

EVERETT SCHOOL DISTRICT NO. 2

SNOHOMISH COUNTY, WASHINGTON

RESOLUTION NO. 278

8/26/80
10/1/80
2 copies
to Perkin
A RESOLUTION OF THE BOARD OF DIRECTORS OF EVERETT SCHOOL DISTRICT NO. 2, SNOHOMISH COUNTY, WASHINGTON, PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,990,000, OR SO MUCH THEREOF AS MAY BE ISSUED UNDER THE LAWS GOVERNING THE INDEBTEDNESS OF SCHOOL DISTRICTS, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, CONSTRUCT, EQUIP AND MAKE CERTAIN CAPITAL IMPROVEMENTS TO THE FACILITIES OF THE DISTRICT AUTHORIZED BY RESOLUTION NO. 273 OF THE BOARD OF DIRECTORS, ADOPTED ON DECEMBER 17, 1979, AND APPROVED BY THE QUALIFIED ELECTORS OF THE DISTRICT AT THE ELECTION HELD THEREIN ON FEBRUARY 5, 1980; PROVIDING FOR THE DATE, FORM, TERMS AND MATURITIES OF SAID BONDS AND TAX LEVIES TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND AUTHORIZING AND DIRECTING THE SALE THEREOF.

WHEREAS, at an election held in the Everett School District No. 2, Snohomish County, Washington (the "District"), on February 5, 1980, the number and proportion of the qualified electors of the District required by law for the adoption thereof voted in favor of a proposition authorizing the issuance of general obligation bonds of the District in the aggregate principal amount of \$2,990,000 (the "Bonds") to provide funds to pay part of the cost of erecting new buildings and additions and making other capital improvements permitted by law to existing school buildings, acquiring physical education and athletic facilities and playgrounds necessary and proper to carry out the functions of a school district, and providing the necessary furniture, apparatus and equipment other than replacement equipment therefor, as authorized by Resolution No. 273 of the Board of Directors; and

WHEREAS, it is deemed necessary and advisable that the District issue and sell the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF EVERETT SCHOOL DISTRICT NO. 2, SNOHOMISH COUNTY, WASHINGTON, as follows:

Section 1. The Board of Directors of the District hereby finds and declares: (a) that for purposes of computing the annual maturities of the Bonds the anticipated effective interest rate on the Bonds as determined by the Board in its discretion is 7.3% per annum; and (b) that the life of the improvements to be acquired with the proceeds of the Bonds is at least fifteen years.

Section 2. For the purpose of providing the funds required for the capital improvements authorized by Resolution No. 273 of the Board of Directors adopted on December 17, 1979, and approved by the qualified electors of the District at an election held in the District on February 5, 1980, the District shall sell and issue the Bonds.

The Bonds shall be dated November 1, 1980, shall be in the denomination of \$5,000 each, shall bear interest from November 1, 1980, at a rate or rates to be fixed by the District at the time of the sale of the Bonds, not to exceed a maximum effective rate of 12% per annum, payable on the first day of November, 1981, and semiannually on the first days of each May and November thereafter, as evidenced by coupons to be attached to the Bonds, and shall be numbered and mature in order of their numbers as follows:

<u>Bond Numbers (Inclusive)</u>	<u>Amounts</u>	<u>Maturity Dates</u>
1 to 26	\$130,000	November 1, 1982
27 to 54	140,000	November 1, 1983
55 to 84	150,000	November 1, 1984
85 to 116	160,000	November 1, 1985
117 to 150	170,000	November 1, 1986
151 to 187	185,000	November 1, 1987
188 to 227	200,000	November 1, 1988
228 to 269	210,000	November 1, 1989
270 to 315	230,000	November 1, 1990
316 to 364	245,000	November 1, 1991
365 to 417	265,000	November 1, 1992
418 to 473	280,000	November 1, 1993
474 to 533	300,000	November 1, 1994
534 to 598	325,000	November 1, 1995

Both principal of and interest on the 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 either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington, or New York, New York.

Section 3. The District hereby reserves the right to redeem at par any or all of the Bonds in inverse numerical order on any interest payment date on or after November 1, 1990. Notice of any such intended redemption shall be given by publication thereof once in the official Snohomish County newspaper not more than 40 nor less than 30 days prior to the redemption date, and by mailing like notices at the same time to Standard & Poor's Corporation and Moody's Investors Service, Inc., New York, New York, and to the main office of the original purchaser of the Bonds or the account manager of the purchasers, or

its successor, if any. Interest on the Bonds so called for redemption shall cease on the redemption date unless such Bond or Bonds so called are not redeemed upon presentation made pursuant to such call.

Section 4. The Bonds shall be known and designated as "Everett School District No. 2, Snohomish County, Washington, General Obligation Bonds, Series 1980," and shall be in substantially the following form:

\$5,000

\$5,000

No. _____

UNITED STATES OF AMERICA
STATE OF WASHINGTON
EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

GENERAL OBLIGATION BOND, SERIES 1980

Everett School District No. 2, Snohomish County, Washington (the "District"), hereby acknowledges itself to owe and for value received promises to pay to bearer

ON THE FIRST DAY OF NOVEMBER,

upon the presentation and surrender hereof, the principal amount of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of

_____ percent (____%)

per annum until the payment of such principal sum, such interest being payable on the first day of November, 1981, and semiannually on the first days of each May and November thereafter 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 (the "Treasurer"), or, at the option of the holder, at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington, or New York, New York.

The District has reserved the right to redeem at par any or all of the bonds of this issue in inverse numerical order on any interest payment date on or after November 1, 1990.

Notice of any such intended redemption shall be given by publication thereof once in the official Snohomish County newspaper not more than 40 nor less than 30 days prior to the redemption date, and by mailing like notices at the same time to Standard & Poor's Corporation and Moody's Investors Service, Inc., New York, New York, and to the main office of the original purchaser of the bonds or the account manager of the purchasers, or its successor, if any. Interest on the bonds so called for redemption shall cease on the redemption date unless such bond or bonds so called are not redeemed upon presentation made pursuant to such call.

This bond is one of an authorized issue of 598 bonds of the District designated "Everett School District No. 2, Snohomish County, Washington, General Obligation Bonds, Series 1980" (the "Bonds"), all of which bonds are of like date and tenor, except as to number, interest rate, date of maturity, and option of redemption, aggregating \$2,990,000 in principal amount. All Bonds are in the denomination of \$5,000. The Bonds are issued in order to provide funds to pay part of the cost of erecting new buildings and additions and making other capital improvements permitted by law to existing school buildings, acquiring physical education and athletic facilities and playgrounds necessary and proper to carry out the functions of a school district, and providing the necessary furniture, apparatus and equipment other than replacement equipment therefor, pursuant to an election held in the District on February 5, 1980 authorizing the same, under and in accordance with the provisions of the Constitution and statutes of the State of Washington and resolutions duly adopted by the Board of Directors of the District.

The District hereby irrevocably covenants that for as long as any of the Bonds are outstanding, it will make annual levies of ad valorem taxes without limitation as to rate or amount upon all the property within the District subject to taxation which, with other moneys legally available therefor, will be sufficient in amount to pay the principal of and interest on the 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 such taxes and the prompt payment of such principal and interest.

It is hereby certified and declared that all acts, conditions and things required to exist, to have happened, been done and performed precedent to and in the issuance of this bond do exist, have happened, been done and performed, and that the total indebtedness of the 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 manual signature of the Secretary of its Board, and the facsimile of the seal of the District to be reproduced hereon, and each of the interest coupons attached hereto to be signed with the facsimile signatures of said officials this first day of November, 1980.

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington

By _____
President, Board of Directors

ATTEST:

Secretary, Board of Directors

(SEAL)

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

No. _____ \$ _____
On the first day of _____, 19____,
unless the hereinafter mentioned bond is then callable
for redemption and has been so called and provision
for the payment thereof duly made, Everett School Dis-
trict No. 2, Snohomish County, Washington, will pay to
bearer at the office of the Treasurer of Snohomish
County in Everett, Washington, or, at the option of
the holder, at either of the fiscal agencies of the
State of Washington in Seattle, Washington, or New
York, New York, the amount shown hereon in lawful
money of the United States of America, said amount
being the interest due that date on its General Obli-
gation Bond, Series 1980, issued under date of Novem-
ber 1, 1980, and numbered _____.

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington

By _____
President, Board of Directors

ATTEST:

Secretary, Board of Directors

The Bonds shall have endorsed thereon the following certifi-
cate:

I, KIRKE SIEVERS, Treasurer of Snohomish County, Washington, DO HEREBY CERTIFY that the within bond, numbered as indicated on the face thereof, is one of an issue of \$2,990,000 principal amount of general obligation bonds of Everett School District No. 2, Snohomish County, Washington, issued under date of November 1, 1980, and known as "Everett School District No. 2, Snohomish County, Washington, General Obligation Bonds, Series 1980"; that the same 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 legal officers of said District; and that all of said bonds have been sold to _____.

Treasurer of Snohomish County

Section 5. The Bonds shall be signed in the corporate name of the District with the facsimile signature of the President of the Board of Directors and attested by the manual signature of the Secretary of the Board of Directors of the District. The Bonds shall have the seal of the District reproduced thereon. Each of the interest coupons attached thereto shall bear the facsimile signatures of said officials.

Section 6. Accrued interest and premium, if any, will be deposited in the bond fund of the District. All other moneys derived from the sale of the Bonds shall be deposited in the building fund of the District and expended solely for the purposes authorized by Resolution No. 273 of the Board of Directors adopted December 17, 1979, except that portion which may be used to pay costs incurred in issuing and selling the Bonds. None of said money shall be used for the replacement of equipment or for any purpose other than a capital purpose. Pending such expenditure, the bond proceeds may be invested and the investment income derived may be retained in the building fund and used for the purposes of that fund.

Section 7. The District hereby irrevocably covenants that for as long as any of the Bonds are outstanding it will make annual levies of ad valorem taxes without limitation as to rate or amount upon all the property within the District subject to taxation which, with other moneys legally available therefor, will be sufficient in amount to pay the principal of and interest on the 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 such taxes and for the prompt payment of such principal and interest. The District further covenants that it will make no use of the proceeds of the Bonds or other funds of the District at any time during their term which would cause the Bonds to be arbitrage bonds within the meaning of Section 103(c) of the United States Internal Revenue Code of 1954, as amended, and applicable regulations.

Section 8. The Secretary of the Board of Directors is hereby authorized and directed to deliver a certified copy of this resolution to the Treasurer of Snohomish County, and the Treasurer is hereby requested to advertise the Bonds for sale in the manner provided by law by notice substantially in the form attached hereto as Exhibit A, which is incorporated herein by reference. A copy of the notice shall be mailed to the State Finance Committee at least three weeks prior to the date fixed for the sale. Upon the sale of the Bonds, the proper

officials of the District are hereby authorized and directed to do all things necessary for the prompt execution and delivery of the Bonds and for the proper application of the proceeds of such sale.

Section 9. The proper officers of the District are hereby authorized and directed on behalf of the District to execute any and all papers and documents and to do or cause to be done any and all acts and things necessary or proper for the carrying out of this resolution.

PASSED by the Board of Directors of Everett School District No. 2, Snohomish County, Washington, at a regular, open public meeting thereof, notice of which was given as required by law, held this 25th day of August, 1980.

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington

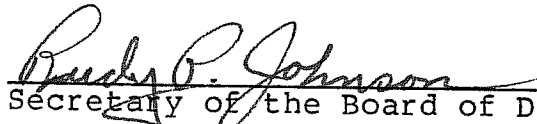
By Earl E. Quatten

Shirley Vandermeer

BRUCE LAMUS

Directors

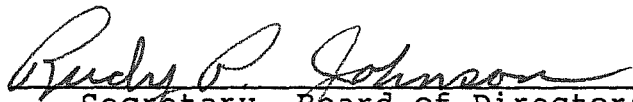
ATTEST:


Secretary of the Board of Directors

CERTIFICATE

I, RUDY P. JOHNSON, Secretary of the Board of Directors of Everett School District No. 2, Snohomish County, Washington, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 278 of the Board of Directors, duly adopted at a regular meeting thereof held on the 25th day of August, 1980.

DATED and seal affixed this 25th day of August, 1980.


Secretary, Board of Directors
Everett School District No. 2

NOTICE OF BOND SALE

EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

GENERAL OBLIGATION BONDS, SERIES 1980
\$2,990,000

Sealed bids will be received by the Treasurer of Snohomish County, Washington and the Board of Directors of Everett School District No. 2, Snohomish County, Washington (the "District"), at the office of the Treasurer in the Snohomish County Administration Building in Everett, Washington, until 11:00 a.m., Pacific Daylight Time, on

October 7, 1980

at which time the bids will be publicly opened, read and considered for the purchase of \$2,990,000 principal amount of General Obligation Bonds, Series 1980 (the "Bonds"), of the District.

Description of Bonds. The Bonds will be dated November 1, 1980, will be in the denomination of \$5,000 each, will bear interest from November 1, 1980, at a rate or rates to be fixed by the District at the time of the sale of the Bonds, not to exceed a maximum effective rate of 12% per annum, payable on the first day of November, 1981, and semiannually on the first days of each May and November thereafter, as evidenced by

coupons to be attached to the Bonds, and will be numbered and mature in order of their numbers as follows:

<u>Bond Numbers (Inclusive)</u>	<u>Amounts</u>	<u>Maturity Dates</u>
1 to 26	\$130,000	November 1, 1982
27 to 54	140,000	November 1, 1983
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316 to 364	245,000	November 1, 1991
365 to 417	265,000	November 1, 1992
418 to 473	280,000	November 1, 1993
474 to 533	300,000	November 1, 1994
534 to 598	325,000	November 1, 1995

Paying Agent. The principal of and interest on the Bonds will be payable at the office of the Treasurer of Snohomish County in Everett, Washington, or, at the option of the holder, at either of the fiscal agencies of the State of Washington in Seattle, Washington, or New York, New York.

Redemption. The District has reserved the right to redeem at par any or all of the Bonds of this issue in inverse numerical order on any interest payment date on or after November 1, 1990.

Security. The Bonds will be general obligation bonds of the District. The District, by vote of its qualified electors and resolutions of its Board of Directors, has irrevocably covenanted that it will make annual levies of ad valorem taxes without limitation as to rate or amount upon all the property

within the District subject to taxation which, with other moneys legally available therefor, will be sufficient in amount to pay the principal and interest on the Bonds as the same shall become due.

Interest Rate and Bidding Details. Each bid shall be enclosed in a sealed envelope. There is no official bid form. Each bid submitted shall provide for payment of accrued interest to date of delivery and shall specify either (a) the lowest rate or rates of interest and premium, if any, above par, at which the bidder will purchase the Bonds, or (b) the lowest rate or rates of interest at which the bidder will purchase the Bonds at par. No bid will be accepted for the purchase of less than all of the Bonds or for a price less than 100% of the principal amount of the Bonds and accrued interest.

One or more rates of interest may be specified for the Bonds, which rate or rates must be in multiples of $\frac{1}{8}$ or $\frac{1}{20}$ of 1%, or both. The net effective interest rate shall not exceed 12%. No more than one interest rate shall be specified for the Bonds maturing on the same date, and the interest due on each interest payment date shall be evidenced by a single coupon only. There shall not be a difference of more than 3% between the lowest and highest interest rates specified for different maturities.

It is requested that each bid state the total interest cost over the life of the Bonds, less the premium, if any, and the

net effective interest rate of such bid. Such statement shall not be deemed to be a part of such bid.

The District reserves the right to reject any and all bids received and to waive any irregularities therein.

Deposit. All bids, except that of the State of Washington, shall be accompanied by a deposit of \$149,500 either in cash or by cashier's or certified check made payable unconditionally to the Treasurer of Snohomish County for the credit of the District, which amount or check will be promptly returned to the bidder if the bid is not accepted. If the successful bidder shall fail or neglect to complete the purchase of the Bonds within forty-five days from the acceptance of its bid, the amount so deposited shall be forfeited as liquidated damages to the District. No interest shall be allowed on such deposit.

Award. The Bonds will be awarded to the bidder whose bid produces the lowest net interest cost to the District to be determined by computing the total dollar interest cost from the date of the Bonds to the respective maturity dates and deducting therefrom any premium. If there are two or more equal bids and such bids are the best bids received, the District may determine by lot which bid will be accepted.

CUSIP Numbers. It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the

purchasers to accept delivery of and to pay for the Bonds in accordance with the terms of this Notice of Bond Sale. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the District; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchasers.

Delivery. Printed bonds will be furnished by the District and will be delivered to the purchasers in Everett or Seattle, Washington, at the expense of the District, or elsewhere at the purchaser's option and expense, against payment in federal funds of the purchase price plus accrued interest to the date of delivery, less the amount of the deposit.

The unqualified approving legal opinion of Perkins, Coie, Stone, Olsen & Williams, bond counsel of Seattle, Washington, to the effect that (a) the Bonds are valid and legally binding general obligations of the District, (b) the Bonds are payable from ad valorem taxes levied upon all the taxable property within the District without limitation as to rate or amount, and (c) interest on the Bonds is exempt from federal income taxes, will be printed on the Bonds and will be furnished, without cost, to the successful bidder at the time of delivery. The obligations hereunder to deliver or accept the Bonds shall be conditioned on the availability and delivery, at the time of delivery of the Bonds, of (a) said approving opinion,

(b) a certificate, in form and tenor satisfactory to said law firm and dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened affecting the validity of the Bonds, and (c) a certificate of the Superintendent of the District certifying that to the best of his knowledge and belief, the Official Statement furnished concerning the Bonds does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading. Bond counsel have not been retained to participate in the preparation or review of the Official Statement.

It is understood that if, prior to the delivery of the Bonds, the income receivable by the holders thereof shall become taxable, directly or indirectly, by the terms of any federal income tax law, the successful bidder may at its option be relieved of its obligation to purchase the Bonds, and in such case, the deposit accompanying its bid will be returned, without interest.

Further Information. A copy of the Official Statement and further information regarding the Bonds may be obtained upon request made to Funds Management Division, Seattle-First National Bank, P. O. Box 3586, Seattle, Washington 98124, financial consultant to the District.

DATED at Everett, Washington, this _____ day of _____,
1980.

Treasurer of Snohomish County,
Washington

Dates of Publication:

