

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS APPROVING A TAX EXEMPT BOND FINANCING TO BE
UNDERTAKEN BY MART CULTURAL FACILITIES CORPORATION FOR
THE BENEFIT OF HENDRICK HOME FOR CHILDREN**

WHEREAS, Hendrick Home for Children ("Hendrick") is a Texas nonprofit corporation which desires to finance or refinance the following:

construction and equipping/furnishing of two residential cottages of approximately 8,500 square feet each (the "Project"), with each cottage to accommodate residents of the Hendrick Home for Children and related house parents. The two cottages shall have an address of 2758 Joseph Court and 2726 Ida Lane, Abilene, Texas 79602, and both shall be located on the campus of Hendrick Home for Children, 2758 Jeanette Street, Abilene, Texas 79602.

WHEREAS, the sole owner, user and manager of the Project will be Hendrick Home for Children, a Texas nonprofit corporation.

WHEREAS, Hendrick has requested the assistance of the Mart Cultural Facilities Corporation (the "Issuer") in financing the Project; and

WHEREAS, Hendrick has requested or shall request the Issuer to issue its Mart Cultural Facilities Corporation Cultural Facilities Revenue Bonds (Hendrick Home for Children Project) Series 2017 (the "Bonds"), in an aggregate principal amount not to exceed \$4,000,000, to finance the Project; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), the issuance of the Bonds requires approval, following a public hearing, by the City of Abilene, Texas (the "City"), being a governmental unit having jurisdiction over the area in which the Project is located; and

WHEREAS, a notice of a public hearing with respect to the proposed issuance of the Bonds, which notice contained a general description of the Project, has been published in the *Abilene Reporter News* on September 11, 2017; and

WHEREAS, the Abilene City Council has conducted the public hearing, at which time an opportunity was provided to present arguments both for and against the issuance of the Bonds and the nature and location of the Project to be financed or refinanced; and

WHEREAS, under the provisions of Texas state law (Article 1528m, Tex. Rev. Civ. Stat., and Section 221.030 of the *Texas Health and Safety Code*) the City is further required to consent to the Issuer's use of its powers to issue the Bonds and finance the Project located within the boundaries of the City; and

WHEREAS, the City Council of the City now desires to approve the financing, the use by the Issuer of its powers in the City to issue the Bonds, issuance of the Bonds by the Issuer, and the Project, but solely to satisfy the requirements of the laws referred to herein;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY,
AS FOLLOWS:

Section 1. The City Council of the City of Abilene, Texas hereby approves the Issuer's use of its powers in the City to issue the Bonds, the financing described above, the issuance of the Bonds by the Issuer in an amount not to exceed \$4,000,000, and the Project. It is the intent of the City Council of the City that this Resolution constitute approval of the financing and the issuance of the Bonds, and the Project, but solely to comply with (i) the requirements of Section 147(f) of the Code, and (ii) the requirements of Article 1528m, Tex. Rev. Stat. and Section 221.030 of the *Texas Health and Safety Code*. The Bonds shall be issued to finance or refinance the Project, and the sole user of the Project shall be Hendrick Home for Children.

Section 2. In no event shall this Resolution approve any other legal requirements applicable to the Project, including but not limited to City zoning laws or City building permit requirements.

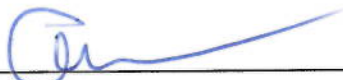
Section 3. The Mayor and City Secretary are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.

Section 4. NOTHING IN THIS RESOLUTION SHALL BE CONSTRUED TO CREATE ANY OBLIGATION OF THE CITY WITH RESPECT TO THE REPAYMENT OF THE BONDS OR WITH REGARD TO THE CONSTRUCTION, OWNERSHIP, OR OPERATION OF THE PROJECT. THE BONDS SHALL NEVER CONSTITUTE AN INDEBTEDNESS OR PLEDGE OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION, AND THE OWNERS OF THE BONDS SHALL NEVER BE PAID IN WHOLE OR IN PART OUT OF ANY FUNDS RAISED OR TO BE RAISED BY TAXATION OR ANY OTHER REVENUES WHATSOEVER OF THE CITY.

Section 5. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED on September 28, 2017.

CITY OF ABILENE, TEXAS

By: 


Mayor

ATTEST:

By: 

City Secretary

APPROVED:



City Attorney