

RESOLUTION NO. 2020 - 33

A RESOLUTION APPROVING THE ISSUANCE OF REFUNDING AND CAPITAL IMPROVEMENT REVENUE BONDS BY THE CITY OF SEARCY, ARKANSAS (HARDING UNIVERSITY AND HARDING PLACE) PUBLIC EDUCATIONAL AND RESIDENTIAL HOUSING FACILITIES BOARD; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, by resolution adopted November 4, 2020, the City of Searcy, Arkansas (Harding University and Harding Place) Public Educational and Residential Housing Facilities Board (the "Board") has expressed its intent to issue its refunding and capital improvement revenue bonds in the aggregate principal amount of not to exceed \$10,000,000 (the "Series 2020 Bonds"); and

WHEREAS, a public hearing has been held before the Mayor and the City Council of the City of Searcy, Arkansas (the "City") on this date regarding the issuance of the Series 2020 Bonds following the publication of notice thereof (which notice contained a general description of the purposes for which the Series 2020 Bonds are to be issued, the maximum principal amount thereof, the owner of the capital improvements to be financed and refinanced, and the date, time and place of such public hearing) in *The Daily Citizen*, a newspaper of general circulation in the City; and

WHEREAS, the City Council of the City has determined that the public purposes for which the Series 2020 Bonds are to be issued serve a proper need;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Searcy, Arkansas:

Section 1. The issuance of the Series 2020 Bonds by the Board in the aggregate principal amount of not to exceed \$10,000,000 for the purpose of financing all or a portion of the costs of (a) the acquisition, construction, furnishing and equipping of certain capital improvements on the Harding University campus in the City and (b) refunding the Board's Capital Improvement Revenue Bonds, Series 2014 (the "Series 2014 Bonds") is hereby authorized. The capital improvements to be financed by the Bonds include renovations to (a) Cathcart Hall, a women's residence hall housing approximately 184 students located at 114 S. Turner and (b) Armstrong Hall, a men's residence hall housing approximately 211 students located at 211 S. Blakeney.

The Series 2014 Bonds financed the acquisition, construction, furnishing and equipping of certain capital improvements on the Harding University campus. The capital improvements financed by the Series 2014 Bonds included phase three of the Legacy Park Apartments, which consist of 36 student apartments housing approximately 132 students in eight village style apartment complexes, and related site preparation, utility improvements and parking. The eight

apartment complexes financed by the Series 2014 Bonds are located at the following addresses in the City: 602 East Pleasure, 608 East Pleasure, 700 East Pleasure, 605 East Pleasure, 609 East Pleasure, 602 East Park, 601 East Park and 306 Dr. Jimmy Carr Drive.

The capital improvements to be financed and refinanced by the Bonds will be owned by Harding University, Inc., an Arkansas nonprofit corporation.

Section 2. By the adoption of this Resolution, the City has not assumed any direct or indirect financial responsibility for the payment of the Series 2020 Bonds.

Section 3. The City hereby consents to the designation of the Series 2020 Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). The Series 2020 Bonds will be treated as having been issued by the City for the purpose of determining whether and to what extent any tax-exempt obligations issued by the City during calendar year 2020 may be designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 4. The appointment of Friday, Eldredge & Clark, LLP, as Bond Counsel and Stephens Inc., as Underwriter for the Series 2020 Bonds is hereby approved.

Section 5. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This Resolution shall be in force and effect immediately upon and after its passage.

PASSED and approved this 10th day of November, 2020.

/s/ Kyle Osborne
Mayor of Searcy

ATTEST:

/s/ Jerry Morris
City Clerk

(SEAL)

CERTIFICATE

The undersigned, City Clerk of the City of Searcy, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Resolution No. 2020-33, passed at a regular session of the City Council, held at the regular meeting place of the City Council at 6:00 o'clock p.m., on the 10th day of November, 2020.

GIVEN under my hand and seal this 10th day of November, 2020.

/s/ Jerry Morris
City Clerk

(SEAL)