

RESOLUTION NO. 126

A RESOLUTION of the Board of Directors of Everett School District No. 2, Snohomish County, Washington, providing for the issuance and sale of general obligation refunding bonds of the district in the aggregate principal amount of \$1,420,000 for the purpose of providing funds to redeem outstanding general obligation bonds of the district in the aggregate principal amount of \$1,443,000; providing and authorizing the purchase of certain direct obligations of the United States of America with the proceeds of the sale of such refunding bonds and for the use and application of the moneys to be derived from such investments; providing for the redemption of the outstanding bonds to be refunded; providing the date, form, terms, maturities and covenants of said refunding bonds and for unlimited tax levies to pay the principal thereof and interest thereon.

WHEREAS, Everett School District No. 2, Snohomish County, Washington (hereinafter called the "District"), presently has outstanding the following described general obligation bonds (hereinafter collectively called the "Outstanding Bonds"), which bonds bear interest payable semiannually from date of issue and are subject to redemption at the following times:

<u>Date of Issue</u>	<u>Maturity Years</u>	<u>Amount</u>	<u>Interest Rate</u>
	<u>(Due 10/1)</u>		
10/1/59	1966	\$ 71,000	4 1/2%
	1967-1975 ⁶ 5 _{orig}	877,000	3 5/8%
	1976-1979 ¹ orig	333,000	3 3/4%

(Subject to redemption 10/1/69 and any interest payment date thereafter)

	<u>(Due 2/1)</u>		
2/1/60	1967-1969	27,000	4 1/2%
	1970-1976	79,000	4%
	1977-1980	56,000	4.10 %

(Subject to redemption 2/1/70 and any interest payment date thereafter)

and

WHEREAS, the principal of and interest on the Outstanding

Bonds are payable out of the School District No. 2 Bond and Interest Redemption Fund, created on the books and records of the Treasurer of Snohomish County; and

WHEREAS, after due consideration it appears to this Board that the Outstanding Bonds may be refunded by the issuance and sale of general obligation bonds of the district authorized herein (hereinafter called the "Refunding Bonds") and that a substantial saving to the District and its taxpayers will be effected by the issuance of the Refunding Bonds and the redemption of the Outstanding Bonds as follows:

<u>Date of Issue</u>	<u>Date of Redemption</u>
10/1/59	4/1/70
2/1/60	2/1/70

and

WHEREAS, in order to effect such refunding in the manner that will be most advantageous to the District and its taxpayers it is hereby found necessary and advisable that certain direct obligations of the United States of America bearing interest and maturing at such time or times as necessary to pay the principal of and interest on the Outstanding Bonds as the same shall become due and to redeem the Outstanding Bonds as above provided be purchased out of the proceeds of the sale of the Refunding Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Everett School District No. 2, Snohomish County, Washington, as follows:

Section 1. That for the purpose of providing funds to pay installments of principal of and interest on the outstanding general obligation bonds of the District issued under dates of October 1, 1959 and February 1, 1960, due on and after April 1, 1966, through April 1, 1970, and February 1, 1970, respectively, and to redeem and retire said bonds respectively on said latter dates, and to pay all

incidental expenses, the District shall issue the Refunding Bonds in the aggregate principal amount of \$1,420,000.

The Refunding Bonds shall be dated February 15, 1966, shall be in the denomination of \$5,000 each, shall bear interest at an effective rate over the life thereof of not to exceed 4% per annum payable June 1, 1966, and semiannually thereafter on the first days of June and December as evidenced by coupons to be attached thereto, and shall be numbered and mature in order of their number on June 1 as follows:

<u>Bond Nos.</u>	<u>Maturity Year</u>	<u>Amount</u>
1-17	1966	\$ 85,000
18-35	1967	90,000
36-53	1968	90,000
54-72	1969	95,000
73-91	1970	95,000
92-111	1971	100,000
112-132	1972	105,000
133-154	1973	110,000
155-177	1974	115,000
178-200	1975	115,000
201-224	1976	120,000
225-249	1977	125,000
250-275	1978	130,000
276-284	1979	45,000

Both principal of and interest on the Refunding Bonds shall be payable in lawful money of the United States of America at the office of the Treasurer of Snohomish County in Everett, Washington, or at the option of the holder, at the fiscal agency of the State of Washington in the City of New York, New York.

Section 2. The District hereby reserves the right to redeem any or all of the Refunding Bonds outstanding in inverse numerical order on the following interest payment dates and at the following prices expressed as a percentage of the principal amount plus accrued interest to the date of redemption:

On June 1 and December 1, 1970	at 102 1/2
On June 1 and December 1, 1971	at 102
On June 1 and December 1, 1972	at 101 1/2
On June 1 and December 1, 1973	at 101
On June 1 and December 1, 1974	at 100 1/2
On June 1, 1975, and any interest payment date thereafter	at 100

Notice of any such intended redemption shall be given by one publication thereof in the official Snohomish County newspaper not more than forty nor less than thirty days prior to said redemption date and by mailing a like notice at the same time to the main office of the purchaser or account manager of the purchasers of said bonds at their sale by the District or to the business successor, if any, of said purchaser or account manager at its main office. Interest on any Refunding Bond or Bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.

In addition to such publication and mailing, the District shall also mail notice of such intended redemption to Standard & Poor's Corporation and Moody's Investors Service, Inc., New York, New York, or to their successors, if any. The mailing of such notice shall not, however, be a condition precedent to the call of any Bonds for redemption, and failure to give such notice shall not affect the right of the District to redeem the Bonds called for redemption in the manner set forth in the preceding paragraph.

Section 3. The Refunding Bonds shall be known as "Everett School District No. 2, Snohomish County, Washington, General Obligation Refunding Bonds, 1966," and shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____

\$5,000

STATE OF WASHINGTON

EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

GENERAL OBLIGATION REFUNDING BOND, 1966

Everett School District No. 2, Snohomish County, Washington, hereby acknowledges itself to owe and for value

received promises to pay to bearer on the first day of June, 19____, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of _____% per annum, payable on the first day of June, 1966, and semi-annually thereafter on the first days of June and December, upon presentation and surrender of the attached interest coupons as they severally become due. Both principal of and interest on this bond are payable in lawful money of the United States of America at the office of the Treasurer of Snohomish County in Everett, Washington, or at the option of the holder at the fiscal agency of the State of Washington in the City of New York, New York.

The school district has reserved the right to redeem any or all of the outstanding bonds of this issue in inverse numerical order on the following interest payment dates and at the following prices expressed as a percentage of the principal amount plus accrued interest to the date of redemption:

On June 1 and December 1, 1970	at 102 1/2
On June 1 and December 1, 1971	at 102
On June 1 and December 1, 1972	at 101 1/2
On June 1 and December 1, 1973	at 101
On June 1 and December 1, 1974	at 100 1/2
On June 1, 1975, and any interest payment date thereafter	at 100

Notice of any such intended redemption shall be given by one publication thereof in the official Snohomish County newspaper not more than forty nor less than thirty days prior to said redemption date and by mailing a like notice at the same time to the main office of _____.

or to its business successor, if any, at its main place of business.

This bond is one of an issue of 284 bonds of like amount, date and tenor except as to number, rate of interest and date of maturity in the aggregate principal amount of \$1,420,000, which bonds are issued for the purpose of refunding outstanding general obligation bonds of the district in the aggregate principal amount of \$1,443,000. Said refunding bonds are issued under and in accordance with the provisions of an Act of the Legislature of the State of Washington entitled "Code of Public Instruction of the State of Washington," approved March 11, 1909, as amended, the Constitution and other acts of the Legislature of the State of Washington, and resolutions duly adopted by the Board of Directors of the school district.

The school district hereby irrevocably covenants that it will levy taxes annually upon all the taxable property within the district without limitation as to rate or amount and in amounts sufficient to pay the principal of and interest on the bonds of this issue as the same shall become due. The full faith, credit and resources of the school district are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

It is hereby certified that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed and that the total indebtedness of the school district, including this bond and the bonds of this issue, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, Everett School District No. 2, Snohomish County, Washington, has caused this bond to be signed with the facsimile signature of the President of its Board of Directors, to be attested by the Secretary of said Board, the seal of the district to be impressed hereon, and the interest coupons attached hereto to be signed with the facsimile signatures of said officials this fifteenth day of February, 1966.

EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

By _____
President of its
Board of Directors

ATTEST:

Secretary of its
Board of Directors

The interest coupons attached to the Refunding Bonds shall be in substantially the following form:

NO. _____ \$ _____

On the first day of _____, 19____, Everett School District No. 2, Snohomish County, Washington, will pay to bearer at the office of the Treasurer of Snohomish County, or at the option of the holder at the fiscal agency of the State of Washington in the City of New York, New York, the amount shown hereon in lawful money of the United States of America, said sum being the interest due that date on its General Obligation Refunding Bond dated February 15, 1966, and numbered _____.

EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

By _____
President of its
Board of Directors

ATTEST:

Secretary of its
Board of Directors

The Refunding Bonds shall have endorsed thereon the following certificate:

I, VERNE SIEVERS, the duly elected, qualified and acting Treasurer of Snohomish County, Washington, DO HEREBY CERTIFY that the within bond, being one of an issue of Everett School District No. 2, Snohomish County, Washington, General Obligation Refunding Bonds, 1966, in the aggregate principal amount of \$1,420,000, issued under date of February 15, 1966, has been duly registered in my office as required by law; that the signatures on said Bonds are the genuine facsimile and manual signatures of the President and Secretary of the Board of Directors of said district; and that all of said Bonds have been sold to _____

Snohomish County Treasurer

Section 4. The Refunding Bonds shall be signed in the corporate name of the District with the facsimile signature of the President of its Board of Directors, shall be attested by the Secretary of said Board, and shall have the seal of the District impressed thereon. Each of the interest coupons attached thereto shall be signed with the facsimile signatures of said officials.

Section 5. The District hereby irrevocably covenants that for as long as any of the Refunding Bonds are outstanding it will make annual levies of taxes without limitation as to rate or amount upon all of the property within the District subject to taxation in amounts sufficient to pay the principal of and interest on the Refunding Bonds as the same shall become due. The full faith, credit and resources of the District are hereby irrevocably

pledged for the annual levy and collection of said taxes and the prompt payment of such principal and interest.

Section 6. The Secretary of the Board of Directors is hereby directed to deliver a certified copy of this resolution to the Treasurer of Snohomish County, Washington, and said Treasurer is hereby requested and authorized to advertise the Refunding Bonds for sale as hereinafter set forth and in the manner required by law.

Upon the sale of the Refunding Bonds the Treasurer of Snohomish County and the proper officials of the District are hereby authorized and directed to register and complete the execution of the same and to do all things necessary for the prompt delivery thereof and for the proper application of the proceeds of such sale as hereinafter provided.

Section 7. The School District No. 2 Bond and Interest Redemption Fund (hereinafter called the "Bond Fund") has heretofore been established in the office of the Treasurer of Snohomish County for the purpose of paying the principal of and interest on all outstanding bonds of the District. A "Refunded Bond Account, 1966" is hereby created in the Bond Fund for the purpose of paying the principal of and interest on the Outstanding Bonds. Immediately upon receipt of payment in full for the Refunding Bonds, all incidental expenses shall be paid out of the bond proceeds. The accrued interest received, if any, shall be paid into and credited to the Bond Fund and the balance of said purchase price shall be credited to the Refunded Bond Account, 1966, and shall be used together with such other money in the Bond Fund as may be necessary to purchase at least the following amounts of the following described direct obligations of the United States of America:

<u>Security</u>	<u>Maturity Date</u>	<u>Amount (Par Value)</u>
U.S. Treasury 4% Notes	8/15/66	\$ 69,000

<u>Security</u>	<u>Maturity Date</u>	<u>Amount (Par Value)</u>
U.S. Treasury 3 3/4% Notes	8/15/67	\$ 72,000
U.S. Treasury 3 3/4% Bonds	8/15/68	75,000
U.S. Treasury 4% Bonds	2/15/69	74,000
U.S. Treasury 4% Bonds	2/15/70	978,000
U.S. Treasury 4% Notes	11/15/66	9,000
U.S. Treasury 3 5/8% Bonds	11/15/67	10,000
U.S. Treasury 3 7/8% Bonds	11/15/68	10,000
U.S. Treasury 4% Bonds	10/1/69	134,000

All of such United States Treasury Notes and Bonds shall be held in the custody of Seattle-First National Bank, Seattle, Washington (hereinafter called the "Bank"), for the Refunded Bond Account, 1966, in the Bond Fund, such Bank having been heretofore designated as a depository of public funds held and required to be kept by the Treasurer of Snohomish County in the manner required by law. All registrable securities must be registered in the name of said Account.

Section 8. On or before the delivery of the Bond proceeds or the above-described Government obligations to the Bank, the District agrees that it will cause to be delivered to the Bank a statement setting forth the maturity schedule of the Outstanding Bonds by number, amount, date of maturity and interest rate, the amount of interest to be paid on each semiannual interest payment date, the amount of principal and interest to be paid on the date the remaining Outstanding Bonds are to be redeemed.

All of the moneys received as principal of or interest on such Government obligations shall be held by the Bank for the credit

of the Treasurer of Snohomish County for the Refunded Bond Account, 1966, and so much thereof as may be necessary to meet the payment of principal of and interest on the Outstanding Bonds as the same shall become due to and including the dates the Outstanding Bonds are to be called for redemption as hereinabove provided and on said dates to redeem said Outstanding Bonds shall be transferred by the Bank to the Snohomish County Treasurer, or upon direction of the Treasurer to the Fiscal Agency of the State of Washington in the City of New York, New York, at least twelve days prior to the dates on which interest or principal and interest shall become due and on which such bonds are to be redeemed in full, and if transferred to the Fiscal Agent written advice of such transfer shall be provided the Snohomish County Treasurer.

The interest on or principal of such Government obligations received prior to the time such money is needed to make any payment of principal of or interest on any of the Outstanding Bonds as provided herein may be reinvested upon the direction of the Snohomish County Treasurer in United States Government obligations only which mature prior to the date or dates such money must be transferred to the Treasurer or to the fiscal agency as hereinabove provided.

All of the moneys received and held for the credit of the Refunded Bond Account, 1966, and the United States Government obligations purchased therewith shall be held in trust and shall be used for the sole purpose of paying the principal of and interest on the Outstanding Bonds as the same shall become due and redeeming and retiring the same as hereinabove provided.

Any money held on deposit to the credit of the Refunded Bond Account, 1966, not needed to pay the principal of and interest on the Outstanding Bonds and to redeem and retire the same as herein

provided and after all costs incidental to the sale and issuance of the Refunding Bonds have been paid shall be transferred to the Bond Fund.

Upon receipt by the District and by the County Treasurer of an instrument in writing from the Bank approving this resolution and accepting its appointment hereunder, the Bank shall become fully vested with all the rights, powers, duties and obligations herein set forth and with no liability in connection with any action or omission to act hereunder except for its own negligence or willful breach of trust.

Section 9. The Bank shall render a statement on December 31 and June 30 of each year to the Treasurer of Snohomish County of the Government obligations and money, if any, it is holding on deposit to the credit of the Refunded Bond Account, 1966, and five days prior to the receipt of any principal of such Government obligations, shall also render a statement to the County Treasurer of the amount of such money to be received.

Section 10. The District hereby irrevocably calls the following Outstanding Bonds for redemption on the following dates and authorizes and directs the Snohomish County Treasurer to publish and give notice of redemption of said Bonds in the manner required by the following resolutions of the Board of Directors of the District and as set forth in the bonds of each issue:

<u>Date of Issue</u>	<u>Bond Nos.</u>	<u>Call Date</u>	<u>Date of Giving Notice</u>	<u>Resolution</u>
10/1/59	621-1600	4/1/70	2/20/70- 3/2/70	No. 84 adopted 9/4/59
2/1/60	76-200	2/1/70	12/23/69- 1/2/70	No. 86 adopted 12/21/59

The interest on each of said bonds so called for redemption

shall cease on the respective call date thereof.

PASSED by the Board of Directors of Everett School District
No. 2, Snohomish County, Washington, at a regular meeting thereof
this 20th day of December, 1965.

EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

By

Margaret J. Farrell
James R. Otto
Edward D. Diamond
Robert C. Ash

Directors

ATTEST:

O. N. Johnson
Secretary of the Board of Directors

The foregoing resolution is hereby approved this 21st
day of December, 1965.

Bernie Lewis
Treasurer of Snohomish County,
Washington