

RESOLUTION NO. 10200

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING THE TWENTY-SIXTH SUPPLEMENTAL RESOLUTION SUPPLEMENTING THE CITY'S RESOLUTION NO. 6362, DATED JULY 29, 1991, AS AMENDED AND SUPPLEMENTED, PERTAINING TO THE ISSUANCE OF UTILITY SYSTEMS REVENUE BONDS AND AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MESA, ARIZONA UTILITY SYSTEMS REVENUE REFUNDING BONDS.

WHEREAS, on January 28, 2013, the Mayor and Council of the City of Mesa, Arizona (the "City") adopted Resolution No. 10183 (the "*Original Resolution*") pertaining to the issuance of Utility Systems Revenue Refunding Bonds (the "*Refunding Bonds*"); and

WHEREAS, the City desires to amend Section 7B of the Original Resolution to provide flexibility regarding the payment dates for the payments to be made into the Bond Fund for the Refunding Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, as follows:

Section 1. The Mayor and Council of the City hereby amend the Original Resolution by striking all of the language of Section 7B and replacing it as follows:

"Section 7. Application of Revenues.

B. In addition to the payments required to be made into the Bond Fund required by the Master Resolution and the Supplemental Resolutions, the following additional payments shall be made to the Bond Fund with respect to the Refunding Bonds on or before the tenth (10th) day of each month.

- (1) Commencing on the 10th day of the month following the closing date of the Refunding Bonds, the amount due on the next succeeding interest payment date divided by the number of monthly payments that can be made prior to such next succeeding interest payment date, and commencing on the 10th day of the month following the first interest payment date, one-sixth (1/6) of the interest coming due on the next semiannual interest payment date on all of the Refunding Bonds then Outstanding; and
- (2) Commencing on the 10th day of the month following the closing date of the Refunding Bonds, the amount due on the next succeeding principal payment date divided by the number of monthly payments that can be made prior to such next succeeding principal payment date and commencing on the 10th day of the month following the first principal payment date, one-twelfth (1/12) of the principal becoming due on the next succeeding principal payment date on all Refunding Bonds then Outstanding."

Section 2. The Mayor, the City Manager, Senior Executive Manager, Chief Financial Officer, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this Resolution.

ADOPTED AND APPROVED on March 18, 2013.



Mayor

ATTEST:


Interim Clerk



APPROVED AS TO FORM:

GUST ROSENFELD P.L.C.


Bond Counsel

CERTIFICATION

I, Dee Ann Mickelsen, Interim City Clerk, hereby certify that the foregoing Resolution No. 10200 was duly passed and adopted by the Mayor and Council of the City of Mesa, Arizona, at a regular meeting held on March 18, 2013, and the vote was 7 aye's and 0 nay's and that the Mayor and 6 Council members were present thereat.

DATED: March 18, 2013


Interim Clerk, City of Mesa, Arizona