

RESOLUTION NO. 89-15

A RESOLUTION CONFIRMING THE AUTHORIZATION TO ISSUE CITY OF CONWAY, ARKANSAS INDUSTRIAL DEVELOPMENT REVENUE BONDS - VALLEY PROJECT, SERIES 1980; AND CONFIRMING MATTERS PERTAINING THERETO.

WHEREAS, the City Council of the City of Conway, Arkansas (the "City"), by Ordinance No. 0-80-2 of the ordinances of the City, adopted and approved February 12, 1980, authorized the issuance by the City of its Industrial Development Revenue Bonds - Valley Project, Series 1980 (the "Bonds"), the execution and delivery of a Trust Indenture (the "Indenture") securing the Bonds, and other matters pertaining thereto; and

WHEREAS, it has been determined that the Bonds will be issued in the aggregate principal amount of \$2,500,000, will be dated April 1, 1980, will mature (unless sooner redeemed pursuant to the provisions of the Indenture) on April 1, 1981 through April 1, 1990, will be callable at any time on any interest payment date, and will bear interest at the rate of 9½% per annum; that the Bonds will be sold to Jon R. Brittenum & Associates, Inc. (the "Purchaser") for the purchase price and in accordance with the terms of a Bond Purchase Agreement (the "Bond Purchase Agreement"); and that the Trustee under the Indenture will be The Farmers and Merchants Bank, Stuttgart, Arkansas; and

WHEREAS, the Bonds are being sold to the Purchaser for the purchase price recommended by Valley Steel Products, Co., a Missouri corporation which shall lease the facilities financed with the proceeds of the Bonds pursuant to a Lease and Agreement (the "Lease Agreement"); and

WHEREAS, the Indenture, the Lease Agreement and the Bond Purchase Agreement have been presented to the council at this meeting;

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

Section 1. That all matters pertaining to the issuance of the Bonds, including the details set forth above and the Indenture, the Lease and Agreement and the Bond Purchase Agreement, are hereby confirmed and ratified in all respects.

Section 2. That the provisions of this Resolution are hereby declared to be separable, and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions.

Section 3. That all resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall be in force and effect immediately upon and after its passage.

PASSED: April 29, 1980.

ATTEST:

Louis Dean
City Clerk

APPROVED:

BY

Bill Wright
Mayor

(SEAL)