

CERTIFICATE FOR RESOLUTION NO. 233-2024

THE STATE OF TEXAS §
COUNTY OF TAYLOR §
CITY OF ABILENE §

We, the undersigned officers of the City Council (the "City Council") of the City of Abilene, Texas (the "City"), hereby certify as follows:

1. The City Council convened in regular meeting on the 3rd day of October, 2024, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Weldon W. Hurt	Mayor
Shane Price	Council, Place 1
Lynn Beard	Council, Place 2
Blaise Regan	Council, Place 3
Brian Yates	Council, Place 4
Kyle McAlister	Council, Place 5
Travis Craver	Council, Place 6

and all of said persons were present, except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING FINANCING FOR THE BENEFIT OF ABILENE CHRISTIAN UNIVERSITY AND RELATED MATTERS

was introduced for the consideration of said City Council. 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 following vote:

AYES: 6 NOES: 0 ABSTENTIONS: 1

2. That a true, full, and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is true, full, and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said City Council as indicated therein; and that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said

Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose; and that said Meeting was open to the public, and public notice of the time, place, and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED THIS October 3, 2024.



City Secretary



Mayor

(SEAL)



**RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING
FINANCING FOR THE BENEFIT OF ABILENE CHRISTIAN UNIVERSITY AND
RELATED MATTERS**

THE STATE OF TEXAS §
COUNTY OF TAYLOR §
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WHEREAS, the City of Abilene, Texas (the “City”) has been informed that the National Finance Authority (the “Corporation”), a component unit of the Business Finance Authority of the State of New Hampshire (the “State”) established pursuant to Chapter 311 of the Revised Statutes Annotated 162-S (the “Act”), has adopted a resolution authorizing qualified 501(c)(3) bonds, as defined in Section 145 of the Code, in one or more series in an amount not to exceed \$65 million (the “Bonds”);

WHEREAS, the Issuer is authorized to issue bonds, notes or other evidences of indebtedness, or certificates of participation in leases or other agreements for all purposes permitted by the Act

WHEREAS, the proceeds of the Bonds will be loaned to CFC – ACU I, LLC, an Arizona limited liability company (the “Borrower”), the sole member of which is Community Finance Corporation, an Arizona nonprofit corporation (the “Sole Member”), which will use a portion of the proceeds, (1) to finance and/or reimburse the costs of the acquisition, development, construction, improvement and equipping of certain energy related improvements, including but not limited to upgrading and replacing central utility plant assets, installing solar arrays, replacing air handling units, and upgrading building automation systems, or making other infrastructure improvements at a campus of higher education located 1600 Campus Ct., Abilene, TX 79601 commonly known as Abilene Christian University (the “University”); and (2) pay certain expenses incurred in connection with the issuance of the Bonds (the “Project”). The facilities to be financed and/or refinanced are to be owned and operated by the University, and the Borrower, each a nonprofit corporation and an organization described in Section 501(c)(3) of the Code, or a limited liability company directly owned by an organization described in Section 501(c)(3) of the Code;

WHEREAS, section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice;

WHEREAS, the publication of the Notice of Public Hearing (the “Public Notice”) is evidenced by a Publisher’s Affidavit (a copy of which is attached hereto as Exhibit A);

WHEREAS, attached hereto as Exhibit B is Certificate of Public Hearing regarding the conduct of the Public Hearing;

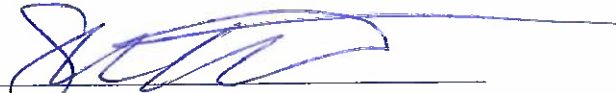
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS THAT:

Section 1. The City hereby specifically approves the Financing and the Project solely for the purpose of satisfying the requirements of section 147(f) of the Code; provided that the City shall have no liabilities for the Bonds nor shall any of the City's assets be pledged to secure the Bonds.


Section 2. This Resolution shall become effective immediately upon its passage adoption.

ADOPTED AND APPROVED on October 3, 2024.

ATTEST:



City Secretary

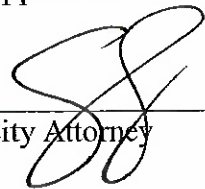


Mayor

(City Seal)



Approved:



City Attorney

EXHIBIT A

PUBLISHER'S AFFIDAVIT

See Attached

AFFIDAVIT OF PUBLICATION

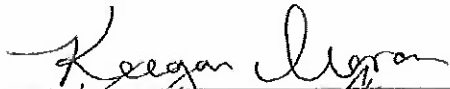
Orrick, Herrington & Sutcliffe
609 MAIN ST, 40th Floor
HOUSTON TX 77002-3167

STATE OF WISCONSIN, COUNTY OF BROWN


The Abilene Reporter-News, a newspaper published in the city of Abilene, Taylor and Jones County, generally circulated in Brown, Callahan, Coleman, Comanche, Eastland, Erath, Fisher, Haskell, Jones, Knox, Mitchell, Nolan, Runnels, Scurry, Shackelford, Stephans, Stonewall, Taylor counties, Texas, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

09/13/2024

and that the fees charged are legal.
Sworn to and subscribed before on 09/13/2024



Legal Clerk



Notary, State of WI, County of Brown



My commission expires

Publication Cost:	\$627.80	
Tax Amount:	\$0.00	
Payment Cost:	\$627.80	
Order No:	10567221	# of Copies:
Customer No:	1483742	0
PO #:	LACO0158235	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KATHLEEN ALLEN
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on September 20, 2024, a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") will be held with respect to the proposed issuance by the National Finance Authority (the "Authority") of qualified 501(c)(3) bonds, as defined in Section 145 of the Code, in one or more series in an amount not to exceed \$65 million (the "Bonds") for higher education facilities.

The proceeds of the Bonds will be loaned to CFC - ACU I, LLC, an Arizona limited liability company (the "Borrower"), the sole member of which is Community Finance Corporation, an Arizona nonprofit corporation (the "Sole Member"), which will use a portion of the proceeds, (1) to finance and/or reimburse the costs of the acquisition, development, construction, improvement and equipping of certain energy related improvements, including but not limited to upgrading and replacing central utility plant assets, installing solar arrays, replacing air handling units, and upgrading building automation systems, or making other infrastructure improvements at a campus of higher education located 1600 Campus Ct., Abilene, TX 79601 commonly known as Abilene Christian University (the "University"); and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities to be financed and/or refinanced are to be owned and operated by the University, and the Borrower, each a nonprofit corporation and an organization described in Section 501(c)(3) of the Code, or a limited liability company directly owned by an organization described in Section 501(c)(3) of the Code.

The Bonds and the obligation to pay principal of and interest thereon and any redemption premium with respect thereto do not constitute indebtedness or an obligation of the City of Abilene, Texas, the Authority, the State of New Hampshire, or any political subdivision thereof, within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of any of them. The Bonds shall be a limited obligation of the Authority, payable solely from certain revenues duly pledged therefor.

The public hearing will commence at 10:00 a.m. CT or as soon thereafter as the matter can be heard, via toll free telephonic means accessible to the public by dialing: 1-877-211-3621, entering conference code: 886739. Interested persons wishing to express their views on the issuance of the Bonds or on the nature and location of the facilities proposed to be financed and refinanced may attend the public hearing or, prior to the time of the hearing, submit written comments.

Additional information concerning the above matter may be obtained from, and written comments should be addressed to, Orrick Herrington & Sutcliffe LLP, 609 Main Street, 40th Floor, Houston, Texas 77002 Attention: Amanda Stephens for receipt not later than the date and time of the hearing. This notice is published and the hearing is held in satisfaction of the requirements of Section 147(f) of the Code.
September 13 2024
LACO0158235

EXHIBIT B

CERTIFICATE OF PUBLIC HEARING

See Attached

CERTIFICATE OF PUBLIC HEARING

I, the undersigned, hereby certify in connection with qualified 501(c)(3) bonds, as defined in Section 145 of the Code, in one or more series in an amount not to exceed \$65 million (the “*Bonds*”) for higher education facilities issued by the National Finance Authority (the “*Corporation*”) for the benefit of CFC – ACU I, LLC, an Arizona limited liability company (the “*Borrower*”), the sole member of which is Community Finance Corporation, an Arizona nonprofit corporation, as follows:

1. I served as Hearing Officer for the Corporation for the purpose of conducting a public hearing on the Bonds, a portion of the proceeds use to (1) finance and/or reimburse the costs of the acquisition, development, construction, improvement and equipping of certain energy related improvements, including but not limited to upgrading and replacing central utility plant assets, installing solar arrays, replacing air handling units, and upgrading building automation systems, or making other infrastructure improvements at a campus of higher education located 1600 Campus Ct., Abilene, TX 79601 commonly known as Abilene Christian University (the “*University*”); and (2) pay certain expenses incurred in connection with the issuance of the Bonds (the “*Project*”).

2. Such hearing was conducted commencing at 10:00 a.m. on September 20, 2024, via toll free telephonic means accessible to the general public.

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 Bonds and on the making of the Bonds.

4. At the hearing,

no persons presented comments orally or in writing.

the comments summarized in Exhibit A 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 September 20, 2024.



Hearing Officer

EXHIBIT A

NAMES AND COMMENTS OF PERSONS ATTENDING PUBLIC HEARING

NONE