

## CERTIFICATE FOR RESOLUTION

We, the undersigned officers of Fort Bend County, Texas (the "County"), hereby certify as follows:

The Commissioner's Court (the "Court") of the County convened in regular session, open to the public, on April 25, 2023 "Meeting"), at the Fort Bend County Courthouse, Richmond, Texas, and the roll was called of the members of the Court, to-wit:

KP George, County Judge  
Vincent Morales, Jr., Commissioner, Precinct 1  
Grady Prestage, Commissioner, Precinct 2  
Andy Meyers, Commissioner, Precinct 3  
Dexter L. McCoy, Commissioner, Precinct 4

All members of the Court were present, except the following: \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:  
A written

RESOLUTION APPROVING  
THE ISSUANCE OF TAX EXEMPT OBLIGATIONS TO FINANCE  
PROJECTS FOR DIVINE SAVIOR ACADEMY – SIENNA PLANTATION, INC.

(the "Resolution") was duly moved and seconded and, after due discussion, said motion, carrying with it the adoption of such Resolution, prevailed and carried by the following votes:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_

A true, full, and correct copy of the Resolution is attached to and follows this Certificate; the Resolution has been duly recorded in the Court's minutes of the Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Court's minutes of the Meeting pertaining to the adoption of the Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting members of the Court; each of the members of the Court was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting, and that the Resolution would be introduced and considered for the adoption at the Meeting; each of such members consented, in advance, to holding of the Meeting for such purpose; and 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, as amended.

SIGNED AND SEALED this \_\_\_\_\_

\_\_\_\_\_  
Laura Richard, County Clerk  
Fort Bend County, Texas

\_\_\_\_\_  
KP George, County Judge  
Fort Bend County, Texas

(SEAL)

**RESOLUTION APPROVING  
THE ISSUANCE OF TAX EXEMPT OBLIGATIONS TO FINANCE  
PROJECTS FOR DIVINE SAVIOR ACADEMY – SIENNA PLANTATION, INC.**

WHEREAS, pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (hereinafter referred to as the “Code”), after reasonable public notice (the “Notice”), (a copy of which is attached here to as Exhibit A and incorporated herein by reference), a public hearing has been conducted on the issuance of tax exempt obligations of the Newark Cultural Education Facilities Finance Corporation in one or more series in an aggregate maximum principal amount of \$26,000,000 (hereinafter referred to as the “Obligations”), the interest on which is intended to be excluded from gross income for federal income tax purposes, to (a) finance the costs of certain capital improvements described in the Notice (hereinafter referred to as the “County Project”) located in Fort Bend County, Texas (the “County”), which is owned and operated by Divine Savior Academy – Sienna Plantation, Inc., a non-profit kindergarten through 12<sup>th</sup> grade school and (b) pay certain expenses in connection with the issuance of the Obligations;

WHEREAS, the approval of the Obligations and the County Project by the Commissioners Court of the County is a condition to the exclusion of interest on the Obligations from the gross income of the owners thereof for federal income tax purposes and, consequently, is necessary to finance the County Project at the favorable interest rates which are currently borne by tax-exempt obligations;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, THAT:

SECTION 1. The County Project and the issuance of the Obligations in one or more series in an aggregate maximum principal amount of \$26,000,000 are hereby approved pursuant to section 147(f) of the Code.

SECTION 2 The approval herein granted is solely for purposes of section 147(f) of the Code and shall not be construed as a representation, warranty, or other undertaking of any kind by the County in respect to the Obligations or the County Project. The Obligations shall not constitute obligations of the State of Texas, the County, or any other political subdivision or agency thereof, or a pledge of the faith and credit of any of them. Neither the State of Texas nor any political subdivision or agency thereof, including the County, shall be obligated to pay the Obligations or the interest thereon. Neither the faith and credit nor the taxing power of the State of Texas, the County or any other political subdivision or agency thereof shall be pledged to the payment of principal of, redemption premium, if any, or interest on the Bonds.

SECTION 3. The County Judge, the County Commissioners, and the County Clerk and other officers of the County, or any of them, are hereby authorized to execute and delivery such endorsements, certificates, instruments, documents, or other papers and do all other things necessary or advisable to give effect to the intent and purpose hereof.

PASSED AND APPROVED this 25<sup>th</sup> day of April, 2023.

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KP George, County Judge

ATTEST:

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Laura Richard, County Clerk

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Vincent Morales  
Commissioner Precinct 1

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Grady Prestage  
Commissioner Precinct 2

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Andy Meyers  
Commissioner Precinct 3

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Dexter L. McCoy  
Commissioner Precinct 4

Attachment

## EXHIBIT A

### **NOTICE OF PUBLIC HEARING**

The public is hereby notified that a public hearing will be held on April 11, 2023 at 10:00 a.m. at the Divine Savior Academy, Sienna Plantation Campus, 770 Waters Lake Blvd., Missouri City, Texas 77459, to consider the approval of a tax exempt financing by the Newark Cultural Education Facilities Finance Corporation (the “Corporation”) of a project to be owned by Divine Savior Academy – Sienna Plantation Inc. (the “School”). The financing will be in a maximum principal amount not to exceed \$26,000,000.

The proceeds of the financing will be used to finance the construction of additional education facilities the School’s existing campus located at 770 Waters Lake Blvd., Missouri City, Texas 77459 (the “School Campus Site”) including approximately 65,000 square feet of new classroom, gymnasium, performing arts, administration and cafeteria space, all to be located on the School Campus Site (collectively the “Project”). A portion of the proceeds of the financing will be used to pay certain expenses in connection with the issuance of the financing. The obligation to repay this financing is solely that of the School. The Project is, or will be, owned and operated by the School.

THE FINANCING IS SOLELY THE OBLIGATION OF THE SCHOOL AND NOT AN OBLIGATION OR DEBT IN ANY WAY OF FORT BEND COUNTY, TEXAS, THE CITY OF NEWARK, TEXAS, THE CORPORATION OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE OF TEXAS WHATSOEVER.

The public is invited to attend this hearing. Interested persons are invited to submit written comments prior to the hearing to Andrew Clark, Naman Howell Smith & Lee, PLLC, 8310 n. Capital of Texas Hwy, Suite 490, Austin, Texas 78731.