

(7)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING SECURITIES PLEDGED BY THE BANK OF COMMERCE AND AUTHORIZING THE MAYOR TO EXECUTE A DEPOSITORY AGREEMENT IN CONNECTION THEREWITH.

WHEREAS, the Bank of Commerce was, on June 12, 1969, designated as a depository of City Funds; and

WHEREAS, said bank has submitted a Depository Agreement, setting forth the securities pledged for such funds; and

WHEREAS, it is the opinion of the City Council that such agreement for deposit security should be approved, and that the Mayor should be authorized to execute same, for and on behalf of the City of Abilene; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE,

TEXAS:

PART 1: That the securities pledged by the Bank of Commerce, in the amount of Five Hundred Thousand Dollars (\$500,000.00), be, and are hereby, in all things, approved, as provided in the agreement attached hereto.

PART 2: That the Mayor be, and he is hereby, authorized to execute such Depository Agreement, for and on behalf of the City of Abilene.

PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 26th day of June, A. D., 1969.

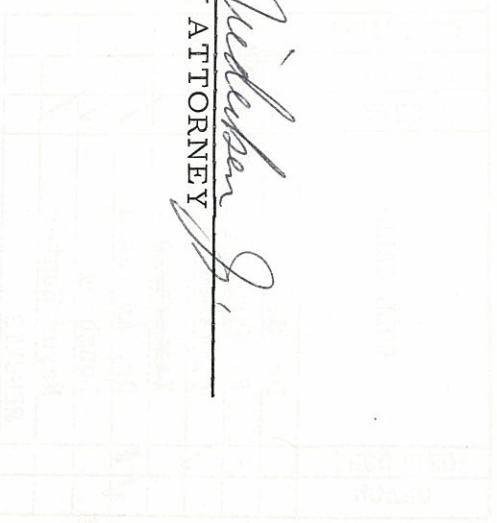
J. E. Schuster, Jr.
MAYOR

ATTEST:

Carol Ann Brown
CITY SECRETARY

Ben Nickerson, Jr.
CITY ATTORNEY

APPROVED:



THE STATE OF TEXAS:

COUNTY OF TAYLOR:

WHEREAS, on May 23, 1969, and May 30, 1969, the City Council of the City of Abilene by resolution of said date designated the Bank of Commerce in Abilene, Texas, as a depository of the funds of such city, for a term expiring June 30, 1970, pursuant to application of said Bank duly filed with said Council and after notice duly given as required by law by the City Secretary of the City of Abilene, and

WHEREAS, in the resolution designating said Bank as a depository bond or pledge securities in lieu of such bond as required by law; and

WHEREAS, said Bank elected to pledge securities to secure said deposits in lieu of a bond,

NOW THEREFORE, the said Bank of Commerce in Abilene, Texas, hereby tenders the list of securities shown by Exhibit "A", hereto attached, as a pledge to secure the City of Abilene, Texas, in its deposit of funds of said City, as provided for in said designation, said securities being in the par and appraised value of \$500,000.00.

The said securities during the life of this contract are to be held and retained in the custody of the Texas Bank and Trust of Dallas, Dallas, Texas, hereinafter called Escrow Agents. The Bank of Commerce in Abilene, Abilene, Texas, will at all times keep on deposit with said Escrow Agent an amount of securities equal in value to the total amount of the deposits of the City of Abilene included in said depository contract less, however, such amount of said deposits provided for now or hereafter by the Federal Deposit Insurance Corporation. All future deposits of security with said Escrow Agent to be approved by the City Council of the City of Abilene, or its designated agent for that purpose. In the event of a reduction in the amount of said deposits, the amount of said securities pledged with said Escrow Agent may be proportionally withdrawn. The Bank of Commerce in Abilene, Texas, shall have the right at all times to collect interest accruing on said securities in the same amount at any time with the approval of the City of Abilene or its authorized agent. It shall also have the right to collect any maturing securities, but at the same time must replace an equal amount of acceptable securities in lieu thereof. It is the condition of this pledge that the Bank of Commerce in Abilene, Texas, will faithfully perform all duties and obligations devolving by law, city charter, or ordinance upon it as city depository, and that it shall faithfully upon presentation, pay any and all checks and all checks and drafts, upon said depository by the City of Abilene whenever any funds shall be in said depository subject to check in the particular fund upon which said check or draft may be drawn, and that the said Bank shall faithfully keep all funds of said City deposited with it and account therefore according to law. During the life of this

contract the said City of Abilene, shall have a first and prior lien upon all of said securities which may now or hereafter be in the hands of said Escrow Agent to secure the said faithful performance of this contract and the observance of the above conditions.

By agreement between the parties at any time the Escrow Agent as may be changed and the securities deposited with such other Escrow Agent as may be agreed upon.

This agreement of pledge shall take effect upon the approval thereof by the City of Abilene to be evidenced by the signature of the Mayor hereunto affixed, attested by the City Secretary, and the seal of the said City, and by a certified copy of resolution of the City Council of said City, approving this agreement, attached to a copy of this agreement, and finally, by the written acceptance of the said Escrow Agent to be evidenced by the signature of an officer thereof.

IN WITNESS WHEREOF, the Bank of Commerce, Abilene, Texas has caused these presents to be executed by Don Maples, its President, thereunto duly and lawfully authorized by resolution of its Board of Directors, and its corporate seal hereunto to be affixed, this 13th day of June, 1969.

ATTEST:

BANK OF COMMERCE
ABILENE, TEXAS



Cashier

BY: 

President

ATTEST:

THE CITY OF ABILENE, TEXAS



City Secretary



Mayor

APPROVED: 

City Attorney

<u>AMOUNT</u>	<u>SECURITY</u>	<u>DUE DATE</u>	<u>TRUSTEE</u>
\$200,000.00	Federal Intermediate Credit Bank Bonds	1-5-70	Texas Bank and Trust Co. #27127P
100,000.00	Federal Land Bank Bonds	4-20-70	Texas Bank and Trust Co. #3045
<u>200,000.00</u>	Federal Land Bank Bonds	10-20-70	Texas Bank and Trust Co. #20962
\$500,000.00			

You are currently holding these safe-keeping receipts.