

**APPROVAL OF HIGHEST ELECTED OFFICIAL
OF CITY OF ABILENE**

WHEREAS, ABILENE CHRISTIAN UNIVERSITY (the "Borrower"), in connection with a tax-exempt financing in the maximum principal amount of \$9,100,000 (the "Financing"), has requested the approval of the Financing (as further described below) and the Project (as defined below); and

WHEREAS,the Financing consists of a Loan Agreement between the Borrower and the City of Tatum, Texas Higher Education Facilities Corporation (the "Corporation"), and a Lender Loan Agreement between the Corporation and the Bank of America, N.A. (the "Bank") through which agreements (the "Financing") the Bank will provide funds to the Corporation, which in turn will loan those funds to the Borrower; and

WHEREAS, the proceeds of the loan made to the Borrower pursuant to the Financing will be used by the Borrower to finance or refinance the acquisition and renovation of certain higher education facilities in Abilene, Texas, and closing costs of the Financing (collectively, the "Project"); and

WHEREAS, in accordance with certain provisions of the Internal Revenue Code of 1986, as amended (the "Code") as described below, notice of a public hearing was published in the *Abilene Reporter-News*, Abilene, Texas on May 24, 2001, which notice provided that members of the public were invited to a hearing to be held in the City of Abilene, Texas ("City"), on June 11, 2001, in connection with the Financing and the Project; and

WHEREAS, a public hearing was held in the City, on June 11, 2001, by the hearing officer; and

WHEREAS, it is necessary for the undersigned, as the highest elected official of the City, to approve the Financing and the Project solely for the purpose of satisfying the requirements of section 147(f) of the Code;

NOW, THEREFORE, the undersigned Mayor of the City, acting solely in his official capacity and on behalf of the City, hereby approves the holding of the hearing in the City by the hearing officer and the Financing for the Borrower, and further approves the Project; provided that such approvals shall be solely for the purposes of section 147(f) of the Code, and neither the City nor the Mayor shall have any responsibility or liability for the Financing or the Project.

IN WITNESS WHEREOF, I have set my hand this June 14, 2001.

CITY OF ABILENE, TEXAS



Mayor

CERTIFICATE OF PUBLIC HEARING

I, the undersigned, hereby certify in connection with a series of loan transactions to be entered into by the City of Tatum, Texas Higher Education Facilities Corporation (the "*Corporation*"), Abilene Christian University ("*Borrower*"), and Bank of America, N.A. in the maximum principal amount of \$9,100,000 (the "*Loans*") for the benefit of Borrower, as follows:

1. I served as Hearing Officer for the Corporation and the City Council of the City of Abilene, Texas for the purpose of conducting a public hearing on the Loans and the use of the proceeds thereof to provide refinancing for a project to be owned and operated by Borrower and consisting of refinancing and/or financing the costs of: (1) campuswide improvements to be located at the Borrower's campus at 1600 Campus Court, Abilene, Texas 79602, to include an enterprise-wide administrative software upgrade, energy conservation upgrades, campus computer lab upgrades, sidewalks and automobile replacements; (2) expansion of the Borrower's Central Plant located at 1775 Campus Center; (3) renovations to the following buildings: Foster Science Building located at 792 E. N. 16th, Zellner Building located at 790 Library Court, Sewell Theater located at 1625 Campus Court, Zona Luce Building located at 1755 Campus Court, Gibson Health & PE Building located at 1950 ACU Drive, McKinzie Hall located at 1750 Campus Center, Smith-Adams Building located at 1402 Cedar Crest, and the Cullen Auditorium located at 795 Coliseum Way; and (4) a Trane Energy Upgrade located at 1775 Campus Center, all addresses being located in Abilene, Texas and paying certain expenses in connection with the loans (the "*Project*").

2. Such hearing was conducted commencing at ~~_____noon~~ on June ~~14~~ 11, 2001 at the Hardin Administration Building, ~~Room 208G~~ Suite 111, Abilene, Texas, which building and office was open to the public for purposes of the hearing.

3. At the time for the commencement of the hearing, comments, either orally or in writing, were publicly requested on the Project to be financed with proceeds of the Loan and on the making of the Loans.

4. At the hearing,

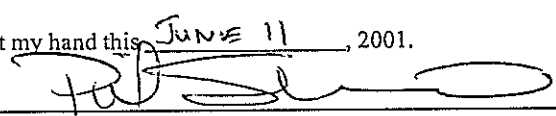
no persons presented comments orally or in writing.

the comments summarized in Exhibit A-1 were made orally by the persons listed therein.

the written comments attached hereto were presented.

5. No time limitations were imposed on any public comments.

IN WITNESS WHEREOF, I have hereunto set my hand this JUNE 11, 2001.



Hearing Officer