

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION; AND OTHER MATTERS IN CONNECTION THEREWITH

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WHEREAS, on August 13, 2021, the Board of Trustees (the *Board*) of the Kilgore Independent School District (the *District*) ordered an election to be held on November 2, 2021 for the purpose of determining whether the resident, qualified voters of the District would authorize the issuance of general obligation bonds by the District; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the Board hereby canvasses the returns of this election, at which there were submitted to all resident, qualified voters of the District for their action thereupon, the following propositions:

PROPOSITION A

“Shall the Board of Trustees of the Kilgore Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$109,000,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities), and the purchase of the necessary sites for school facilities, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?”

PROPOSITION B

“Shall the Board of Trustees of the Kilgore Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$4,000,000 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping the R.E. St. John Memorial Stadium, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the

maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

and

WHEREAS, the Board has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to the Board by the judges and clerks holding and conducting such election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, this Board hereby finds that the following votes were cast in the election by voters who were resident, qualified voters of the District:

PROPOSITION A

"THE ISSUANCE OF \$109,000,000 OF BONDS BY THE KILGORE INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES AND THE NECESSARY SITES FOR SCHOOL FACILITIES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.

	<u>For</u>	<u>Against</u>
Early Votes	684	274
Mail Votes	24	13
Election Day Votes	426	381
TOTAL	1134	668

PROPOSITION B

"THE ISSUANCE OF \$4,000,000 OF BONDS BY THE KILGORE INDEPENDENT SCHOOL DISTRICT FOR THE R.E. ST. JOHN MEMORIAL STADIUM AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE."

	<u>For</u>	<u>Against</u>
Early Votes	618	338
Mail Votes	23	14
Election Day Votes	384	424
TOTAL	1025	776

NOW, THEREFORE,

IT IS ACCORDINGLY FOUND, DECLARED, AND RESOLVED BY
THE BOARD OF TRUSTEES OF
THE KILGORE INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Board officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language (to the extent required by law), that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified voters of the District were permitted to vote at the election, that due returns of the results of the election had been made and delivered, and that the Board has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the order calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the Kilgore Independent School District voting in such election, having voted FOR the authorization and issuance of \$109,000,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition A, the Board hereby finds and determines that Proposition A carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the Board is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in Proposition A and with law.

SECTION 3: A MAJORITY of the resident, qualified voters of the Kilgore Independent School District voting in such election, having voted FOR the authorization and issuance of \$4,000,000 bonds and the levy and pledge of the tax in payment thereof as provided in Proposition B, the Board hereby finds and determines that Proposition B carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the Board is hereby accordingly authorized to issue the bonds and to levy the tax in accordance with the authority granted in Proposition B and with law.

SECTION 4: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 5: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 6: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7: If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of

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

SECTION 8: It is officially found, determined, and declared that the meeting at which this Resolution 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 Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9: This Resolution shall be in force and effect from and after its final passage and it is so resolved.

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PASSED, ADOPTED, AND APPROVED on November 15, 2021, the date of the canvassing meeting.

KILGORE INDEPENDENT SCHOOL DISTRICT



President, Board of Trustees

ATTEST:



Secretary, Board of Trustees

(DISTRICT SEAL)