

RESOLUTION AUTHORIZING THE ISSUANCE OF MINEOLA INDEPENDENT SCHOOL DISTRICT MAINTENANCE TAX NOTE, SERIES 2015; LEVYING A TAX AND PROVIDING FOR THE SECURITY FOR AND PAYMENT THEREOF; PROVIDING FOR THE AWARD OF THE SALE THEREOF; PRESCRIBING THE FORM OF SAID NOTE; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND ENACTING OTHER PROVISIONS RELATED THERETO

WHEREAS, the Constitution and general laws of the State of Texas, particularly Section 45.108, as amended, Texas Education Code (the "Act"), authorizes Mineola Independent School District (the "District") to borrow money and evidence such loan with non-negotiable notes, for the purpose of paying maintenance expenses; provided, that such indebtedness may not at any time exceed 75% of the District's previous year's income; and

WHEREAS, in accordance with the Act, "maintenance expenses" means any lawful expenditure of the District other than payment of principal of and interest on bonds; and

WHEREAS, the Board of Trustees (the "Board") of the District hereby finds and determines that, in accordance with the Act, a single, non-negotiable note (the "Note" or "Notes") in the principal amount not to exceed \$850,000 should be issued and sold at this time; and

WHEREAS, the Board further finds and determines that the Note shall be restricted in the transfer thereof as provided in this Resolution and is not intended to a "public security" under Chapter 1202, as amended, Texas Government Code; and

WHEREAS, pursuant to the terms of a Direct Purchase Letter (the "Purchase Agreement") entered into between the District and Capital One Public Funding, LLC (the "Purchaser"), the Notes shall be sold to the Purchaser on the terms and subject to the conditions described herein and therein; and

WHEREAS, a budget has been adopted by the District for the school year ending August 31, 2015, and such principal amount of Notes will not at any time exceed 75% of the previous year's income of the District; and

WHEREAS, the Board has found and determined that it is necessary, useful and appropriate to issue the Notes for the purpose of providing funds for (i) the maintenance, repair, rehabilitation, or replacement of existing school facilities, more specifically described in Exhibit A hereof (the "Project"), and (ii) paying the costs of issuance of the Notes; and

WHEREAS, the Board of Trustees hereby finds and determines that it is necessary and in the best interest of the District and its citizens that it authorize by this Resolution the issuance and delivery of its notes at this time; and

WHEREAS, the meeting at which this Resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; now, therefore,