

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE CITY COUNCIL OF THE CITY OF LAWTON, OKLAHOMA (THE "CITY") MET IN REGULAR SESSION IN CITY HALL, IN LAWTON, OKLAHOMA, ON THE 28TH DAY OF JANUARY, 2025, AT 6:00 P. M.

PRESENT:

ABSENT:

Thereupon, the following Resolution was introduced and which was read by title. Councilmember _____ moved passage of the Resolution and Councilmember _____ seconded the motion. The motion carrying with it the approval of said Resolution by the following vote:

AYE:

NAY:

The Resolution so adopted is as follows:

RESOLUTION NO. _____

DECLARATION OF OFFICIAL INTENT OF
THE CITY OF LAWTON
FOR REIMBURSEMENT

WHEREAS, Title 60, Oklahoma Statutes 2021, § 176 *et seq.*, as amended, authorize the Lawton Industrial Development Authority (the "Authority") to issue bonds, notes, or other evidences of indebtedness on a tax-exempt and/or taxable basis on behalf of and for the benefit of the City; and

WHEREAS, the Lawton Industrial Development Authority plans to authorize and issue revenue bonds, notes, or other evidences of indebtedness in an amount not expected to exceed \$50 million (the "Bonds") in one or more series for the purposes of financing of certain costs of the acquisition, construction, equipping, renovating, and improving of certain capital improvement projects for the benefit of the City of Lawton, Oklahoma (the "City"), to be owned and operated by the Authority's beneficiary, the City, including to reimburse the City on behalf of the Authority for improvements recently made or to be made and anticipated to be funded from the proceeds of the Bonds (the "Project," as described below); and

WHEREAS, the Councilmembers of the City intend to approve and adopt at its meeting on January 28, 2025, this resolution whereby the Mayor and Councilmembers of the City make any necessary declarations of official intent on behalf of the City with respect to the issuance of the Bonds.

IT IS, THEREFORE, DECLARED BY THE MAYOR, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

1. Description of Project and Expenditures; Advance of Funds.

The Authority has a need with the assistance of the City to fund preliminary and other expenditures relating to the Project in advance of the issuance of the Bonds to make certain capital improvements to the City's infrastructure for the benefit of the City. The expenditures are expected to be as follows:

- (i) Preliminary and other expenditures relating to the acquisition, constructing, renovating, improving, and equipping of certain capital improvement projects in the aggregate principal amount of \$2,800,000; and
- (ii) Such other expenditures in such greater amounts as the Authority may approve by subsequent declarations of official intent.

The City has advanced and/or will advance funds for the benefit of the Authority from funds allocated by the City for the benefit of the Authority, and to pay for the benefit of the Authority certain expenditures not to exceed \$2,800,000 relating to the Project in advance of the issuance of the Bonds.

2. Statement of Intent to Reimburse Expenditures.

The City officially declares that it reasonably expects to reimburse the general fund for monies allocated from the general fund of the City for the use of the Authority for the expenditures described in paragraph 1 above from the proceeds of the Bonds. The City states that no funds from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the described expenditures.

3. Identification of Declaration.

This Declaration of Official Intent constitutes a "declaration of official intent" under Treasury Regulation § 1.150-2, of the Internal Revenue Code of 1986, as amended, supplemented, and promulgated by the Internal Revenue Service.

4. Project Description.

The Project consists of financing of certain costs related to certain capital improvement projects to be located within the City including certain public parks and recreational facilities and certain public buildings projects including Elmer Thomas Amphitheater and Boardwalk project, Lawton Youth Sports Facility and other capital improvements and the financing of the costs related to the issuance of the Bonds.

IT IS SO DECLARED this 28th day of January, 2025.

PASSED, APPROVED AND ADOPTED this 28th day of January, 2025.

CITY OF LAWTON, OKLAHOMA

By: _____
Mayor

(SEAL)
Attest:

City Clerk

APPROVED as to form and legality the 28th day of January, 2025.

John Andrew, City Attorney

[Signature page to Reimbursement Resolution]

CERTIFICATE OF CITY COUNCIL ACTION

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk of the City of Lawton, Oklahoma.

I further certify that the City Council of the City of Lawton, Oklahoma, held a Regular Meeting at 6:00 P.M. on January 28, 2025, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of a Resolution that was passed and approved by said City Council at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Councilmembers present and absent at said meeting; those making and seconding the motion that said Resolution be passed and approved, and those voting for and against such motion:

PRESENT:

ABSENT:

MOTION MADE BY:

MOTION SECONDED BY:

AYE:

NAY:

WITNESS MY HAND THIS 28th DAY OF JANUARY, 2025.

CITY OF LAWTON, OKLAHOMA

(SEAL)

City Clerk