

ORDER AUTHORIZING DEFEASANCE AND REDEMPTION OF A PORTION OF ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT UNLIMITED TAX SCHOOL BUILDING BONDS, SERIES 2013; AND LEVYING A TAX IN PAYMENT THEREOF

WHEREAS, Ector County Independent School District (the “District”) has issued and has outstanding the following bonds heretofore approved by voters pursuant to Sections 45.001 and 45.003, Texas Education Code:

Ector County Independent School District Unlimited Tax School Building Bonds, Series 2013, dated February 15, 2013, currently outstanding in the aggregate principal amount of \$34,170,000 (the “Outstanding Bonds”);

WHEREAS, Section 45.001 of the Texas Education Code authorizes the District to levy, pledge, assess, and collect annual ad valorem taxes sufficient to pay the principal of and interest on the Outstanding Obligations before the principal and interest become due;

WHEREAS, the Outstanding Bonds may be redeemed prior their stated maturities at the option of the District at a redemption price equal to the principal to be redeemed plus accrued interest to the date of redemption;

WHEREAS, this Board of Trustees of the District finds and determines that it is necessary and in the best interests of the District to redeem and discharge a portion of the Outstanding Bonds; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Order was passed 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.

THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF ECTOR COUNTY INDEPENDENT SCHOOL DISTRICT:

Section 1. The District hereby exercises its option to redeem a portion of the Outstanding Bonds on August 15, 2023 (the “Redemption Date”), in the aggregate principal amount of \$20,725,000, to be applied to the following:

Original Maturity Date	<u>2013 Bonds</u> Principal Amount Outstanding	Principal Amount Being Redeemed
August 15, 2033	\$ 9,875,000	\$ 35,000
August 15, 2034	10,180,000	10,180,000
August 15, 2035	10,510,000	10,510,000
	\$35,280,000	\$20,725,000

Section 2. (a) The District hereby directs that the Outstanding Bonds be called for redemption in the amount, on the date and as set forth in Section 1. Each of such Outstanding Bonds shall be redeemed at the redemption price of par plus accrued interest.

(b) In addition, the appropriate notices of redemption and defeasance for the Outstanding Bonds are hereby directed to be given as specified by the order authorizing the issuance of the Outstanding

Bonds and appropriate arrangements shall be made as specified by the order authorizing the issuance of the Outstanding Bonds and in accordance with State law so that the Outstanding Bonds may be redeemed on their redemption date. The Outstanding Bonds shall be presented for redemption at the paying agent/registrars therefore, and shall not bear interest after the date fixed for redemption.

Section 3. On or before February 15, 2023 (the “Defeasance Date”), the District shall deposit with or make available to The Bank of New York Mellon Trust Company, N.A., as Escrow Agent, funds in an amount sufficient to pay the interest to come due on August 15, 2023 on the Outstanding Bonds called for redemption and the principal amount on the Redemption Date of the Outstanding Bonds called for redemption. A rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to make the aforementioned deposit on or before the Defeasance Date is hereby levied, and is hereby ordered to be levied, against all taxable property in the District; and said tax shall be based on the latest approved tax rolls of the District, with full allowance being made for tax delinquencies and the cost of tax collection.

Section 4. The President of the Board or Superintendent of the District is hereby authorized and directed to execute and deliver an Escrow Agreement with the Escrow Agent, in substantially the form presented at this meeting, and to authorize and execute such contributions and investments as may be necessary for the Escrow Fund. Legally available funds of the District are hereby authorized and appropriated in the amounts necessary for such purpose.

Section 5. The officers and employees of the District are hereby authorized and directed to take such actions and to execute and deliver such documents, certificates and receipts, including without limitation notices of redemption with respect to the Outstanding Bonds to be redeemed, as necessary or appropriate to consummate the transactions authorized by this Order and to redeem said Outstanding Bonds in accordance with the provisions and requirements of said Outstanding Bonds.

(execution page follows)

PASSED AND APPROVED this September 20, 2022.

President, Board of Trustees
Ector County Independent School District

Secretary, Board of Trustees
Ector County Independent School District

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