

City of Conway

RESOLUTION NO. _____

A RESOLUTION REQUESTING AND RECOMMENDING THAT THE DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY OF THE STATE OF ARKANSAS SELL AND ISSUE POLLUTION CONTROL REVENUE BONDS OF THE DEPARTMENT; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), is in need of extensions, betterments and improvements (the "improvements") to the sewer facilities of the City (the "System"); and

WHEREAS, the improvements include facilities for the purpose of water pollution control; and

WHEREAS, the City has had prepared an engineering report and estimate of costs for the improvements by a qualified consulting engineer; and

WHEREAS, the improvements include a water pollution control project, a portion of which is eligible for federal assistance under the provisions of the Federal Water Pollution Control Act, 33 U.S.C.A. § 1151 et seq. (the eligible portion being herein called the "Project"); and

WHEREAS, the City does not have sufficient funds to pay its portion of the costs of the Project but can obtain such funds by the use of available funds, by obtaining federal grant funds available for the purpose ("federal assistance") and by obtaining a state grant (hereinafter described); and

WHEREAS, it is necessary to the obtaining of maximum federal assistance that the City receive from the Department of Pollution Control and Ecology of the State of Arkansas (the "Department") a State Grant for a portion of the costs of the Project, as authorized by Act No. 108 of 1971, as amended ("Act No. 108"); and

WHEREAS, the City has applied to the Department for a State Grant in the amount of \$7,000; and

WHEREAS, the Department can obtain sufficient funds for the purpose of making the State Grant by the sale and issuance of Pollution Control Revenue Bonds, as authorized by Act No. 108 (the "Department Bonds"); and

WHEREAS, the Department Bonds, as provided in Act No. 108, will not constitute an indebtedness of the State of Arkansas or of the Department within any constitutional or statutory limitation but, as provided by Act No. 108, will be secured by a pledge of and payable solely from revenues derived by the City from the operation of the System; and

WHEREAS, the City Council has determined, upon due investigation, that the most feasible means for the financing of the Project is by the sale and issuance of the Department Bonds (the lien and pledge of System revenues to the Department Bonds will be subordinate to the lien and pledge of System revenues to the outstanding Sewer Revenue Bonds, Series 1967, of the City, dated February 1, 1967 (the "City Bonds")); and

WHEREAS, the City has entered into an agreement with Womeldorff & Lindsey, Little Rock, Arkansas, for the purpose of the Department Bonds (the "underwriting agreement"), a copy of which is attached hereto as Exhibit A and by this reference incorporated herein;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Conway, Arkansas:

Section 1. It is hereby requested of and recommended to the Department of Pollution Control and Ecology of the State of Arkansas (the "Department") that the Department sell and issue the Department Bonds upon the terms set forth in the underwriting agreement.

Section 2. The Mayor is hereby authorized and directed to transmit a copy of this Resolution to the Department.

Section 3. It is hereby found and declared that the accomplishment of the Project is essential to the health and safety of the inhabitants of the City and that it should be accomplished without delay. The only means by which the Project can be financed (and thereby accomplished) without delay is by the sale and issuance of bonds as set forth in this Resolution. Therefore, an emergency is declared to exist and this Resolution being necessary for the public peace, health and safety shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 1972.

ATTEST:

APPROVED:


City Clerk


Mayor

(SEAL)

CERTIFICATE

STATE OF ARKANSAS)
)
COUNTY OF FAULKNER)

I, the undersigned, City Clerk of the City of Conway, Arkansas, hereby certify that the foregoing is a true, correct and compared copy of a Resolution passed by the City Council of the City at a _____ session held in the regular meeting place of the Council in the City at _____ .m., on the _____ day of _____, 1972.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this _____ day of _____, 1972.



City Clerk

(SEAL)

EXHIBIT A

Little Rock, Arkansas

Jan 25, 1972

Honorable Mayor and
Board of Aldermen
City of Conway, Arkansas

Gentlemen:

It is our understanding that your City proposes to construct improvements to your Sanitary Sewer Systems and that total construction cost will amount to \$27,350.24. To obtain the maximum Federal Aid it is necessary that the State of Arkansas, through the Department of Pollution Control and Ecology, provide 25% of the total eligible construction cost through the issuance of Department of Pollution Control and Ecology bonds secured by and payable from the net operating revenue of your City's Sewer System.

25% of the total eligible project cost amounts to \$6,837.56. It would be necessary that the cost incident to the issuance of the bonds be paid from bond proceeds or from City of Conway Sewer Revenue Fund. We suggest that the Department's bond issue be increased to \$7,000 and that \$162.44 of bond proceeds be used to pay a portion of the expense of issuance and all expenses in excess of \$162.44 be paid by the City of Conway.

We submit the following proposal for your consideration:

1. The firm of Womeldorff and Lindsey will pay \$7,000 plus accrued interest from date of bonds to date of delivery to us for \$7,000 (issued as one bond) Department of Pollution Control and Ecology, 4 1/2% Pollution Control Revenue Bonds (Conway Project) to be dated March 1, 1972 and to mature March 1, 1973. This bond to be non-callable prior to maturity with interest payable March 1, 1973.
2. All expenses incident to the issuance of the bonds to be paid from bond proceeds and/or from operating revenue of the City of Conway Sewer System.
3. The bonds will be delivered to us with the approving opinion of Messrs. Smith, Williams, Friday, Eldredge & Clark, Bond Attorneys, Little Rock, Arkansas.

Should the above proposal meet with your approval, please execute in the space provided. Your execution of the proposal will assure the Department of Pollution Control and Ecology that the bond can be sold and we can advise bond counsel to proceed with preparation of the necessary legal documents.

Respectfully submitted,

Womeldorff & Lindsey

[Handwritten signature of Womeldorff & Lindsey]

ACCEPTED THIS 25th DAY
OF January, 1972
CITY OF CONWAY, ARKANSAS

By *[Handwritten signature]*
Mayor

By _____
Clerk

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS

THAT the City of Conway, Arkansas, pursuant to the terms set out in the ordinance authorizing their issuance and in the face of the bonds themselves, hereby calls for payment at par plus accrued interest, as appropriate, the following described bonds of its issue of General Obligation Bonds dated December 1, 1964, all bonds being in the denomination of \$1,000.00, and due as follows:

<u>BOND NOS.</u>	<u>DUE</u>
106 to 108, both inclusive	December 1, 1986
109 to 116, both inclusive	December 1, 1987
117 to 119, both inclusive	December 1, 1988

making a total of \$14,000.00 in bonds. And the Mayor and Clerk-Treasurer of said City are hereby authorized to issue and have published a notice of call of bonds in the manner prescribed by law, unless such notice shall be waived by the holder of all of said bonds. And the Mayor and Clerk-Treasurer are further authorized to do and perform all other steps, acts and deeds necessary to accomplish the purposes hereof, including payment of such bonds, interest accrued thereon to date of such payment, as appropriate, and the paying agent's fees thereon.

PASSED AND APPROVED this 11th day of January, 1972.

APPROVED: W. L. Emaway
Mayor

ATTEST: Doris Y. Gunn
Clerk-Treasurer

RESOLUTION

WHEREAS, Faulkner County and municipalities in County desire to cooperate in providing a unified trash and garbage disposal system for all such governmental agencies which will include a sanitary landfill project; and

WHEREAS, the City of Conway, Arkansas is the owner of certain lands which it now is using as a sanitary landfill site and which is suitable for use for such purposes in the proposed unified system:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That the City of Conway, hereinafter designated as Conway, hereby agrees to cooperate with Faulkner County, Arkansas, hereinafter designated as County, and with all other municipalities situated within such County in the establishment and utilization of a unified trash and garbage disposal system to serve County and all municipalities located therein, and in furtherance thereof, and in consideration of the promises of such other municipalities and said County, Conway agrees and promises to do the following acts and things:

Conway is presently the owner of the following lands situated in Faulkner County, Arkansas, to-wit:

The Northeast Quarter (NE 1/4) of the Southwest Quarter (SE 1/4) of Section 26, Township 6 North, Range 14 West, containing 40 acres, more or less;

The South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 26, Township 6 North, Range 14 West, containing 20 acres, more or less.

which it is using as a city dumping ground and is conducting thereon a sanitary landfill as a part of its sanitary garbage system. Conway will deliver possession of such lands to County and County will operate same as and for the sanitary landfill required in such unified system. The title to said lands shall be and remain in Conway and County shall surrender possession thereof, together with all improvements thereon, to Conway when the lands have been utilized for sanitary landfill to the maximum extent possible or deemed feasible. PROVIDED, that it is



RESOLUTION

expressly understood that Conway shall have the right to continue to utilize said lands as its dumping grounds without the payment of any fee or other charge than the annual payment hereinafter set out.

Conway further agrees that it will, as its total share of the cost of such unified system, pay to County the sum of \$24,816.00 per year, beginning on the date such unified system becomes operative, which sum shall be paid in the following manner: Conway shall receive a credit in the sum of \$816.00 per year as and for the use of the aforesaid lands for the purposes above set out, and the balance of such annual amount shall be paid at the rate of \$2,000.00 per month.

PASSED: March 14, 1972.

APPROVED: _____ Mayor

ATTEST:

~~Clerk/Treasurer~~

Conway is presently the owner of the following lands situated in Franklin County, Arkansas, to-wit:

The Northwest Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 10, Township 6 North, Range 14 West, containing 40 acres, more or less.

The South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 10, Township 6 North, Range 14 West, containing 40 acres, more or less.

which it is using as a city dumping ground and is conducting thereon a sanitary landfill as a part of its sanitary garbage system. Conway will deliver possession of said lands to County and County will operate same as and for the sanitary landfill required in such unified system. The title to said lands shall be and remain in Conway, and Conway shall surrender possession thereof, together with all improvements thereon, to County when the lands have been utilized for sanitary landfill to the maximum extent possible or deemed feasible. Provided, that it is

RESOLUTION INVITING INDUSTRY

WHEREAS, the City of Conway, Arkansas (the "City") desires to improve the balance between agriculture, commerce and industry in its area, and to encourage the general welfare and economy of the public by providing opportunities for permanent industrial employment; and,

WHEREAS, under the provisions of the Constitution and laws of the State of Arkansas, including particularly that Act known as the "Municipalities and Counties Industrial Development Revenue Bond Law" (Act 9 of the First Extraordinary Session of the Sixty-second General Assembly of the State of Arkansas for the year of 1960, as amended, compiled as Sections 13-1601 to 13-1615, Arkansas Statutes Annotated, hereinafter referred to as "the Act"), the City is authorized to acquire, construct, and equip facilities for lease to industrial concerns and to finance such facilities by the issuance of Industrial Development Revenue Bonds; and,

WHEREAS, the City proposes to relieve the conditions of unemployment and to encourage the increase of industry in the State by exercising its powers under the Act; and,

WHEREAS, FMC Corporation (the "Company") has indicated an interest in locating its proposed facilities in or near the City; and,

WHEREAS, the City has investigated the financial condition, reputation and ability of the Company to operate and maintain said facilities; to pay rentals therefor in amounts sufficient to pay the principal of and interest on such Industrial Development Revenue Bonds of the City; to make payments in lieu of taxes in an amount commensurate with such payments now being made by other industries in the City with bonds issued pursuant to said Act now outstanding; and has further found and determined that the operation of said facilities will provide employment for a substantial

number of persons and thereby improve employment conditions in the City and will promote the general welfare of the City and its citizens and its inhabitants.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City:

Section 1. That the City shall and does hereby invite the Company to locate its proposed plant in or near the City, and as an inducement therefor shall and does hereby offer to issue its Industrial Development Revenue Bonds to finance the construction and equipment of such facilities for lease to the Company, all as provided in the Act and subject to approval of the terms and conditions of such undertakings by the City and the Company.

Section 2. That a copy of this resolution shall be delivered to the Company.

PASSED: March 30, 1972.

APPROVED:

ATTEST:

Loris G. Neun
City Clerk

By

Walter Dunaway
Mayor

(SEAL)

RESOLUTION

WHEREAS, on or about March 29, 1972, Conway Development Corporation executed, acknowledged and delivered to the City of Conway, Arkansas a certain right of way deed whereby it conveyed to said City a right of way and easement for utility purposes over, under, across and through certain lands, said deed being recorded in Deed Record Book No. 203, page 257 of the records of Faulkner County, Arkansas; and

WHEREAS, it has now been determined that such easement is not needed for such purposes and will not be utilized, and it is advantageous that the said easement and right of way be re-conveyed to the grantor thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That the Mayor and Clerk-Treasurer be, and they hereby are authorized, empowered and directed, on behalf of the City, to execute, acknowledge and deliver to Conway Development Corporation a proper written instrument reconveying and releasing to said Corporation all right, title and interest acquired by the City through that right of way deed recorded in Deed Record Book No. 203, page 257, of the records. of Faulkner County, Arkansas.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

1. That the Mayor and Clerk-Treasurer of the City of Conway, Arkansas be, and they hereby are, authorized and directed to execute and deliver, for and on behalf of the City, that certain "Contract of Sale" wherein the City agrees to purchase certain lands therein described from Missouri Pacific Railroad Company, at and for the total sum of \$185,000.00, and they are hereby authorized to pay, from any available funds, the sum of \$25,000.00 as the down payment for such lands.

2. That the said Mayor and Clerk-Treasurer be further authorized to execute on behalf of the City that certain agreement with Missouri Pacific Railroad Company providing, among other things, for the opening of a grade crossing at Main Street, extended, in said City.

3. That the Mayor and Clerk-Treasurer of the City of Conway be and they are hereby authorized and directed to do, say and perform each and every act, deed or thing necessary and requisite regarding each of the foregoing agreements.

PASSED: April 11, 1972

APPROVED: _____

Mayor

ATTEST: _____

Clerk-Treasurer

RESOLUTION

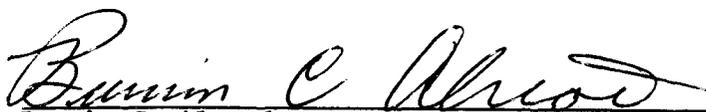
I, Burvin C. Alread, Secretary of the Board of Trustees of Hendrix College, an educational corporation organized and existing under the laws of the State of Arkansas, do hereby certify that at a meeting of the Board of Trustees of Hendrix College, duly and regularly called and held on the 1st day of April 1971, at which a quorum of the Board was present and voting, the following resolution was unanimously adopted by said Board of Trustees:

"BE IT RESOLVED, by the Board of Trustees of Hendrix College that H. F. Trotter, its Chairman, Burvin C. Alread, its Secretary, Roy B. Shilling, Jr. President of Hendrix College and Rodney D. Todd, Business Manager, or any two of them acting jointly be and hereby are authorized and empowered to lease, sell, assign and transfer from time to time any stocks, bonds, evidences of interest, evidences of indebtedness and other securities, corporate or otherwise, and any non-campus real estate which Hendrix College owns or holds in trust, or which it may hereafter acquire outright or in trust. And said H. F. Trotter, Roy B. Shilling, Jr., Burvin C. Alread and Rodney D. Todd or any two of them, acting jointly, are hereby authorized to execute any and all instruments necessary, proper or desirable to effect and consummate such leases, sales, assignments, and transfers, and to carry out the purpose of this resolution; and further that any officer of this corporation is hereby authorized to certify this resolution to Whom it may concern."

I certify that the foregoing resolution now stands of record on the minute book of said Board of Trustees of Hendrix College, and has not been modified, repealed or set aside in any manner whatsoever and is now in full force and effect, and that the persons named in the above resolution, occupy the positions named.

Witness my hand and the seal of the college on this

24th day of April 19 72.


Burvin C. Alread Secretary, Board of Trustees of
HENDRIX COLLEGE.

RESOLUTION

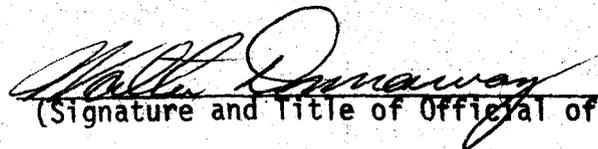
WHEREAS, it is contemplated that the City of Conway, Arkansas will construct certain waste water treatment facilities; and it is deemed necessary and proper to apply for a Federal grant under the Federal Water Pollution Control Act, Public Law 660, as amended.

NOW THEREFORE, BE IT RESOLVED by the above named applicant that Walter Dunaway, Mayor, or his successor, is hereby authorized and directed to make application for a Federal grant under Public Law 660, as amended, and to sign the Acceptance of the Offer, when made, and any other necessary documents required to complete the project on behalf of the above named Applicant.

BE IT FURTHER RESOLVED that the above named Applicant will:

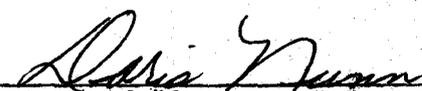
1. Acquire a fee simple or such other estate or interest in the site of the project, including the necessary easements and rights-of-way, so as to assure undisturbed use and possession; and that in the event such title, estate, or interest in such site, easements or rights-of-way may in the future be contested, the above named Applicant will defend and maintain its title in such site and hold the United States Government blameless in such action; and that before any Federal payment is requested pursuant to a grant, the above named Applicant will provide certification as to the sufficiency of such estate or interest.
2. Provide an operation and maintenance manual for the facilities which is acceptable to the State Water Pollution Control Agency and the Environmental Protection Agency and will fulfill the tasks described therein.
3. Provide the necessary funds which are estimated to be approximately \$5,000.00 per annum for the proper operation and maintenance of the facilities.
4. Employ qualified personnel in accordance with the recommendations or requirements of the State Water Pollution Control Agency to operate the waste water treatment facilities; and will require its consulting engineer or agent to provide certain on-the-job training for employees during start-up of the facilities.

PASSED, APPROVED AND ADOPTED this 9th day of May, 1972.


(Signature and Title of Official of Governing Body)

(SEAL)

ATTEST:


(Signature of "Secretary", "City Clerk", etc.)

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE WORKABLE PROGRAM FOR
THE CITY OF CONWAY, FAULKNER COUNTY, ARKANSAS FOR
THE YEARS 1972 and 1973.**

WHEREAS, the Mayor of the City of Conway, Arkansas has caused to be assembled and prepared records of improvements and progress for the year 1971 and outlined proposed improvements for the years 1972 and 1973 in a report known as the Workable Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, in regular session, properly convened, at which a quorum was present, as follows:

To authorize the Mayor to submit the said Workable Program of the City of Conway, Faulkner County, Arkansas, to the authorized Federal Agency for approval and to pledge their support to help accomplish the proposed improvements as outlined in the Workable Program.

PASSED THIS 23 DAY OF May, 19 72

(SEAL)

Walter H. Conway, Mayor of
the City of Conway, Arkansas

ATTENT:

Adrian J. [Signature]
Adrian J. [Signature], City Clerk of the
City of Conway, Arkansas

RESOLUTION

WHEREAS, a petition has been filed with the City Council of the City of Conway, Arkansas, by the owners of all property abutting upon two alleys situated in Block Six (6) of Robinson's Plat of the City of Conway, Arkansas, a more particular description of each of said alleys being as follows:

Beginning at the Southeast corner of Lot One (1), Block Six (6) of Robinson's Plan of the City of Conway, Arkansas, and run thence Westwardly along and with the South line of Lots One (1), Two (2), Three (3), Four (4), Five (5), and Six (6) a distance of Three Hundred (300) Feet and to the Southwest corner of said Lot Six (6); thence Southwardly along and with the East line of Chestnut Street a distance of Twenty (20) feet and to the Northwest corner of Lot Twelve (12); thence Eastwardly along and with the North lines of Lots Twelve (12) and Seven (7) and to the Northeast corner of said Lot Seven (7); thence Northwardly along and with the West line of Court Street a distance of Twenty (20) feet and to the point of beginning;

Beginning at the Southwest corner of Lot Eleven (11), Block Six (6), Robinson's Plan of the City of Conway, Arkansas, and run thence Northwardly along and with the West line of Lots Eleven (11), Ten (10), Nine (9), Eight (8) and Seven (7) and to the Northwest corner of said Lot Seven (7); thence Westwardly parallel to the North line of Prairie Street a distance of Twenty (20) feet and to the Northeast corner of Lot Twelve (12); thence Southwardly along and with the East line of Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) and to the Southeast corner of said Lot Sixteen (16); thence Eastwardly along and with the North line of prairie Street a distance of Twenty (20) feet and to the point of beginning;

WHEREAS, the Council finds that attached to said petition is a certified copy of the recorded plat, showing said alleys sought to be abandoned and vacated, and the lands abutting thereon;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

(1) That the City Council will hear said petition at its regular meeting to be held in the Council Chambers in the Municipal Building on the ~~23rd~~^{13th} day of ~~May~~^{June}, 1972, at 7:00 o'clock p.m.

(2) That the Clerk-Treasurer is hereby directed to publish notice of the filing of said petition and of said hearing for the time and in the manner prescribed by law.

PASSED AND APPROVED: ~~April 25~~^{May 23}, 1972.


Mayor

ATTEST:


Clerk-Treasurer

RESOLUTION ~~NO.~~ _____

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE OFFER OF UMC INDUSTRIES, INC. (UNIVERSAL/NOLIN DIVISION) TO MAKE CERTAIN PAYMENTS FOR THE BENEFIT OF AD VALOREM TAXING UNITS IN FAULKNER COUNTY, ARKANSAS, IN CONSIDERATION FOR THE LEASE TO SAID CORPORATION OF CERTAIN LANDS AND BUILDINGS OWNED BY THE CITY OF CONWAY, ARKANSAS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE ACCEPTANCE OF THE OFFER; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Conway, pursuant to Ordinance No. A-547, duly adopted May 9, 1972, has authorized the issuance of Industrial Development Revenue Bonds, Series A, dated June 1, 1972, in the principal amount of \$1,350,000 for the purpose of aiding in the expansion of manufacturing facilities to be leased to UMC Industries, Inc. (Universal/Nolin Division); and

WHEREAS, the City Council of the City of Conway, Arkansas, by Ordinance No. A-546, duly adopted May 9, 1972, has authorized the lease of the manufacturing facilities improved from the proceeds of the said bonds; and

WHEREAS, as an inducement to the entry into such lease, UMC Industries, Inc. (Universal/Nolin Division) has offered to make payment in lieu of ad valorem taxes; and

WHEREAS, the City Council of the City of Conway, Arkansas, deems it desirable to accept such offer, and to authorize the execution thereof;

Section 1. That the offer of UMC Industries, Inc. (Universal/Nolin Division) to make payment in lieu of taxes for the use and benefit of the respective taxing entities within Faulkner County, Arkansas, levying ad valorem taxes at an initial annual rate of \$4,000.00 (subject to renegotiation, as more particularly set forth in the offer) substantially in the form as follows be accepted and approved:

August _____, 1972

Hon. Walter Dunaway, Mayor and
City Council of the City of
Conway, Arkansas

Gentlemen:

At an election held May 2, 1972, the City of Conway, Arkansas, authorized the issuance of not to exceed \$2,000,000 of industrial development revenue bonds for the purpose of assisting in the expansion of the Universal/Nolin Division of UMC Industries, Inc., at Conway, Arkansas. Subsequently, by Ordinance No. A-547, adopted May 9, 1972, the City has authorized the issuance of a portion of the total amount of the bond issue, in the amount of \$1,350,000, designated the Industrial Development Revenue Bonds, Series A, dated June 1, 1972, which bonds will be shortly delivered.

On October 21, 1960, the Universal Match Corporation (now named UMC Industries, Inc.) entered into an agreement with the City of Conway agreeing to make certain payment of cash in lieu of ad valorem taxes since the property to be leased from the City would not otherwise be subject to ad valorem taxation by the State of Arkansas, Faulkner County, or the City of Conway, and the school districts and other political subdivisions having authority to impose such ad valorem taxes.

This agreement is in supplement to the agreement of October 21, 1960, and except as expressly provided hereinafter, all other general terms and conditions set forth in the agreement of October 21, 1960, shall be deemed to apply to this agreement.

As an inducement to the City to enter into a lease for the proposed new facilities, and in recognition of the loss of ad valorem tax revenues which would otherwise be received if the property were not owned by the City, UMC Industries, Inc. hereby offers to pay in lieu of ad valorem taxes the sum of Four Thousand Dollars (\$4,000.00) per year during the initial 20-year term of the lease approved by Ordinance No. A-546, on May 9, 1972, and which will be executed shortly and assigned for the benefit of the holders of the Series A Bonds.

The City may negotiate with UMC Industries, Inc., and UMC Industries, Inc. will negotiate in good faith, for an increase in the amount of the annual payment as set forth above, for each of the last ten (10) years of the initial 20-year term of the lease (that is, for the period commencing June 1, 1982); provided, however, that Universal need not consider the

merits of any proposition to increase the amount of the annual payment provided for above by more than 20%; that is, to an amount greater, in total, than \$4,800.00.

UMC Industries, Inc., and the City by the acceptance hereof, hereby expressly reconfirms those general conditions as set forth in Paragraphs 3 through 8, inclusive, of the agreement of October 21, 1960, including, without limiting the generality of the foregoing, the provision that the payment for the initial year shall be prorated during the first and last year of the lease term.

UMC INDUSTRIES, INC.

By: _____
President
Universal/Nolin Division

The agreement of UMC Industries, Inc. set forth in the above and foregoing instrument is hereby accepted, pursuant to a resolution duly adopted by the City Council of the City of Conway, for and on behalf of the City of Conway, and the City of Conway has caused this acceptance to be signed in its name and behalf by its Mayor and its corporate seal to be hereto affixed and attested by its City Clerk, this _____ day of _____, 1972.

CITY OF CONWAY, ARKANSAS

By: Walter D. Conway
Mayor

ATTEST:

Christa Dunn
City Clerk

(S E A L)

Section 2. That the Mayor and City Clerk, are hereby authorized to indicate the acceptance of the offer by completion thereof and returning the offer to UMC Industries, Inc. (Universal/Nolin Division) as soon as practicable.

Section 3. The City of Conway, Arkansas, hereby ratifies and confirms the initial agreement of October 21, 1960, between UMC Industries, Inc. (formerly Universal Match Corporation), referred to in the foregoing offer of payment in lieu of taxes as therein supplemented.

Section 4. That there is hereby found and declared to be an immediate need for the securing and developing of industry in order to provide additional employment and increased payrolls, alleviate unemployment and provide other benefits incidental to the operation of a substantial industry, and the execution and delivery of the acceptance of the foregoing offer authorized by this Resolution are necessary for the accomplishment of these public benefits and purposes. IT IS, THEREFORE, declared that an emergency exists, and this Resolution being necessary for the immediate preservation of the public health, safety and welfare, shall be in force and take effect immediately upon and after its passage.

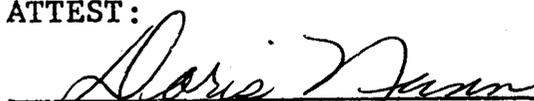
ADOPTED: August 1, 1972.

APPROVED:



Mayor

ATTEST:



City Clerk

The Mayor then stated that consideration should be directed by said Council to the question of the passage and adoption of an ordinance to approve an amendment to the lease with UMC Industries, Inc. pertaining to the property originally acquired with the issuance of bonds in 1960. The Mayor stated that all of the holders of the 1960 bonds had agreed to the amendment of the lease in order to permit the additional financing which had previously been approved by the Council.

After discussion by said Council, Alderman Thessing introduced in writing an Ordinance entitled: "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE LEASE AGREEMENT BY AND BETWEEN THE CITY OF CONWAY, ARKANSAS, AS LESSOR, AND UMC INDUSTRIES, INC., AS LESSEE, IN SUBSTANTIALLY THE FORM AND WITH SUBSTANTIALLY THE CONTENTS SET FORTH IN AND MADE A PART OF THIS ORDINANCE; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY," which Ordinance he read in full.

Alderman Moir moved that the rule requiring an ordinance or resolution to be read in full on three different days be suspended, and that said Ordinance be placed on its second reading, which motion was seconded by Alderman Love, and thereafter the Mayor put the question on the adoption of said motion, and the roll being called the following voted:

Aye: Dawson, Thessing,
Clements, King,
Love, Moir,
_____, _____,

and the following voted:

Nay: None.

Thereupon, the Mayor declared the motion duly passed and said Ordinance placed on its second reading. The Ordinance was then read in full by the Clerk.

Alderman Moix then moved that the rules be further suspended and the Ordinance be placed on its third and final reading. This motion was seconded by Alderman Love, and after due consideration thereof by said Council, the Mayor put the question on the adoption of the motion, and upon the roll being called, the following voted:

Aye: Dawson, Thessing,
Clements, King,
Love, Moix,

and the following voted:

Nay: None.

Whereupon, the Mayor declared the motion duly carried and said Ordinance placed upon its final reading.

Said Ordinance was then read in full by the Clerk. Alderman Moix moved its adoption, which motion was seconded by Alderman Love, and after due consideration thereof by said Council, the Mayor put the question upon the adoption of said motion and the passage of said Ordinance, and the roll being called, the following voted:

Aye: Dawson, Thessing,
Clements, King,

Love, Moix,
_____, _____,

and the following voted:

Nay: None.

Whereupon, the Mayor declared said motion duly adopted and said Ordinance duly passed, and signed his approval to said Ordinance; the same was attested by the Clerk and impressed with the seal of the City.

Alderman Moix then moved that said Ordinance go into immediate operation and become effective without delay because of the emergency declared in the final section of said Ordinance, which section was then read in full, seconded by Alderman Love. The Mayor put the question on the adoption of said motion, and the roll being called, the following voted:

Aye: Dawson, Thessing,
Clements, King,
Love, Moix,
_____, _____,

and the following voted:

Nay: None.

Whereupon, the Mayor declared said motion duly passed.

Said Ordinance, to which no amendment was offered, read as follows:

RESOLUTION

WHEREAS, The City of Conway, Arkansas seeks to improve the recreation facilities in its city and desires to have Federal assistance where possible; and

WHEREAS, in order to obtain the funds necessary to develop the sites for such recreation areas, it is necessary to obtain a grant from the appropriate agency of the United States Government; and

WHEREAS, the City of Conway Parks and Recreation Department, under the supervision of the Mayor of said city will supervise, operate and maintain the site known as Fifth Avenue Park; and

WHEREAS, the City of Conway, Arkansas has set aside local matching funds as their share of the proposed projects, furthermore, these funds are available and designated in the budget of the Parks and Recreation Department and are on deposit in the First State Bank of Conway, Arkansas;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, that the Mayor of said City, or other persons acting by or under his direction, are hereby authorized to make application through the Arkansas Planning Commission to the Bureau of Outdoor Recreation, U. S. Department of Interior, for assistance to develop recreational facilities for the City, therefore, such application to be submitted as expeditiously as possible.

PASSED: September 12, 1972

APPROVED: _____
MAYOR

ATTEST:

[Signature]
CITY CLERK-TREASURER

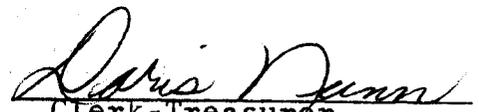
NOTICE

NOTICE is hereby given that there has been filed with the City Council of the City of Conway, Arkansas, a petition signed by Joel A. Cooper and others, being all of the owners of property abutting upon that portion of Spencer Street lying immediately East of and adjacent to Block Six (6) of Hendrix College Addition to the City of Conway, Arkansas, a more particular description of such alley being as follows:

Begin at the Southeast corner of Lot One (1), Block Six (6), Hendrix College Addition to the City of Conway, Arkansas, which point is on the North right-of-way line of Winfield Street, and run thence North along and with the East lines of Lots One (1), Two (2), Three (3) and Four (4) of said Block Six (6) and to the Northeast corner of said Lot Four (4); thence East a distance of Sixty (60) feet, more or less, to the East line of Spencer Street; thence Southwardly along and with the East line of Spencer Street and to a point on the North line of Winfield Street which is Sixty (60) feet, more or less, East of the Southeast corner of said Lot One (1); thence West to the point of beginning; all of said lands being as shown on B. G. Wilson's Map of the City of Conway, Arkansas, filed for record July 3, 1917.

The signers of said petition have requested that the aforesaid street above described be vacated and abandoned as a street or public thoroughfare. Attached to said petition is a certified copy of the recorded plat showing said street and the lots and parcels abutting thereon. All interested persons are hereby notified that on the 24th day of October, 1972 at 7:00 o'clock p.m. at the Council Chambers in the Municipal Building, the City Council of said City will hear said petition and determine whether said portion of such street should be vacated and abandoned.

WITNESS my hand as Clerk-Treasurer of said City and the seal of said City, on this 26th day of September, 1972.


Clerk-Treasurer

(Publish once a week for
two consecutive weeks)

RESOLUTION

WHEREAS, a petition has been filed with the City Council of the City of Conway, Arkansas, by persons owning property abutting upon that portion of Spencer Street lying immediately East of and adjacent to Block Six (6), Hendrix College Addition to the City of Conway, Arkansas, seeking to vacate and abandon that portion of such street therein described, a more particular description of said street as follows:

Begin at the Southeast corner of Lot One (1), Block Six (6), Hendrix College Addition to the City of Conway, Arkansas, which point is on the North right-of-way line of Winfield Street, and run thence North along and with the East lines of Lots One (1), Two (2), Three (3) and Four (4) of said Block Six (6) and to the Northeast corner of said Lot Four (4); thence East a distance of Sixty (60) feet, more or less, to the East line of Spencer Street; thence Southwardly along and with the East line of Spencer Street and to a point on the North line of Winfield Street which is Sixty (60) feet, more or less, East of the Southeast corner of said Lot One (1); thence West to the point of beginning; all of said lands being as shown on B. G. Wilson's Map of the City of Conway, Arkansas, filed for record July 3, 1917.

WHEREAS, the Council finds that attached to said petition is a certified copy of the recorded plat filed in the office of the Recorder of said Faulkner County, showing the portion of Spencer Street sought to be abandoned and vacated, and the lots abutting thereon;

THEREFORE, BE IT RESOLVED:

(1). That the City Council shall hear said petition at its regular meeting to be held at the City Hall, in said City, on the 24th day of October, 1972, 7:00 o'clock p.m.;

(2) That the Clerk-Treasurer is hereby directed to publish notice of the filing of said petition and of said hearing, for the time and in the manner prescribed by law.

(The above resolution was unanimously adopted by the Council on _____)

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS

1. That it is necessary for the proper conduct of the business and legislative affairs of the City of Conway that the Aldermen duly elected to the City Council attend all meetings of the Council unless prevented therefrom by illness or other emergency. That an unusually great absenteeism has occurred, thereby impeding the conduct of the business of the City and the Council thereof and all Aldermen are hereby requested to attend all meetings of the Council and the committees of the Council of which they are members, and if any Alderman shall find that he will be unable to regularly attend the meetings of the Council and the committees thereof, he is urged to tender his resignation as an Alderman of the City in order that a successor may be elected who will be able to regularly attend such meetings and carry out the duties and responsibilities of such office.

2. That all members of the City Council shall be mailed a copy of this resolution.

PASSED: October 24, 1972

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of one (1) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year, and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the year beginning January 1, ¹⁹⁷⁴ 1973, for the purpose of raising a special revenue to provide for a Pension and Relief Fund for Paid non-Uniformed Employees authorized by a vote of the electors of Conway, Arkansas, at a Special Election held on May 3 rd, 1966, and that the Clerk-Treasurer of the City of Conway, Arkansas, be, and is hereby ordered and directed, to make out and certify unto the County clerk and Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED:

October 24, 1972

APPROVED:

W. A. Conway
Mayor

ATTEST:

Alvin D. Dumas
Clerk-Treasurer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of one (1) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway, Arkansas, as made by the Assessor of Faulkner County, Arkansas, for the current year, and that said levy be assessed thereon as a Voluntary Recreation Assessment by the County Clerk and collected by the County Collector as a voluntary assessment in the same manner and at the same time as the State and County taxes for the year beginning January 1, ¹⁹⁷⁴ 1973, are collected, for the purpose of raising a special revenue for the sale and exclusive purpose of operating and maintaining the public recreation and playground of the City of Conway, Arkansas, authorized by a vote of the electors of the City of Conway, Arkansas, at a special election held on October 27th, 1964, under the provisions of Ordinance No. A-418, and that the City Clerk-Treasurer of the City of Conway, be, and is hereby ordered and directed to make out and certify unto the County clerk and the Quorum or Levying Court of Faulkner County, Arkansas, said levy and cause said extension and collection of taxes as aforesaid.

PASSED: October 24, 1972

APPROVED: *W. H. Conway*
Mayor

ATTEST: *Alvin D. Duncanson*
Clerk-Treasurer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of Five (5) mills on the dollar be made and the same is hereby made upon the assessment of all taxable real and personal property in the City of Conway, Arkansas, as made by the Assessor of Faulkner County, during the current year, for the year beginning on January 1, 1973, for the purpose of raising the General Fund revenues of said City of Conway for said year beginning on January 1, 1973, and the City-Treasurer of the City of Conway is hereby ordered and directed to make out and certify unto the County Clerk and the Quorum or levying Court of Faulkner County a copy of this resolution to the end that said Court may make said levy as aforesaid.

PASSED: October 24, 1972

APPROVED: _____
Mayor

ATTEST: [Signature]
Clerk-Treasurer

APPROVED: _____

ATTEST: _____
Clerk-Treasurer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of two (2) mills on the dollar be made and the same is hereby made upon the assessed valuation of all taxable real estate and personal property in said City of Conway, Arkansas, as made by the Assessor of Faulkner County, Arkansas, for the current year, and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County taxes for the year beginning January 1, ¹⁹⁷⁴ 1973, are collected, for the purpose of raising a special revenue to pay the principal and interest on bonds (commonly called City Hall and Airport Bonds) authorized by a vote of the electors of the City of Conway, Arkansas, at a special election held on October 27, 1964, under the provisions of Ordinance No. A-417, and that the City Clerk-Treasurer of the City of Conway, be, and is hereby ordered and directed to make out and certify unto the County Clerk and the Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this resolution to the end that said Court may make said levy and cause said extension and collection of taxes as aforesaid.

PASSED: October 24 1972

APPROVED: *Walter D. Conway*
Mayor

ATTEST: *Alvin Damm*
Clerk-treasurer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of one-half ($\frac{1}{2}$) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway, Arkansas, as made by the Assessor of Faulkner County, Arkansas, for the current year, and that said levy be assessed thereon as a voluntary animal shelter assessment by the County Clerk and Collected by the County Collector as a voluntary assessment in the same manner and at the same time as the State and County taxes for the year beginning January 1, ¹⁹⁷⁴~~1973~~, are collected, for the purpose of raising a special revenue for the sale and exclusive purpose of providing additional funds for the purpose of constructing, equipping, operating and maintaining a municipal animal shelter and/or enforcing the laws of the City regarding dogs within the City of Conway, Arkansas, authorized by a vote of the electors of the City of Conway, Arkansas, at a special election held on November 5, 1968, and that the City Clerk-Treasurer of the City of Conway be, and is hereby ordered and directed to make out and certify unto the County Clerk and the Quorum or Levying Court of Faulkner County, Arkansas a certified copy of this resolution to the end that said Court may make said levy and cause said extension and collection of taxes as aforesaid.

PASSED: October 24, 1972

APPROVED: *W. B. Conway*
Mayor

ATTEST: *Debra Dumas*
Clerk-Treasurer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of one (1) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year, and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County Taxes for year beginning January 1, ¹⁹⁷⁴~~1973~~, for the purpose of raising a special revenue to provide for a Firemen's Pension and Relief Fund authorized by a vote of the electors of Conway, Arkansas, at a Special Election held on May 3rd, 1966, and that the City Clerk-Treasurer of the City of Conway, Arkansas, be, and is hereby ordered and directed, to make out and certify unto the County Clerk and the Quorum or Levying Court of Faulkner County, Arkansas, a certified copy of this resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

PASSED: October 24, 1972

APPROVED: _____
Mayor

ATTEST: *[Signature]*
Clerk-Treasurer

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

That a levy of one (1) mill on the dollar be made and the same hereby is made upon the assessed valuation of all taxable real estate and personal property in said City of Conway as made by the Assessor of Faulkner County, Arkansas, for the current year, and that said levy be assessed thereon by the County Clerk and collected by the County Collector in the same manner and at the same time as the State and County Taxes for the year beginning January 1, ¹⁹⁷⁴~~1973~~, for the purpose of raising a special revenue to provide for a Policemen's Pension and Relief Fund authorized by a vote of the electors of Conway, Arkansas, at a General Election held November 4, 1958, and that the City Clerk-Treasurer of the City of Conway, be, and is hereby ordered and directed, to make out and certify unto the County Clerk and the Quorum or Levying Court of Faulkner County, Arkansas, a Certified copy of the resolution to the end that said Court may make said levy and cause the extension and collection of taxes aforesaid.

Passed: October 24 1972

APPROVED *W. L. Danaway*
Mayor

ATTEST: *Alvin D. Dumas*
Clerk-Treasurer