

RESOLUTION NO. 12-1996

WHEREAS, pursuant to the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code (the "Act"), the creation of the West Central Texas Regional Housing Finance Corporation (the "Corporation") was approved by resolution of the governing bodies of each of the Texas counties of Brown, Callahan, Coleman, Eastland, Fisher, Haskell, Jones, Kent, Knox, Mitchell, Nolan, Runnels, Scurry, Shackelford, Stephens, Stonewall, Taylor and Throckmorton (the "Local Governmental Units"), to provide a means of financing the cost of residential ownership and development that will provide decent, safe and sanitary housing for persons and families of low and moderate income; and

WHEREAS, the Corporation desires and intends to issue its Single Family Mortgage Revenue Bonds (GNMA and FNMA Mortgage-Backed Securities Program) Series 1996 (the "Bonds") pursuant to the Act to defray, in whole or in part, the costs of purchasing or funding the making of home mortgages, provided that the aggregate principal amount of such bonds in any calendar year shall not exceed the total of (a) the costs of issuance of such bonds, any reserves or capitalized interest required by the resolution or resolutions authorizing the bonds, plus any bond discounts, and (b) the largest of (i) \$20,000,000, (ii) a figure determined by multiplying \$150 times the population of the Local Governmental Units as determined by the Corporation's rules and regulations, resolutions relating to the issuance of bonds, or financing documents relating to such issuance, or (iii) an amount equal to 25% of the total dollar amount of the market demand for home mortgages during such calendar year as determined by the Corporation's rules or regulations, resolutions relating to the issuance of bonds, or financing documents relating to such issuance; and

WHEREAS, Section 394.005 of the Act provides that said Act does not apply to property located within a municipality with more than 20,000 inhabitants unless the governing body of such municipality approves the application of said Act to that property; and

WHEREAS, the effect of said Section 394.005 is that the proceeds of the Bonds may not be used to finance single family housing within the City of Abilene (the "City") without the approval of its governing body; and

WHEREAS, it is the desire of the City Council of the City to make available to citizens of low and moderate income of this City loans financed by the proceeds of the Bonds since they provide favorable interest rates for first time home buyers who qualify for such loans; and

WHEREAS, the Corporation has requested the approval of the governing body of the City to provide, with the proceeds of the issuance of the Corporation's Bonds, financing for home mortgages for homes in that area of the City that is located within Taylor County, Texas;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS THAT:

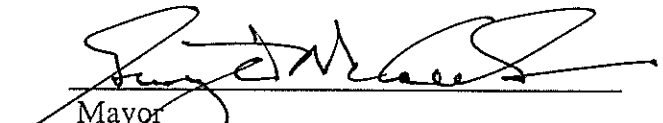
*Section 1:* The recitals made above in this Resolution are hereby adopted in their entirety and incorporated herein as though set forth in full herein.

*Section 2:* The City Council hereby approves the application of the Act to property within the City grants its approval to the Corporation for the use of proceeds of the Bonds to finance home mortgages for homes located within the City and hereby assigns to the Corporation its authority to issue single family mortgage revenue bonds in 1996.

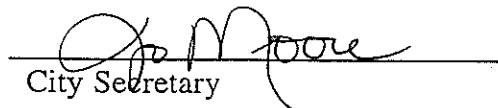
*Section 3:* That it is officially found and determined that no provision of this resolution shall make the City of Abilene, Texas, this Council, or any officer, agent, employee, or official of the City of Abilene, Texas, liable in any respect whatsoever in regard to the Bonds, it being understood that the Bonds are solely to be repaid and secured from the sources described in the Indenture of Trust related thereto, none of which sources impose any liability whatsoever upon this City, this City Council, or the officers, agents, and employees of this City.

*Section 4:* To indicate the City's desire to participate in this program, a copy of this resolution will be forwarded to the West Central Texas Regional Housing Finance Corporation.

PASSED AND APPROVED this 14 day of March, 1996.

  
\_\_\_\_\_  
Mayor  
City of Abilene, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary

CERTIFICATE OF RESOLUTION

STATE OF TEXAS )  
 ) SS  
COUNTY OF TAYLOR )

We, the undersigned officials of the City of Abilene, Texas (the "City"), do hereby execute and deliver this certificate for the benefit of the Attorney General of the State of Texas and all persons interested in the proceedings of the City Council of the City of Abilene (the "City Council") and the validity thereof, and do certify as follows:

1. That we are the duly chosen, qualified and acting officials of the City for the offices shown below our signatures; that as such we are familiar with the facts herein certified; and that we are duly authorized to execute and deliver this certificate.

2. The City Council convened in Regular Session on the 14 day of March 1996, at the regular meeting place thereof, and the roll was called of the duly constituted City Council and all of said persons were present except the following, Vasquez & Drennan, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written Resolution was introduced for the consideration of the City. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the vote of 5 Ayes, 0 Nays, and 0 Abstentions.

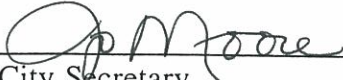
3. That a true and complete copy of the aforesaid Resolution adopted at the meeting is attached to and follows this certificate.

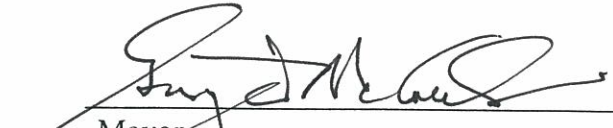
4. That such Resolution has been duly and lawfully adopted by the City Council and has been duly recorded in the minutes of the City Council for such meeting.

5. That a sufficient written notice of the date, hour, place and subject of this meeting was posted on a bulletin board located at a place convenient to the public at the City Hall of the City and was readily accessible to the general public at all times for at least 72 hours preceding the scheduled time of the meeting, as required by the Open Meetings Act, Vernon's Texas Civil Statutes, Government Code, Chapter 551, as amended; and that this meeting was open to the public as required by law at all times during which such resolution and the subject matter thereof was discussed, considered and formally acted upon.

SIGNED AND SEALED this 14 day of March, 1996.

Attest:

  
\_\_\_\_\_  
City Secretary  
City of Abilene, Texas

  
\_\_\_\_\_  
Mayor  
City of Abilene, Texas

[SEAL]

Reviewed as to Form & Legality:

  
\_\_\_\_\_  
City Attorney