

**AN ORDER BY THE BOARD OF TRUSTEES OF THE JUDSON  
INDEPENDENT SCHOOL DISTRICT AMENDING THE ORDER OF THE  
BOARD OF TRUSTEES AUTHORIZING THE ISSUANCE OF THE  
“JUDSON INDEPENDENT SCHOOL DISTRICT UNLIMITED TAX  
REFUNDING BONDS, SERIES 2010”; AND OTHER MATTERS  
RELATED THERETO**

WHEREAS, the Board of Trustees (the *Board*) of the Judson Independent School District (the *District*) previously adopted an order on April 15, 2010 (the *Original Order*) pursuant to Chapter 1207, as amended, Texas Government Code (the *Act*) authorizing the issuance of unlimited tax refunding bonds entitled “Judson Independent School District Unlimited Tax Refunding Bonds, Series 2010” (the *Bonds*), dated May 1, 2010, in the aggregate principal amount of \$24,404,982.05;

WHEREAS, pursuant to the Original Order, the Board delegated to each Designated Financial Officer (as defined in the Original Order) the authority to execute an approval certificate (the *Approval Certificate*) to evidence the final sales terms for the Bonds, including the redemption provisions, on the date of sale;

WHEREAS, the Approval Certificate was executed by a Designated Financial Officer on May 19, 2010 completing the sale of the Bonds,

WHEREAS, Section 4.B. of the Original Order provided the District’s authority to optionally redeem certain Bonds maturing after a certain date and, due to a scrivener’s error, incorrectly identified the Stated Maturities (as defined in the Original Order) that are eligible to be optionally redeemed and the date on which such Stated Maturities may be redeemed at the option of the District;

WHEREAS, the Approval Certificate provided that the optional redemption provisions as provided in the Original Order have not been amended since the adoption of the Original Order;

WHEREAS, the final numbers on the date of sale of the Bonds and the final Official Statement correctly provide that the Bonds have Stated Maturities on and after February 1, 2021 are shall be subject to redemption prior to Stated Maturity, at the option of the District, on February 1, 2020 or on any date thereafter;

WHEREAS, Section 24. of the Original Order authorizes the District to amend the Original Order in any manner not detrimental to the interests of the Bondholders, including the curing of any ambiguity, inconsistency, or formal defect or omission therein, and to do so without the consent of or notice to any Bondholders;

WHEREAS, the amendment of the Original Order to include the correct optional redemption provisions for the Bonds does not constitute a reissuance under Texas law which has been administratively determined by the Public Finance Division of the Office of the Texas Attorney General to mean (1) the extension of the time or times for the payment of the principal of and interest on the Bonds, (2) the reduction of the principal amount of the Bonds, (3) reduction

of the interest rate on the Bonds, and (4) the change in the security interest in the repayment of the Bonds; and

WHEREAS, the Board hereby finds and determines that the amendment of the Original Order is in the best interests of the residents of the District, now, therefore,

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE JUDSON INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: Amendments to the Original Order.

A. Section 4.B. is replaced in its entirety as follows:

B. Optional Redemption of Current Interest Bonds. The Current Interest Bonds having Stated Maturities on and after February 1, 2021 shall be subject to redemption prior to Stated Maturity, at the option of the District, on February 1, 2020 or on any date thereafter, in whole or in part, in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar) at the redemption price of par plus accrued interest to the date of redemption.

B. Section 8.B., the fifth full paragraph starting with “As specified in the Order” is replaced in its entirety as follows:

As specified in the Order, the Bonds having Stated Maturities on and after February 1, 2021 shall be subject to redemption prior to Stated Maturity, at the option of the District, on February 1, 2020, or on any date thereafter, in whole or in part in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar) at the redemption price of par, together with accrued interest to the date of redemption, and upon thirty (30) days prior written notice being given by the Paying Agent/Registrar and subject to the terms and provisions relating thereto contained in the Order. If this Bond is subject to prior redemption and is of a denomination in excess of \$5,000, portions of the principal sum hereof in installments of \$5,000 or any integral multiple thereof may be redeemed, and, if less than all of the principal sum hereof is to be redeemed, upon the surrender of this Bond to the Paying Agent/Registrar at its corporate trust office there shall be issued to the Holder hereof, without charge therefor, for the then unredeemed balance of the principal sum hereof, a new Bond or Bonds of like Stated Maturity and interest rate in any authorized denominations provided by the Order.

[END OF AMENDMENT]

SECTION 2: Surviving Provisions. All other provisions of the Original Order not specifically amended herein are hereby confirmed and ratified.

SECTION 3: Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 4: Inconsistent Provisions. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 5: Governing Law. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6: Severability. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

SECTION 7: Open Meeting. It is officially found, determined, and declared that the meeting at which this Order was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 8: Effective Date. This Order shall be in force and effect from and after its final passage, and it is so resolved.

*[The remainder of this page intentionally left blank.]*

PASSED AND ADOPTED on the 10th day of October, 2019.

JUDSON INDEPENDENT  
SCHOOL DISTRICT

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President, Board of Trustees

ATTEST:

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Secretary, Board of Trustees

(SEAL)