, payment, security, or validity of said proposed bonds; (c) the authority of the Commissioners Court to issue, execute, and deliver said bonds; or (d) the current Tax Rolls of said County.

4. That attached to this certificate and marked "Exhibit A" is a true, full, and correct schedule and statement of the aforesaid proposed bonds, and of all presently outstanding tax bond indebtedness of said District.

3. That the currently effective ad valorem Tax rolls of said County are those for the year 1976, being the most recently approved Tax Rolls of said County; that the Commissioners Court of said County has caused the taxable property in said County to be assessed as required by law; that the Board of Equalization of said County has equalized and approved the valuation of taxable property in said County for said year; that the Tax Assessor of said County has duly verified the aforesaid Tax Rolls, and said Board of Equalization has finally approved the same; and that the assessed value of taxable property in said County upon which the annual ad valorem tax of said County actually has been or will be levied (after deducting the amount of all exemptions, if any, under Section 1-b(b), and Section 2(b), of Article 8 of Texas Constitution, and Article 7150h, V.A.T.C.S.), according to the aforesaid Tax Rolls for said year, as delivered to the County Clerk, and finally approved and recorded by the Commissioners Court of said County, is \$59,382,343.

SIGNED AND SEALED THIS the 13th Day of December, 1976.

/s/ ALLEN LAPRADE
County Clerk

/s/ WILLIAM WAYNE LANDRUM
County Judge

(SEAL OF COMMISSIONERS COURT)

EXHIBIT A

Titus County Hospital District General Obligation Bonds, Series 1977, dated January 1, 1977, to be outstanding in the principal amount of \$500,000, bearing interest and maturing as set forth in the Order authorizing said bonds.

Hospital Bonds, Series 1951, dated November 15, 1951, now outstanding in the principal amount of \$60,000, bearing interest and maturing in the amounts on November 15, of the years as follows:

3-1/2%: 10M-77/82.

Refunding Bonds, Series 1967, dated May 15, 1967, now outstanding in the principal amount of \$240,000, bearing interest and maturing in the amounts on May 15 of the years, as follows:

5% 10M-82-83; 10M-85-86; 15M-87;
25M-88/90; 30M-91/93; 20M-94.

Hospital District Bonds

Hospital Bonds, Series 1973, dated March 1, 1973, now outstanding in the principal amount of \$1,475,000, bearing interest and maturing in the amounts on March 1 of the years, as follows:

6-1/4%: 25M-77; 50M-78;
5-1/4%: 50M-79; 55M-79; 55M-80/82; 70M-83; 80M-84/88;
5.40%: 85M-89; 90M-90;
5-1/2%: 100M-91; 110M-92-93;
5.60%: 110M-94-95.

Hospital General Obligation Bonds, Series 1975, dated September 1, 1975, now outstanding in the principal amount of \$999,000, bearing interest and maturing in the amounts on September 1 of the years, as follows:

5% 1M-77/95; 5M-96/2000; 10M-2001/2005;
50M-2006; 55M-2007; 100M-2008/2015.

TOTAL OUTSTANDING TAX BOND INDEBTEDNESS: \$2,774,000.

SIGNATURE IDENTIFICATION AND NO-LITIGATION CERTIFICATE

THE STATE OF TEXAS
COUNTY OF TITUS

We, the undersigned, hereby certify as follows:

(a) That this certificate is executed and delivered with reference to that issue of Titus County Hospital District General Obligation Bonds, Series 1977, dated January 1, 1977, in the principal amount of \$500,000.

(b) That we officially executed and signed said Bonds and the interest coupons attached thereto by causing facsimiles of our manual signatures to be imprinted or lithographed on each of said Bonds and interest coupons, and we hereby adopt said facsimile signatures as our own, respectively, and declare that said facsimile signatures constitute our signatures the same as if we had manually signed each of said Bonds and interest coupons.

(c) That said Bonds and interest coupons are substantially in the form, and have been duly executed and signed in the manner, prescribed in the order, resolution, or ordinance authorizing the issuance of said Bonds and interest coupons.

(d) That at the time we so executed and signed said Bonds and interest coupons we were, and at the time of executing this certificate we are, the duly chosen, qualified, and acting officers indicated therein, and authorized to execute the same.

(e) That no litigation of any nature has been filed or is now pending to restrain or enjoin the issuance or delivery of said Bonds or interest coupons, or which would affect the provision made for their payment or security, or in any manner questioning the proceedings or authority concerning the issuance of said Bonds and interest coupons, and that so far as we know and believe no such litigation is threatened.

(f) That neither the corporate existence nor boundaries of said issuer being contested, that no litigation has been filed or is now pending which would affect the authority of the officers of said issuer to issue, execute, and deliver said Bonds and interest coupons, and that no authority or proceedings for the issuance of said Bonds and interest coupons have been repealed, revoked, or rescinded.

(g) That we have caused the official seal of said issuer to be impressed, or printed, or lithographed on each of said Bonds; and said seal on Bonds has been duly adopted as, and is hereby declared to be, the official seal of said issuer.

EXECUTED and delivered this

MANUAL SIGNATURES

/s/ William Wayne Landrum

/s/ Allen LaPrade

OFFICIAL TITLES

County Judge, Titus County, Texas

County Clerk, Titus County, Texas

The signatures of the officers subscribed above are hereby certified to be true and genuine.

(BANK SEAL) The First National Bank in Mt. Pleasant, Texas

BY: /s/ Johnnie Struthers Ass't Vice President

CLOSING CERTIFICATE

THE STATE OF TEXAS :
COUNTY OF TITUS :

We, the undersigned officers of the Commissioners Court of said County, for and on behalf of Titus County Hospital District, hereby certify as follows:

1. That this certificate is executed for and on behalf of said District with reference to the issuance of the proposed Titus County Hospital District General Obligation Bonds, Series 1977, in the aggregate principal amount of \$500,000.

2. That, to our best knowledge and belief:

(a) the description and statements of or pertaining to Titus County Hospital District contained in its Official Statement dated November 18, 1976, and any addendum, supplement or amendment thereto, for its Titus County Hospital District General Obligation Bonds, Series 1977, on the date of sale of said bonds and the acceptance of the best bid therefor, and on the date of the delivery of said bonds to the purchaser, were and are true and correct in all material respects;

(b) insofar as the District and its affairs, including its financial affairs, are concerned, such Official Statement did not and does not contain an untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading;

(c) insofar as the descriptions and statements, including financial data, of or pertaining to entities other than the District and their activities, contained in such Official Statement are concerned, such statement and data have been obtained from sources which the District believes to be reliable and that the District has no reason to believe that they are untrue in any material respect; and

(d) there has been no material adverse change in the financial condition of the District since September 30, 1976, the date of the last audited financial statements of the District.

SIGNED AND SEALED this December 12, 1976

/s/ Allen LaPrade
County Clerk

/s/ William Wayne Landrum
County Judge

/s/ Clarence C. Clark
County Treasurer

(SEAL)

CERTIFICATE FOR

ORDER AUTHORIZING THE ISSUANCE OF BONDS

WINFIELD

THE STATE OF TEXAS :
COUNTY OF TITUS :

We, the undersigned officers of the Commissioners Court of said County, hereby certify as follows:

1. The Commissioners Court of said County, convened in REGULAR TERM ON THE 13th DAY OF DECEMBER, 1976, at the County Courthouse, and the roll was called of the duly constituted officers and members of said Commissioners Court, to-wit:

Wm. W. Landrum, County Judge
Allen LaPrade, County Clerk
C.M. Reass, Precinct No. 1

Bert E. Farr, Precinct No. 2
Hubert Martin, Precinct No. 3
Bill Reynolds, Precinct No. 4

and all of said persons were present, except the following absentees: Hubert Martin thus constituting a quorum. Whereupon, among other business, the following was transacted at said Term: a written ORDER AUTHORIZING THE ISSUANCE OF BONDS was duly introduced for the consideration of said Commissioners Court and read in full. It was then duly moved and seconded that said Order be passed; and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried by the following vote.

AYES: All members of said Commissioners Court shown present above voted "Aye".
NOES: None.

2. That a true, full, and correct copy of the aforesaid Order passed at the term described in the above and foregoing paragraph is attached to and follows this Certificate; that said Order has been duly recorded in said Commissioners Court's minutes of said Meeting; that the above and foregoing paragraph is a true, full, and correct excerpt from said Commissioners Court's minutes of said Term pertaining to the passage of said Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said Commissioners Court as indicated therein; that each of the officers and members of said Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Term, and that said Order would be introduced and considered for passage at said Term, and each of said officers and members consented, in advance, to the holding of said Term for such purpose; and that said Term was open to the public, and public notice of the time, place, and purpose of said Term was given, all as required by Vernon's Ann. Civ. St. Article 6252-17.

SIGNED AND SEALED: the 13th Day of December, 1976

/s/ William Wayne Landrum
County Judge
SEAL

/s/ Allen LaPrade
County Clerk

ORDER AUTHORIZING THE ISSUANCE OF BONDS

THE STATE OF TEXAS :
COUNTY OF TITUS :

WHEREAS, all the bonds hereinafter authorized were lawfully and favorably voted at an election duly held in Winfield Common School District, Titus County, Texas, on October 26, 1976; and

WHEREAS, none of the bonds voted at said election has been authorized, issued, or delivered; and

WHEREAS, the Commissioners Court deems it necessary and advisable to authorize, issue, and deliver said bonds; and

WHEREAS, the bonds hereinafter authorized and designated were voted and are to be issued and delivered pursuant to Sections 20.01 and 20.04 (B) (1), Texas Education Code.

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS (for and on behalf of Winfield Common School District):

Section 1. That said District's bonds are hereby authorized in the aggregate principal amount of \$225,000, FOR THE PURPOSE OF THE CONSTRUCTION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT AND THE PURCHASE OF THE NECESSARY SITES THEREFOR.

Section 2. That said bonds shall be designated as the "WINFIELD COMMON SCHOOL DISTRICT, TITUS COUNTY, TEXAS, UNLIMITED TAX SCHOOL BUILDING BONDS, SERIES 1976".

Section 3. That said bonds shall be dated DECEMBER 15, 1976, shall be in the denomination of \$5,000 each, shall be numbered connectively from one upward, and shall mature serially on the maturity date, in each of the years, and in the amounts, respectively, as set forth in the following schedule:

MATURITY DATE: DECEMBER 15	
YEARS	AMOUNTS
1977	\$70,000
1978	20,000
1979	20,000
1980	20,000
1981	20,000
1982	25,000
1983	25,000
1984	25,000
1985	25,000
1986	25,000

Section 4. That the bonds scheduled to mature during the years, respectively, set forth below shall bear interest at the following rates per annum:

- maturities 1977 through 1981, 5%
- maturities 1982 through 1984, 4.50%
- maturities 1985 through 1986, 4.90%

Said interest shall be evidenced by interest coupons which shall appertain to said bonds, and which shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in this Order.

Section 5. That said bonds and interest coupons shall be issued, shall be payable, shall have the characteristics, and shall be signed and executed (and said bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Order.

Section 6. That the form of said bonds, including the form of Registration Certificate of the Comptroller or Public Accounts of the State of Texas to be imprinted and endorsed on each of said bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, shall be, respectively, substantially as follows:

FORM OF BOND

NO. _____ \$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF TITUS
WINFIELD COMMON SCHOOL DISTRICT, TITUS COUNTY, TEXAS
UNLIMITED TAX
SCHOOL BUILDING BOND
SERIES 1976

ON DECEMBER 15, 19____, the Commissioners Court of Titus County, Texas, for and on behalf of WINFIELD COMMON SCHOOL DISTRICT, hereby promises to pay to bearer hereof the principal amount of FIVE THOUSAND DOLLARS and to pay interest thereon, from date hereof, at the rate of _____% per annum, evidenced by interest coupons payable JUNE 15, 1977, and semiannually thereafter while this bond is outstanding.

THE PRINCIPAL of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Paying Agent" for this Series of bonds:

MERCANTILE NATIONAL BANK AT DALLAS,
DALLAS, TEXAS.

THIS BOND is one of a Series dated as of DECEMBER 15, 1976, authorized and issued in the principal amount of \$225,000, FOR THE PURPOSE OF THE CONSTRUCTION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT AND THE PURCHASE OF THE NECESSARY SITES THEREFOR.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly voted, authorized, issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the voting, authorization, issuance, and delivery of this bond have been performed, existed, and been done in accordance with law; that this bond is a general obligation of said District, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said District, and have been pledged irrevocably for such payment, without limit as to rate or amount.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the County Judge and countersigned with the facsimile signature of the County Clerk, and the official seal of the Commissioners Court has been duly impressed, or placed in facsimile, on this bond.

County Clerk, Titus County, Texas

County Judge, Titus County, Texas

FORM OF REGISTRATION CERTIFICATE:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____

Comptroller of Public Accounts of the State of
Texas

FORM OF INTEREST COUPON:

NO. _____ ON _____ 15, 19____ \$ _____

The Commissioners Court of Titus County, Texas, for and on behalf of WINFIELD COMMON SCHOOL DISTRICT, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this interest coupon, at the MERCANTILE NATIONAL BANK AT DALLAS, DALLAS, TEXAS, said amount being interest coming due that day on the bond, bearing the number hereinafter designated, of that issue of WINFIELD COMMON SCHOOL DISTRICT, TITUS COUNTY, TEXAS, UNLIMITED TAX SCHOOL BUILDING BONDS, SERIES 1976, DATED DECEMBER 15, 1976, Bond No. _____

County Clerk

County Judge

Section 7. That a special "Interest and Sinking Fund" is hereby created solely for the benefit of said bonds, and said Interest and Sinking Fund shall be established and maintained by said Commissioners Court at an official depository bank of said County. Said Interest and Sinking Fund shall be kept separate and apart from

all other funds and accounts of said County and shall be used only for paying the interest on and principal of said bonds. All ad valorem taxes levied and collected for and on account of said bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said bonds or interest coupons appertaining thereto are outstanding and unpaid, the Commissioners Court of said County shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on said bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of such bonds as such principal matures; and said tax shall be based on the latest approved tax rolls of said County with full allowance being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said County for each year while any of said bonds or interest coupons appertaining thereto are outstanding and unpaid; and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said bonds, as such interest comes due and such principal matures, are hereby pledged irrevocably for such payment, without limit as to rate or amount.

Section 8. That there is hereby appropriated from surplus school maintenance funds of said District lawfully available for such purpose, and shall be deposited into the aforesaid Interest and Sinking Fund the amount of money required to pay the interest coming due on said bonds on June 15, 1977. The money thus appropriated and deposited shall be used for no purpose other than to pay said interest. The appropriate District officials are hereby authorized and directed to do any and all things necessary or convenient to accomplish said appropriation and deposit.

Section 9. That the County Judge is hereby authorized to have control of said bonds and all necessary records and proceedings pertaining to said bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of said bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of said bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of said bonds.

Section 10. That the District covenants to and with the purchasers of the bonds that it will make no use of the proceeds of the bonds at any time throughout the term of this issue of bonds which, if such use had been reasonably expected on the date of delivery of the bonds to and payment for the bonds by the purchasers, would have caused the bonds to be arbitrage bonds within the meaning of Section 103(d) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings pertaining thereto; and by this covenant the District is obligated to comply with the requirements of the aforesaid Section 103(d) and all applicable and pertinent Department of the Treasury regulations relating to arbitrage bonds. The District further covenants that the proceeds of the bonds will not otherwise be used directly or indirectly so as to cause all or any part of the bonds to be or become arbitrage bonds within the meaning of the aforesaid Section 103(d), or any regulations or rulings pertaining thereto.

Section 11. That it is hereby officially found and determined: that a case of emergency or urgent public necessity exists which requires the holding of the meeting at which this Order is passed, such emergency or urgent public necessity being that the proceeds from the sale of said bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; and 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 Vernon's Ann. Civ. St. Article 6252-17.

Section 12. That said bonds are hereby sold and shall be delivered to Willard Cecil County School Superintendent, for cash for the par value thereof and accrued interest thereon to date of delivery, plus a premium of \$_____. It is hereby officially found, determined, and declared that said purchaser is the highest bidder for said bonds as a result of invitations for competitive bids in compliance with Section 20.01 of the Texas Education Code, and that said bonds have been sold at public sale to the bidder offering the lowest interest cost, after receiving sealed bids pursuant to an Official Notice of Sale and Official Statement dated November 22, 1976, prepared and distributed in connection with the sale of said bonds. Said Official Notice of Sale and Official Statement have been and are hereby approved by the Commissioners Court. It is further officially found, determined, and declared that the statements and representations contained in said Official Notice of Sale and Official Statement are true and correct in all material respects, to the best knowledge and belief of the Commissioners Court.

GENERAL CERTIFICATE

THE STATE OF TEXAS 1
COUNTY OF TITUS 1

We, the undersigned, hereby officially certify that we are the County Judge and County Clerk, respectively, of Titus County, Texas, and we further certify as follows:

1. That Winfield Common School District is a common school district located entirely within Titus County, Texas, operating and existing under the laws of the State of Texas; that no changes have been made in the boundaries of said District since the date upon which the election was ordered which authorized the issuance of the most recently issued outstanding tax bonds of said District; that at all times since said election was ordered said District has been fully recognized by all State and County authorities as a common school district duly established and operating under the laws of the State of Texas; that said District has never been declared invalid; and that since the aforesaid election no litigation or proceedings whatsoever have been filed in any court of this State or with any County Board of Trustees, or with the State Commissioner of Education, or with the State Board of Education, questioning the validity or the boundaries of said District, and no such litigation or proceedings are pending.

2. That no litigation of any nature has ever been filed pertaining to, affecting, questioning, or contesting: (a) the election which authorized the proposed Winfield Common School District, Titus County, Texas, Unlimited Tax School Building Bonds, Series 1976, dated December 15, 1976, in the principal amount of \$225,000; (b) the issuance, execution, delivery, payment, security, or validity of said proposed bonds; (c) the titles of the present members and officers of the Commissioners Court of said County; or the other officers of said County, in their respective offices; or (d) the current Tax Rolls of said County or of said District.

3. That in all matters relating to ordering, giving notice, and holding the election at which the proposed bonds were authorized, the County complied with the Federal Voting Rights Act of 1975 and the applicable parts of the Texas Election Code, including particularly Section 1.06a of the Texas Election Code pertaining to bilingual requirements.

4. That attached to this certificate and marked "Exhibit A" is a true, full, and correct schedule and statement of the aforesaid proposed bonds, and of all presently outstanding tax bonds indebtedness of said District.

5. That the currently effective ad valorem Tax Rolls of Titus County, Texas, and said District are those for the year 1976, being the most recently approved Tax Rolls of said County and District; that the Commissioners Court of said County has caused the taxable property in said County and District to be assessed as required by law; that the Board of Equalization of said County has equalized and approved the valuation of taxable property in said County and District for said year; that the Tax Assessor of said County has duly verified the aforesaid Tax Rolls, and said Board of Equalization has finally approved the same; and that the assessed value of taxable property in said District upon which the annual ad valorem tax of said District actually has been or will be levied (after deducting the amount of all exemptions, if any, under Section 1-b(b), and Section 2(b), of Article 8 of the Texas Constitution, and Article 7150b, V.A.T.C.S.), according to the aforesaid Tax Rolls for said year, as delivered to the County Clerk of said County, and finally approved and recorded by the Commissioners Court of said County, is \$3,340,030.

SIGNED AND SEALED the 13th day of December, 1976

/s/ ALLEN LAERADE
County Clerk

/s/ WILLIAM WAYNE LANDRUM
County Judge

(SEAL)

"EXHIBIT A"

School Building Bonds, Series 1976, dated December 15, 1976, to be outstanding in the principal amount of \$225,000, bearing interest, and maturing as set forth in the Order authorizing said bonds

<u>DESCRIPTION OF ISSUE</u>	<u>DATE OF BONDS</u>	<u>PRINCIPAL OUTSTANDING</u>
School Building	10/15/71	\$75,000
<u>APPROPRIATION CERTIFICATE</u>		

THE STATE OF TEXAS
COUNTY OF TITUS

We, the undersigned, County Judge and County Clerk, respectively, of Titus County, Texas, hereby certify that, in accordance with the Order passed by the Commissioners' Court of said County on the 13th day of December, 1976, authorizing the issuance of Winfield Common School District, Titus County, Texas, Unlimited Tax School Building Bonds, Series 1976, there has been transferred, from surplus school maintenance funds of said School District on hand and not needed for school maintenance purposes, and deposited in the Interest and Sinking Fund created in said Order, and now established in the official depository of said County, the amount required to pay the interest coming due on said bonds on June 15, 1977.

SIGNED AND SEALED this the 13th day of December, 1976.

/s/ Allen LaPrade
County Clerk
(SEAL)

/s/ William Wayne Landrum
County Judge

NO-ARBITRAGE CERTIFICATE

THE STATE OF TEXAS
COUNTY OF TITUS

The undersigned, being the duly chosen and qualified County Judge and County Clerk, respectively, of Titus County, Texas, for and on behalf of Winfield Common School District (the "District") hereby certify with respect to that issue of Winfield Common School District, Titus County, Texas, Unlimited Tax School Building Bonds, Series 1976, in the principal amount of \$225,000 (the "bonds") as follows:

1. that we, along with other officers, are charged with the responsibility of issuing the bonds and expending the proceeds of the bonds.
2. that this certificate and covenant are made pursuant to Section 1.103-13 of the proposed Income Tax Regulations (the "Regulations") of the Internal Revenue Service with respect to arbitrage bonds as described in Section 103(d) of the Internal Revenue Code of 1954, as amended (the "Code"), and the words and phrases used herein have the same meanings as defined and used in the Regulations.
3. that this certificate is based on facts, estimates, and circumstances in existence on the date of issue of bonds, and on such basis it is reasonably expected that the following will occur with respect to the bonds:
 - (a) that the District has incurred, at the date of issue of the bonds, or will incur, within six months after the date of issue of the bonds, binding obligations to commence each of the projects, respectively, to be financed by the bonds, either by entering into contracts for the construction of such projects to be financed by the bonds, or by entering into contracts for architectural or engineering services for such projects, with the amount to be paid under each such contract with respect to each such project to be in excess of two and one-half percent of the part of the proceeds of the bonds allocated to each such project, respectively (with the aggregate amounts to be paid under all of such contracts to be in excess of two and one-half percent of all of the proceeds of the bonds);
 - (b) that after entering into said contracts, work on all of the projects will proceed with due diligence to completion;
 - (c) that at least 85 percent of the spendable proceeds of the bonds will be expended for costs of the projects by the end of the three-year period beginning on the date of issue of the bonds;
 - (d) that none of the proceeds of the bonds will be placed in a reserve or replacement fund, and the yield on any acquired obligations which are to be allocated or attributable to the major portion of the proceeds of the bonds, in accordance with the Code and the Regulations, will not exceed the yield on the bonds by more than one eighth of one percent during the term of the bonds, except during the temporary period of three years beginning on the date of issue;
 - (e) that none of the projects to be financed by the bonds will be sold or otherwise disposed of, in whole or in part, prior to the final maturity of the bonds;
 - (f) that the original proceeds of the bonds will not exceed by more than five percent the amount necessary for the purposes of the bonds.
4. that on the basis of the foregoing it is not expected that the proceeds of the bonds will be used in any manner that would cause such obligations to be arbitrage bonds under Section 103 (d) of the Code and the Regulations prescribed under that Section, and it is further specifically covenanted that the proceeds of the bonds will not be used directly or indirectly so as to cause all or any part of the bonds to be or become arbitrage bonds within the meaning of that Section or the Regulations prescribed by that Section.
5. that to our best knowledge and belief there are no other facts, estimates, or circumstances that would materially change the foregoing conclusions or statements.
6. that the District has never been listed in a Notice published in the Internal Revenue Bulletin as described in paragraph (a) (2) (iii) of Section 1.103-12 of the Regulations, and has never been advised that such a listing is contemplated.

EXECUTED this the 13 day of December 1976.

/s/ Allen LaPrade
County Clerk, Titus County, Texas
(SEAL)

/s/ William Wayne Landrum
County Judge, Titus County, Texas

SIGNATURE IDENTIFICATION AND NO-LITIGATION CERTIFICATE

THE STATE OF TEXAS
COUNTY OF TITUS

We, the undersigned hereby certify as follows:

- (a) That this certificate is executed and delivered with reference to that issue of Winfield Common School District, Titus County, Texas, Unlimited Tax School Building Bonds, Series 1976 dated December 15, 1976, in the principal amount of \$225,000
- (b) That we officially executed and signed said Bonds and the interest coupons attached thereto by causing facsimiles of our manual signatures to be imprinted or lithographed on each of said Bonds and interest coupons, and we hereby adopt said facsimile signatures as our own, respectively, and declare that said facsimile signatures constitute our signatures the same as if we had manually signed each of said Bonds and interest coupons.
- (c) That said Bonds and interest coupons are substantially in the form, and have been duly executed and signed in the manner, prescribed in the order, resolution, or ordinance authorizing the issuance of said Bonds and interest coupons.
- (d) That at the time we so executed and signed said Bonds and interest coupons we were, and at the time of executing this certificate we are, the duly chosen, qualified, and acting officers indicated therein, and authorized to execute the same.
- (e) That no litigation of any nature has been filed or is now pending to restrain or enjoin the issuance or delivery of said Bonds or interest coupons, or which would affect the provision made for their payment or security, or in any manner questioning the proceedings or authority concerning the issuance of said Bonds and interest coupons, and that so far as we know and believe no such litigation is threatened.
- (f) That neither the corporate existence nor boundaries of said issuer is being contested, that no litigation has been filed or is now pending which would affect the authority of the officers of said issuer to issue, execute, and deliver said Bonds and interest coupons, and that no authority or proceedings for the issuance of said Bonds and interest coupons have been repealed, revoked, or rescinded.
- (g) That we have caused the official seal of said issuer to be impressed, or imprinted, or lithographed on each of said Bonds; and said seal on said Bonds has been duly adopted as, and is hereby declared to be the official seal of said issuer.

EXECUTED and delivered this December 13, 1976

MANUAL SIGNATURES

OFFICIAL TITLES

/s/ William Wayne Landrum

County Judge, Titus County, Texas

/s/ Allen LaPrade

County Clerk, Titus County, Texas

The signatures of the officers subscribed above are hereby certified to be true and genuine.

The First National Bank in Mt. Pleasant, Texas
Bank

(BANK SEAL)

BY /s/ Johnnie Strother Assistant Vice President
Authorized Officer

CLOSING CERTIFICATE

THE STATE OF TEXAS
COUNTY OF TITUS

We, the undersigned officers of said County, for and on behalf of Winfield Common School District, hereby certify as follows:

1. That this certificate is executed for and on behalf of said District with reference to the issuance of the proposed WINFIELD COMMON SCHOOL DISTRICT, TITUS COUNTY, TEXAS, UNLIMITED TAX SCHOOL BUILDING BONDS, SERIES 1976, DATED DECEMBER 15, 1976, in the principal amount of \$225,000.

2. That, to our best knowledge and belief:

- (a) the description and statements of or pertaining to the District contained in its official statement dated November 22, 1976, on the date of sale of said bonds and the acceptance of the best bid therefore, and on the date of the delivery, were and are true and correct in all material respects;
- (b) insofar as the District and its affairs, including its financial affairs, are concerned, such official statement did not and does not contain an untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading;
- (c) insofar as the descriptions and statements, including financial data, of or pertaining to entities other than the District and their activities contained in such official statement are concerned, such statements and data have been obtained from sources which the issuer believes to be reliable and that the issuer has no reason to believe that they are untrue in any material respect.

SIGNED AND SEALED this December 13, 1976

/s/ Allen LaPrade
County Clerk, Titus County, Texas
(SEAL)

/s/ William Wayne Landrum
County Judge, Titus County, Texas

TREASURER'S RECEIPT

THE STATE OF TEXAS
COUNTY OF TITUS

The undersigned hereby certifies as follows

- (a) That this certificate is executed and delivered with reference to that issue of Winfield Common School District Titus County, Texas Unlimited Tax School Building Bonds, Series 1976, dated December 15, 1976, in the principal amount of \$225,000
- (b) That the undersigned is the duly chosen, qualified, and acting Treasurer of the issuer of said Bonds.
- (c) That all of said Bonds have been duly delivered to the purchasers thereof, namely
- (d) That all of said Bonds have been paid for in full by said purchasers concurrently with the delivery of this certificate, and the issuer of said Bonds has received, and hereby acknowledges receipt of, the agreed purchase price for said Bonds, being the par or principal amount thereof and accrued interest to the date of delivery.
- (e) That all interest coupons representing interest scheduled to come due on said Bonds were attached to said Bonds at the time of delivery thereof; except that all interest coupons, if any, scheduled to come due prior to the date of delivery of said Bonds were detached and cancelled prior to said delivery.

EXECUTED and delivered this

/s/ Clarence C. Clark
TREASURER