

RESOLUTION NO. 2004-07

of the

ARKANSAS SOIL AND WATER CONSERVATION COMMISSION

RESOLUTION APPROVING THE REDEMPTION OF THE STATE OF ARKANSAS WATER RESOURCES DEVELOPMENT GENERAL OBLIGATION BONDS, SERIES 1995A; AUTHORIZING THE EXECUTIVE DIRECTOR OR CHAIRMAN TO TAKE SUCH ACTION AS NECESSARY TO ACCOMPLISH THE REDEMPTION OF SUCH BONDS; AND PROVIDING FOR OTHER MATTERS PERTAINING THERETO.

WHEREAS, there is outstanding an issue of State of Arkansas Water Resources Development General Obligation Bonds, Series 1995A (the "1995A Water Bonds"); and

WHEREAS, there is outstanding an issue of State of Arkansas Water Resources Development General Obligation Bonds, Series 1995B (the "1995B Water Bonds"); and

WHEREAS, there is outstanding an issue of State of Arkansas Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, Refunding Series 2002A, which refunded the State of Arkansas Water Resources Development General Obligation Bonds, Series 1997A (the "1997A Water Bonds"); and

WHEREAS, there is outstanding an issue of State of Arkansas Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, Refunding Series 2002D, which refunded the State of Arkansas Water Resources Development General Obligation Refunding Bonds, Series 1996A (the "1996A Water Bonds"); and

WHEREAS, there is outstanding an issue of State of Arkansas Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, Refunding Series 2002H, which refunded a portion of the State of Arkansas Water Resources Development General Obligation Bonds, Series 1997B (the "1997B Water Bonds"); and

WHEREAS, there is outstanding an issue of State of Arkansas Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, Refunding Series 2002I, which refunded a portion of the 1997B Water Bonds; and

WHEREAS, there is outstanding an issue of State of Arkansas Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, Refunding Series

2003A, which refunded a portion of the State of Arkansas Water Resources Development General Obligation Bonds, Series 1998 (the "1998 Water Bonds"); and

WHEREAS, there is outstanding an issue of State of Arkansas Water, Waste Disposal and Pollution Abatement Facilities General Obligation Bonds, Refunding Series 2003B, which refunded a portion of the 1998 Water Bonds; and

WHEREAS, the 1995A Water Bonds, the 1995B Water Bonds, the 1996A Water Bonds, the 1997A Water Bonds, the 1997B Water Bonds and the 1998 Water Bonds are collectively referred to herein as the "Prior Bonds"; and

WHEREAS, the water resources projects to be constructed, acquired, developed, installed and equipped with the proceeds of the Prior Bonds have been completed; and

WHEREAS, there remain moneys in the respective Construction Funds for each series of the Prior Bonds (the "Excess Funds"); and

WHEREAS, it is in the best interest of the Arkansas Soil and Water Conservation Commission and the State of Arkansas to expend the Excess Funds for the purpose of redeeming the 1995A Water Bonds prior to maturity;

NOW, THEREFORE, BE IT RESOLVED BY THE ARKANSAS SOIL AND WATER CONSERVATION COMMISSION AS FOLLOWS:

1. The Excess Funds shall be used, to the extent necessary, to redeem the 1995A Water Bonds on January 1, 2005. Any Excess Funds remaining after the redemption of the 1995A Water Bonds shall remain in the respective Construction Fund for each series of the Prior Bonds and shall be used, on the next available redemption date, to redeem a portion of the Prior Bonds then available for redemption.

2. The Chairman and Executive Director, or any one or more of them, are hereby authorized to take such action as is, in their judgment, necessary or appropriate in order to accomplish the intent of this Resolution, including particularly, without limitation, providing written notice to the registrar of the 1995A Water Bonds of the election to redeem such bonds.

RESOLUTION ADOPTED: November 4, 2004.

ARKANSAS SOIL AND WATER
CONSERVATION COMMISSION

ATTEST:

By _____
Alec Farmer
Chairman

J. Randy Young, P.E.
Executive Director and Secretary

(SEAL)