

CERTIFICATE FOR ORDER

**STATE OF TEXAS
COUNTY OF BRAZOS**

We, the undersigned members of the Commissioners Court of Brazos County, Texas (the "County"), hereby certify as follows:

1. The Commissioners Court of the County convened in REGULAR MEETING ON THE _____ DAY OF _____, 2023, at the regular meeting place thereof (the "Meeting"), and the roll was called of the duly constituted officers and members of the Commissioners Court, to-wit:

Duane Peters	County Judge
Steve Aldrich	Commissioner Pct. 1
Chuck Konderla	Commissioner Pct. 2
Nancy Berry	Commissioner Pct. 3
Wanda J. Watson	Commissioner Pct. 4

and all of the persons were present, except the following absentees: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

ORDER BY THE COMMISSIONERS COURT OF BRAZOS COUNTY,
TEXAS APPROVING A FINANCING BY THE OGLESBY CULTURAL
FACILITIES CORPORATION FOR THE BENEFIT OF HEART OF TEXAS
GOODWILL INDUSTRIES, INC.

was duly introduced for the consideration of the Commissioners Court. It was then duly moved and seconded that the Order be passed; and, after due discussion, said motion carrying with it the passage of the Order, prevailed and carried by the following vote:

AYES:

NOES:

ABSTENTIONS:

2. A true, full and correct copy of the Order passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Order has been duly recorded in the Commissioners Court's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Commissioners Court's minutes of the Meeting pertaining to the passage of the Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Commissioners Court as indicated therein; that each of the officers and members of the Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the Meeting, and that the Order would be introduced and considered for passage at the Meeting, and that the

Meeting was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, *Texas Government Code*.

3. The County Judge and County Clerk have duly signed the Order; and that the County Judge and County Clerk of the County hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of the Order for all purposes.

SIGNED as of the _____ day of _____, 2023.

County Clerk

County Judge

ORDER NO. _____

**AN ORDER OF THE COMMISSIONERS COURT OF BRAZOS COUNTY, TEXAS,
APPROVING THE ISSUANCE OF A TAX EXEMPT NOTE BY THE OGLESBY
CULTURAL FACILITIES CORPORATION FOR HEART OF TEXAS GOODWILL
INDUSTRIES, INC.; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Heart of Texas Goodwill Industries, Inc. ("Goodwill"), desires to finance or refinance the costs of comprehensive renovation and equipping of a Goodwill store and donation processing area in an approximately 15,000 square foot building to be located at the frontage road to 4101 State Highway 6 South, College Station, Texas 77845 (the "Project"), with the Project to be owned and operated by Goodwill; and

WHEREAS, Goodwill desires to finance the Project in part through the issuance of a tax exempt note (the "Note") to be issued by the Oglesby Cultural Facilities Corporation (the "Oglesby Corporation"), in an aggregate maximum principal amount not to exceed \$5,947,000, with the proceeds of such Note to be loaned to Goodwill for the Project; and

WHEREAS, Goodwill has requested Brazos County, Texas (the "County") to give its approval with regard to the issuance of the Note solely for the purpose of satisfying the requirements of Section 221.030(a)(1)(B) of the *Texas Health and Safety Code* (which requires the permission of the County for the Oglesby Corporation to exercise its powers for a project located within the County); and

WHEREAS, the County is willing to consider Goodwill's request that the Note may be issued; and

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BRAZOS COUNTY, TEXAS:

1. Solely for the purpose of granting the consent required by Section 221.030(a)(1)(B) of the *Texas Health and Safety Code*, the County hereby approves the Project and the issuance of the Note by the Oglesby Corporation to refinance, construct, and equip the Project as defined above. The owner and user of the Project shall be Heart of Texas Goodwill Industries, Inc. and the maximum principal amount of the Note shall be \$5,947,000.

2. This approval is given by the Commissioners Court of Brazos County, Texas solely to satisfy the requirements of Section 221.030(a)(1)(B) of the *Texas Health and Safety Code* and for no other purpose.

3. THIS ORDER IS PASSED BASED ON THE EXPRESS UNDERSTANDING AND REPRESENTATION BY GOODWILL THAT THE NOTE AND RELATED FINANCING DO NOT AND WILL NOT CONSTITUTE IN ANY WAY A LIABILITY OR OBLIGATION OF BRAZOS COUNTY, TEXAS IN ANY MANNER WHATSOEVER, AND THAT BRAZOS COUNTY, TEXAS SHALL HAVE NO LIABILITY WHATSOEVER FOR THE NOTE OR THE PROJECT.

4. That it is officially found and determined that the meeting at which this Order is passed is open to the public as required by law and that notice of the time, place and subject matter of this meeting has been given in the manner required by law.

5. That this Order is effective immediately upon adoption.

PASSED AND APPROVED this _____ day of _____, 2023.

County Judge
Brazos County, Texas

ATTEST:

County Clerk
Brazos County, Texas