

RESOLUTION FINDING AND DETERMINING THAT THE RESOLUTION ADOPTED ON OCTOBER 2, 2018, WAS DULY PUBLISHED AS REQUIRED BY LAW; THAT NO SUFFICIENT PROTEST DESCRIBED IN SAID RESOLUTION HAS BEEN FILED BY THE QUALIFIED ELECTORS; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and the City Council of the City of Hattiesburg, Mississippi (the "**Governing Body**" of the "**City**"), does hereby find, determine, adjudicate, and declare as follows:

1. Heretofore, on October 2, 2018, the Governing Body adopted a resolution entitled "**RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY AND/OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-FIVE MILLION DOLLARS (\$45,000,000) TO RAISE MONEY FOR THE PURPOSE OF (I) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; (II) ERECTING, REPAIRING, IMPROVING, ADORNING, EQUIPPING AND FURNISHING MUNICIPAL BUILDINGS, AND PURCHASING BUILDINGS AND LAND THEREFOR; (III) PROTECTING A MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; (IV) CONSTRUCTING BRIDGES AND CULVERTS; AND (V) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE ANN. SECTIONS 21-33-301 *ET SEQ.*, AND SECTIONS 31-25-1 *ET SEQ.*, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, INCLUDING FUNDING CAPITALIZED INTEREST, IF APPLICABLE AND PAYING THE COSTS OF BORROWING, INCLUDING ANY COSTS FOR BOND INSURANCE PREMIUM, IF APPLICABLE; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES**" (the "**Intent Resolution**") indicating its intent to (a) issue general obligation bonds of the City, in one or more series, and/or (b) issue a general obligation bond of the City, in one or more series, to be sold to the Bank, all in a total aggregate principal amount not to exceed Forty-Five Million Dollars (\$45,000,000), as authorized by the Act for the purposes of providing funds for the Project (as defined herein), and fixed 4:00 o'clock p.m. on November 6, 2018, as the date and hour for any protest to be made and filed against the issuance of such general obligation bonds and/or general obligation bond as described in the Intent Resolution.

2. As required by law and as directed by the Intent Resolution, said Intent Resolution was published once a week for at least three (3) consecutive weeks in *The Hattiesburg Post*, a newspaper published in the City, and having a general circulation in the City, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the first publication having been made not less than twenty-one (21) days before November 6, 2018, and the last publication to be not more than seven (7) days prior to such date, said notice was published in said newspaper on October 11, 18, 25 and November 1, 2018, as evidenced by the publisher's affidavit heretofore presented and attached hereto as **EXHIBIT A**.

3. On or prior to 4:00 o'clock p.m. on November 6, 2018, no written protest against the issuance of such general obligation bonds and/or general obligation bond as described in the Intent Resolution, had been filed or presented by qualified electors of the City with the Clerk in his office located in City Hall.

4. The Governing Body did meet on November 6, 2018 and does hereby find, determine and adjudicate that no protest against such general obligation bonds and/or general obligation bond as described in the Intent Resolution has been duly filed.

5. The Governing Body is now authorized and empowered by the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "**City Bond Act**") and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), and other applicable laws of the State of Mississippi, to issue the Bonds and/or the City Bond, in one or more series, in a total aggregate principal amount of not to exceed \$45,000,000 without any election on the question of the issuance thereof.

5. The amount of the Bonds and/or the City Bond so proposed to be issued, when added to the outstanding indebtedness of the City, will not exceed any constitutional or statutory limitation of indebtedness.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. That the Governing Body is now authorized and empowered by the Act to issue the Bonds and/or the City Bond, in one or more series, all in the maximum principal amount of not to \$45,000,000 for the purpose set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and the Bank Act, including paying for the cost of such borrowing, including funding capitalized interest, if applicable and paying for bond insurance premium, if applicable (the "**Project**").

SECTION 2. The Bonds and/or the City Bond shall be issued and offered for sale in accordance with the further orders and directions of this Governing Body.

[Remainder of page left blank intentionally.]

The above and foregoing resolution, after having been first reduced to writing, was introduced by Council Member _____, seconded by Council Member _____ and was adopted by the following roll call vote, to wit:

YEAS:

NAYS:

ABSENT:

The President thereby declared the motion carried and the resolution adopted, this the 6th day of November, 2018.

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing resolution having been submitted to and approved by the Mayor, this the 6th day of November, 2018.

CITY CLERK

MAYOR

(SEAL)

EXHIBIT A
PROOF OF PUBLICATION