

RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN AGREEMENT  
WITH FIRST NATIONAL BANK DBA FIRST NATIONAL BANK LEASING AND  
DESIGNATING THE AGREEMENT AS A QUALIFIED TAX-EXEMPT OBLIGATION

WHEREAS, the County Commissioners (the "Governing Body") of Polk County, Texas ("Lessee"), acting for and on behalf of Lessee hereby finds, determines and adjudicates as follows:

1. Lessee desires to enter into an Equipment Lease Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (the "Agreement") with First National Bank dba First National Bank Leasing ("Lessor") for the purpose of presently leasing with an option to purchase the equipment as described therein for the total cost specified therein (the "equipment"),
2. It is in the best interest of the public purposes of Lessee that Lessee lease with an option to purchase the Equipment pursuant to and in accordance with the terms of the Agreement; and
3. It is necessary for the Lessee to approve and authorize the Agreement,
4. Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code").

NOW, THEREFORE, BE IT RESOLVED by this governing Body for and on behalf of Lessee as follows:

Section 1. The Agreement and Exhibits attached hereto, in substantially the same form as attached hereto as Exhibit "A", by and between Lessor and Lessee are hereby approved, and Judge Sydney Murphy (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Delivery Order is being issued in calendar year 2019.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified in the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement: (a) is secured, directly and indirectly, by property used or to be used in a trade or carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a government unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 2019, Lessee has designated \$ 3,109,265.24 of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement so designated, Lessee will not designate more than \$10,000,000 of obligations issued during calendar year 2019 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 2019 will not exceed \$10,000,000.

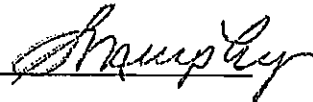
Section 9. For purposes of this resolution, the amount of tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by any entity subject to substantial control by Lessee as provided in Section 265(b)(3) of the Code.

Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and Lessee to do all things necessary in furtherance of the obligations of Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

Following the reading of the foregoing resolution, Robert C. (Bob) Willis moved that the foregoing resolution be adopted. C. Tommy Overstreet seconded the motion for its adoption. The County Judge put the question to a roll call vote and the result was as follows:

<u>Robert C. (Bob) Willis</u>	Voted:	<u>Yes</u>
<u>Ronnie Vincent</u>	Voted:	<u>Yes</u>
<u>C. Tommy Overstreet</u>	Voted:	<u>Yes</u>
_____	Voted:	_____
_____	Voted:	_____

The motion having received the affirmative vote of all members present, the County Judge declared the motion carried and the resolution adopted, this the 22nd day of October, 2019.

  
(Signature)

ATTEST:   
\_\_\_\_\_  
(Seal)