

ORDER 301

AN ORDER BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS RATIFYING, RECONFIRMING, AND READOPTING AN ORDER PREVIOUSLY ADOPTED ON JULY 23, 2012 SELLING THE COUNTY'S COMBINATION LIMITED TAX AND REVENUE BONDS, SERIES 2012 IN THE PRINCIPAL AMOUNT OF \$14,855,000; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Commissioners Court (the *Governing Body*) of Comal County, Texas (the *County*) previously adopted an order on July 23, 2012 (the *Original Order*) selling its obligations designated as "Comal County, Texas Combination Limited Tax and Revenue Bonds, Series 2012" in the principal amount of \$14,855,000 (the *Bonds*) for the purpose of providing funds for (i) satisfying its required Project construction contribution, as described in the Pass-Through Toll Agreement, dated as of December 7, 2007, as amended by Amendment No. 1 dated as of May 17, 2012, and (ii) the payment of the costs of issuance relating to these Bonds; and

WHEREAS, the Governing Body has sold the Bonds to Coastal Securities, Inc., Houston, Texas; and

WHEREAS, the County did not properly agendize its scheduled regular meeting on July 19, 2012 to sell the Bonds and, as such, in order to comply with the provisions of Section 81.006, as amended, Texas Local Government Code, the Commissioners Court must ratify, reconfirm, and readopt the Original Order; and

WHEREAS, the County has properly agendized a meeting for July 26, 2012 to ratify, reconfirm, and readopt the Original Order; and

WHEREAS, the Governing Body hereby finds and determines that this action is in the best interests of the citizens of the County; now, therefore,

BE IT ORDERED BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS THAT:

SECTION 1: The Original Order is hereby ratified, reconfirmed, and readopted as the act of the Governing Body.

SECTION 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Governing Body.

SECTION 3. All resolutions and orders, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters resolved herein.

SECTION 4. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such

provision to other persons and circumstances shall nevertheless be valid, and the Governing Body hereby declares that this Order would have been enacted without such invalid provision.


SECTION 7. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 8. This Order shall be in force and effect from and after the date of its adoption, and it is so resolved.

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PASSED AND APPROVED, this the 26th day of July, 2012.

COMAL COUNTY, TEXAS



County Judge

ATTEST:



County Clerk and Ex-Officio
Clerk of the Commissioners Court



(SEAL OF COMMISSIONERS COURT)