

ORDINANCE NO. 998

AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE CITY OF MOUNT PLEASANT HOUSING DEVELOPMENT REVENUE BONDS, SERIES 2000 (CRISIS CENTER, INC. PROJECT), AND AUTHORIZING THE EXECUTION OF AMENDMENTS TO A LOAN AGREEMENT, INDENTURE AND ASSIGNMENT AND OTHER DOCUMENTS IN CONNECTION WITH THE AMENDMENT OF THE BONDS

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF MT. PLEASANT:

Section 1. Findings and Determinations. The City of Mt. Pleasant (the "City") hereby finds, determines and declares that the City issued its Housing Development Revenue Bonds, Series 2000 (Crisis Center, Inc. Project) on November 30, 2000 (the "Bonds"), pursuant to Act 18, Michigan Public Acts of 1933 (Extra Session), as amended (the "Act") and Ordinance No. 849, to finance low income housing for the Crisis Center, Inc., a local nonprofit corporation and 501(c)(3) corporation under the Internal Revenue Code of 1986, as amended ("Crisis Center"), and the registered owner of the Bonds has informed the City that it is willing to amend the Bonds to reduce the interest rate to 2.67%, which would result in a substantial interest savings and allow for an earlier maturity of the Bonds; that a Loan Agreement (the "Loan Agreement"), was entered into by the City and Crisis Center, and an Indenture and Assignment (the "Indenture") was entered into by the City, Crisis Center and Isabella Bank and Trust (the "Bank") containing all terms and provisions with respect to the Bonds. The Loan Agreement and the Indenture are referred to together as the Instruments.

Section 2. Authorization of the Amended Bonds. The City is hereby authorized, with the agreement of the registered owner, to amend the Bonds to lower the Initial Interest on the principal amount outstanding on the date of the amendment to 2.67% and to make such other changes as are required to reflect the amended Initial Interest Rate, which shall become the rate to maturity, and to revise the maturity date of the Bonds, together with any other amendments required by the Bank's offer to amend the interest rate on the Bonds. The Bonds as amended shall be referred to as the Amended Bonds. The terms of the Bonds, except as amended hereby, shall remain in full force and effect as stated in the Bonds as issued on November 30, 2000.

Section 3. Form of Statement of Amendment. The Authorized Officer (defined below) is authorized to cause a new bond certificate to be issued containing a Statement of Amendment. The Statement of Amendment shall be in substantially the form as set forth in Exhibit A, with such appropriate variations, omissions, insertions and provisions as are approved by the officers executing the Statement of Amendment.

Section 4. Limited Obligations. The Amended Bonds shall continue to be limited obligations of the City, and the provisions of Ordinance 849, the Instruments, and all other related documents with respect to payment of the Bonds and the security therefore shall continue in full force and effect.

Section 5. Execution of the Amended Bonds. The Amended Bonds shall be executed in the name and on behalf of the City by the signature of the Mayor or the Mayor Pro Tem and

countersigned by the City Clerk or the Deputy City Clerk. The Amended Bonds may have the corporate seal of the City impressed or reproduced thereon and shall be authenticated by the endorsement of the Bank.

Section 6. Approval of Amendments to the Instruments. The Mayor or the Mayor Pro Tem and the City Clerk, the Deputy Clerk or the City Treasurer, or any one or more of them (each an “Authorized Officer”), are hereby authorized and directed to execute, acknowledge and deliver such amendments to the Instruments and all other related documents in the name and on behalf of the City in such form as they shall approve, such approval being evidenced by their signature thereon, and to do any and all things necessary to effect the execution and delivery of such amendments to the Instruments; the performance of all obligations of the City under and pursuant to the Instruments, as amended; the execution, authentication and delivery of the Amended Bonds and the performance of all other acts of whatever nature necessary to effect and carry out the authority conferred by this ordinance and by the Instruments. Any officer or Commissioner is hereby further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this ordinance and by the Instruments, as amended or to evidence the said authority and its exercise.

Section 7. Qualified Tax-Exempt Obligations. The City does not reasonably anticipate that the amount of qualified tax-exempt obligations that will be issued by the City during the calendar year 2015 will exceed \$10,000,000. The City hereby authorizes any Authorized Officer to designate the Amended Bonds, as qualified tax-exempt obligations for purposes of Section 265(b)(3)(B) of the Code.

Section 8. Separable Provisions. The provisions of this ordinance are hereby declared to be separable, and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereof.

Section 9. Publication. This Ordinance shall be published in full, together with a summary, in a local newspaper of general circulation in the City at least one (1) time within ten (10) days after its adoption by the Commission.

Jim Holton, Mayor

Jeremy Howard, City Clerk

Introduced: June 8, 2015
Adopted: June 22, 2015
Published: June 29, 2015
Effective: July 21, 2015

EXHIBIT A

Statement of Amendment

The City of Mt. Pleasant Housing Development Revenue Bonds, Series 2000 (Crisis Center, Inc. Project) (the "Bonds") are hereby amended to lower the applicable Interest Rate on the principal amount of the Bonds outstanding on the date hereof to 2.67% per annum and the Maturity Date is amended as stated below.

Principal Amount Outstanding at Amendment

Amended Interest Rate

_____ Dollars (\$_____)

_____%

The third and fourth paragraphs of the Bond are also amended as follows to reflect the application of the Amended Interest Rate on the principal amount outstanding on the date of the amendment:

Payments of principal and interest shall be payable in the amount of \$_____ [subject to change depending on date of closing] on the first (1st) day of _____, 2015, and on the first (1st) day of each month thereafter (the "Payment Date"), to and including _____, _____, on which date the full amount of principal outstanding plus accrued interest shall be paid, except as the provisions hereinafter set forth with respect to redemption or acceleration prior to maturity may become applicable hereto.

This Bond shall bear interest at the rate of two and 67/100 percent (2.67%) per annum for a period of ten (10) years from the date of this Statement of Amendment until the final maturity of the Bond.

Except as provided above, the Bonds and all provisions thereof not otherwise affected by this Amendment are ratified and confirmed.

This Amendment is made this ____ day of _____, 2015.

CITY OF MOUNT PLEASANT

By: _____
James Holton
Its: Mayor

And: _____
Jeremy Howard
Its: Clerk

ISABELLA BANK AND TRUST

By: _____

Its: Vice President