

RESOLUTION NO. 2012-06

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 February 23, 2012, 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 \$7,600,000 (the "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 Bonds following the publication of notice thereof (which notice contained a general description of the purposes for which the 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, on February 26, 2012; and

WHEREAS, the City Council of the City has determined that the public purposes for which the 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 Bonds by the Board in the aggregate principal amount of not to exceed \$7,600,000 for the purpose of financing 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 Refunding Revenue Bonds, Series 2005 (the "Series 2005 Bonds") is hereby authorized. The capital improvements to be financed, in part, by the Bonds will consist of approximately 64 new student apartments to be housed in approximately 15 new village style apartment complexes, which will be located on the east and west sides of E. Park Avenue from Horton Street up to Dr. Jimmy Carr Drive and on the corner of Dr. Jimmy Carr Drive and E. Pleasure Avenue, including related site preparation, utility improvements and parking. The Series 2005 Bonds refunded the Board's Capital Improvement Revenue Bonds, Series 1999, which financed the acquisition, construction, furnishing and equipping of (a) Shores Hall, a 50 apartment women's residence hall located at 800 East Park Avenue and (b) Cone Hall, a 50 apartment men's residence hall located at 210 South Lott Tucker 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 Bonds.

Section 3. The City hereby consents to the designation of the Bonds as “qualified tax-exempt obligations” for purposes of paragraph (3) of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 4. The appointment of Friday, Eldredge & Clark, LLP, as Bond Counsel and Stephens Inc. as Underwriter for the 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 13th day of March, 2012.

/s/ David Morris
Mayor

ATTEST:

/s/ Margaret Meads
City Clerk

(SEAL)