

RESOLUTION NO. 26-1988

RESOLUTION RELATING TO LEASE WITH OPTION
TO PURCHASE AGREEMENT AND DESIGNATION AS
QUALIFIED TAX-EXEMPT OBLIGATION

BE IT RESOLVED by the governing body of the City of Abilene (the Issuer), as follows:

Section 1. Recitals and Authorization. The Issuer, as lessee, has heretofore entered into a Lease with Option to Purchase Agreement dated as of June 9, 1988, (the Lease), with Dougherty Dawkins Lease Group, Inc., as lessor. It is hereby determined that it is necessary and desirable and in the best interests of the Issuer to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease by the Issuer are hereby approved, ratified and confirmed.

Section 2. Designation as Qualified Tax-Exempt Obligation. Pursuant to Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986 (the Code), the Issuer hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. In compliance with Section 265(b)(3)(D) of the Code, the Issuer hereby represents that the Issuer will not designate more than \$10,000,000 of obligations issued by the Issuer in the calendar year during which the Lease is executed and delivered as such "qualified tax-exempt obligations."

Section 3. Issuance Limitation. In compliance with the requirements of Section 265(b)(3)(C) of the Code, the Issuer hereby represents that the Issuer (including all "subordinate entities" of the Issuer within the meaning of Section 265(b)(3)(E) of the Code) reasonably anticipated not to issue in the calendar year during which the Lease is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code) in an amount greater than \$10,000,000. Attached hereto as Exhibit A is a list of all such obligations issued by the Issuer (including any "subordinate entity") during such calendar year.

ATTEST:

Dorothy Palumbo

APPROVED:

Dorothy Palumbo
City Attorney

Dale Ferguson
Signature

X Dale Ferguson, Mayor
Name and Title

EXHIBIT A

<u>Date Awarded</u>	<u>Principal</u>	<u>Description</u>	<u>Purpose</u>
May 12, 1988	\$2,750,000	General Obligation Bonds	Radio Communications Streets, Bridges, etc. Flood Control Zoo Improvements
May 12, 1988	\$ 261,881	Lease/Purchase - 7 Yr. Term	Telephone System (City Hall & Police Facility)

End of Exhibit