

Next Judge Dawson Moved that President Garrett be elected as President of the College for another four years at a salary of \$5000.00 a year beginning September 1, 1945. Mr. Borrone Seconded the motion and it was unanimously passed. The vote was as follows: Superintendent Williams, yes; Judge Rodes, yes; Mr. Borrone, yes; Judge Dawson, yes.

Motion to adjourn was then made and unanimously passed.

Matthew D. Williams

Secretary

Chairman

Minutes of Board Meeting

May 22, 1945

Owensboro, Kentucky

A called meeting of the Board of Regents was held at the New Owensboro Hotel, Owensboro, Kentucky, on Tuesday, May 22, at nine-thirty p.m. Present: Chairman John Fred Williams, Judge Clarence Bartlett, Judge John B. Rodes, and Mr. B. J. Borrone. Judge Charles I. Dawson acknowledged notice of the meeting by telephone to President Garrett and asked to be excused because of business in Louisville. The meeting was called to order by Chairman John Fred Williams. It was moved by Mr. Borrone with a second by Judge Rodes that President Garrett be made secretary of the meeting. Motion passed unanimously.

Motion made by Mr. Borrone with a second by Judge Rodes that the minutes of the Board meeting of April 20, 1945, be approved. Motion carried unanimously.

President Garrett read a letter from Bankers Bond of Louisville, Kentucky, submitting a proposition for the refunding of the outstanding Teachers College Building Revenue Bonds in the principal amount of two hundred forty thousand dollars (\$240,000) as follows:

May 18, 1945

Board of Regents

Western State Teachers College,
Bowling Green, Kentucky.

Gentlemen:

According to our records you have outstanding Teachers College Building Revenue Bonds in the principal amount of

\$240,000, bearing interest at 3% and maturing January 1, 1946, to January 1, 1963, inclusive. These bonds are callable on any interest payment date after thirty days prior published notice at 102-1/2.

If your Board of Regents acts promptly these bonds can be refunded on the next interest payment date, July 1st, at a very substantial savings in interest. Publishing of the call notice, if the bonds are to be refunded as of July 1st, must be made not later than June 1st. Accordingly, the following proposal is made for your prompt consideration.

We will cause to be prepared an issue of \$240,000 WESTERN STATE TEACHERS COLLEGE BUILDING REVENUE BONDS to be dated July 1, 1945, authorized in the amount of \$240,000, bearing interest at not to exceed 2% and maturing as the now outstanding building revenue bonds mature, or if any change in the schedule of maturities is desirable same will be changed to meet the requirements of the College. Our only requirement being that the final maturity date shall not exceed January 1, 1963.

The new issue of bonds will be callable as follows:

To January 1, 1950 at 103; thereafter to January 1, 1955 at 102; thereafter to January 1, 1960 at 101; thereafter at par on thirty days published notice of call prior to their redemption date. Bonds to be called unless called in whole in their inverse numerical order.

This issue of bonds will be publicly advertised for sale as soon after June 1st as is possible in compliance with the laws of Kentucky, and it will be provided in such advertised notice of sale that each bidder shall have the right to name his own coupon rate in multiples of 1/8 of 1%, and thus if it is possible to secure a lower interest rate than the 2% herein provided for the school will receive the benefit of that lower interest rate. No bid of less than 103 will be considered.

The Bankers Bond Company and associate dealers will pay all of the expenses in connection with the call of the outstanding bonds, and the issuance and sale of the new bonds, except the call premium. These expenses to include publishing call notices, publishing of notice of sale for the new issue, preparation of the transcript for the new bonds, publishing and printing of the new bonds, and the final legal approving opinion of bond counsel. We will guarantee to bid at the public sale a price of not less than 103 for bonds bearing a coupon rate of not more than 2%, and when the bonds have been sold and delivered to the successful bidder, whether or not we are the successful bidder, we are to be paid a sum equal to 3% of the face amount of the bonds so sold in compensation to us for expenses incurred, risks taken and services rendered.

The new outstanding bonds have an average life of approximately 10-1/3 years. The interest saving that will be affected by this refunding under the guaranteed bid amounts to \$2,400 per year, which over the life of the bonds amounts to approximately \$25,000. It will cost a premium of 2-1/2% of the face amount of the now outstanding bonds to call in the old issue, which call premium amounts to \$6,000. Thus, the net interest savings to be affected by this refinancing amounts to approximately \$19,000 under the guarantees herein made.

We trust that your Board of Regents will see fit to take action on this proposal in time to make the call of the now outstanding bonds on or before the dead line, which is June 1st.

Respectfully submitted for your consideration.

Very truly yours,

Wood Hannah

Mr. Wood Hannah of Bankers Bond then discussed this offer and a general discussion of members of the Board followed. After discussion, a motion was made by Judge Rodes with a second by Judge Bartlett that the refunding plan as proposed be accepted. The payments on the principal amount of the bonds to be according to the following schedules:

January 1946	\$5,000
" 1947	11,000
" 1948	11,000
" 1949	12,000
" 1950	13,000
" 1951	13,000
" 1952	14,000
" 1953	14,000
" 1954	14,000
" 1955	15,000
" 1956	14,000
" 1957	14,000
" 1958	15,000
" 1959	15,000
" 1960	15,000
" 1961	15,000
" 1962	15,000
" 1963	15,000

\$240,000

The vote was as follows: Judge Bartlett, Aye; Judge Rodas, Aye; Mr. Borrone, Aye; and Chairman Williams, Aye. The Chairman then declared the motion carried.

The following Resolution was then read:

Resolution calling for redemption of \$240,000 Building Revenue Bonds of 1940 of the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky

WHEREAS there are now outstanding the Building Revenue Bonds of 1940 of this Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, in the amount of \$240,000, being a portion of an issue of \$280,000, dated January 1, 1940, maturing serially on January 1 of each of the years 1946 to 1963 inclusive, bearing interest at the rate of three per cent per annum, payable semi-annually, which bonds by their terms are optional for redemption as of July 1, 1945, on notice; and

WHEREAS this Board of Regents deems it advisable that all of said bonds be called for redemption as of July 1, 1945, in order that same may be retired and refunded in the manner required by law, and in order to effect such redemption it is necessary that notice thereof be given;

NOW, THEREFORE, Be It and It Is Hereby Resolved and Ordered by the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, as follows:

1. That the outstanding Building Revenue Bonds of 1940 of the Board of Regents of Western Kentucky State Teachers College, at Bowling Green, Kentucky, in the amount of \$240,000, as referred to and described in the preamble hereto, are hereby called for redemption as of July 1, 1945.

2. That the Secretary and Treasurer of the Board of Regents be and they are hereby ordered and directed to cause a notice of redemption in substantially the following form to be published at least once in the Louisville "Courier-Journal", a newspaper printed and published and having general circulation in the city of Louisville and the Commonwealth of Kentucky this publication to be at least thirty days prior to the redemption date.

NOTICE OF BOND REDEMPTION

Public notice is hereby given that the Board of Regents of Western Kentucky State Teachers College at Bowling Green,

Kentucky, has called for redemption as of July 1, 1945, all of its outstanding Building Revenue Refunding bonds dated January 1, 1940, bearing interest at the rate of 3% per annum, of the denomination of \$1,000 and numbered from 41 to 280 inclusive.

All holders of any of said bonds are hereby notified and directed to present same at one of the places of payment designated therein as of July 1, 1945, and that all bonds not so presented will cease to bear interest on and after July 1, 1945.

This notice is given by order of said Board of Regents under date of May 29, 1945.

Western Kentucky State Teachers College
Board of Regents

Miss Mattie M. McLean, Secretary

It was moved by Judge Bartlett with a second by Mr. Borrone that the above Resolution be adopted. The vote was as follows:

Aye: Judge Bartlett, Judge Rodas, Mr. Borrone, Chairman Williams
Nay: None

The Chairman then declared the resolution duly adopted.

Judge Rodas then introduced and caused to be read a proposed resolution entitled, "A Resolution providing for the issuance, sale, and delivery of \$240,000 Building Revenue Refunding Bonds of 1945 of the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky." Judge Rodas moved the adoption of the Resolution, Mr. Borrone seconded the motion for the adoption of said Resolution and the Chairman having put the question, the roll was called and the vote was as follows:

Aye: Mr. Borrone, Judge Rodas, Judge Bartlett, Chairman Williams
Nay: None

Whereupon the Chairman declared said Resolution duly adopted. The Resolution follows:

RESOLUTION providing for the issuance, sale and delivery of \$240,000 Building Revenue Refunding Bonds of 1945 of the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky.

WHEREAS the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, now has out-

standing its Building Revenue Refunding Bonds in the aggregate principal sum of Two Hundred Forty Thousand Dollars (\$240,000), dated January 1, 1940, of the denomination of \$1,000, numbered consecutively from 41 to 280, inclusive, and bearing interest at the rate of three per cent (3%) per annum, which bonds are payable from and secured by the revenues from the operation of a class room and laboratory building at the College which is required and used by said College for educational purposes; and

WHEREAS said presently outstanding bonds are to be presented for redemption as of July 1, 1945 and, there being no funds available as of that date for the retirement of said bonds to the amount of \$240,000, said bonds may be refunded by the issuance of a like amount of Building Revenue Refunding Bonds of 1945 bearing a less rate of interest; and

WHEREAS interest has been paid on said bonds promptly when due and none of said bonds has ever been adjudicated to be invalid and no litigation is pending or threatened involving the validity of any of said bonds, and said bonds are in such form and of such character that they can be legally refunded in the manner hereinafter provided;

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Regents of Western State Teachers College at Bowling Green, Kentucky, as follows:

Section 1. That for the purpose of refunding the bonds of said Board of Regents in the amount of \$240,000, referred to in the preamble of this resolution, there be issued the Building Revenue Refunding Bonds of 1945 of said Board of Regents, in the sum of \$240,000, dated July 1, 1945, number 1 to 240, inclusive, of the denomination of \$1,000 each, and subject to right of prior redemption as hereinafter provided, maturing serially and in numerical order on January 1 of the respective years as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1946	\$ 5,000	1955	\$15,000
1947	11,000	1956	14,000
1948	11,000	1957	14,000
1949	12,000	1958	15,000
1950	13,000	1959	15,000
1951	13,000	1960	15,000
1952	14,000	1961	15,000
1953	14,000	1962	15,000
1954	14,000	1963	15,000

All of said bonds at any time outstanding shall be redeemable in whole, or in part in the inverse order of their numbering, prior to maturity on any interest payment date, and in the event of such redemption additional interest will be paid as to any such bonds at the time of such redemption equal to three per cent of the principal amount thereof if called for redemption on or before January 1, 1950; two per cent of the principal amount thereof if called for redemption thereafter and on or before January 1, 1955; one per cent of the principal amount thereof if called for redemption thereafter and on or before January 1, 1960; and without payment of any such additional interest if called for redemption after January 1, 1960. All bonds called for redemption as aforesaid shall cease to bear interest as of the redemption date, provided notice specifying by number the bonds to be redeemed shall have been on file at the places of payment of the principal and interest at least thirty days prior thereto, and provided also that such notice shall have been published at least once not less than thirty days prior to the redemption date in a newspaper having general circulation in Kentucky. That said bonds bear interest at the coupon rate specified in the accepted bid and in no event in excess of two per cent (2%) per annum, payable semi-annually on the first days of January and July in each year, and that such bonds be payable in lawful money of the United States of America at the office of the Treasurer of said Board of Regents in the City of Bowling Green, Kentucky, or at the option of the respective bondholders at the Chemical Bank and Trust Company in the City and State of New York. That said bonds be signed by the Chairman of this Board of Regents, countersigned by the President of the College and attested by the Secretary of said Board of Regents, and that the corporate seal of said Board be affixed to each of said bonds. That the interest accruing upon said bonds at the coupon rate aforesaid be evidenced by coupons thereto attached, and that such coupons be signed by said Chairman and Secretary of said Board of Regents by their facsimile signatures and said officials, by the execution of said bonds, shall adopt as and for their own proper signatures their respective facsimile signatures appearing upon each of said coupons. Both principal and interest aforesaid shall be payable from and secured by a sufficient portion of the income and revenue to be derived from classroom and laboratory building securing the bonds herein authorized to be refunded, which is hereby pledged and hereinafter provided to be set aside as a special fund for that purpose, and identified as the "Building Revenue Refunding Bond and Interest Redemption Fund," and none of said bonds shall constitute or be considered a debt for which the full faith and credit of said Board of Regents or of the Commonwealth of Kentucky is pledged.

Section 2. That each of said bonds be subject to registration as to principal in the name of the holder on the books of

the Treasurer of said Board of Regents, such registration being noted upon each bond so registered, and after such registration payment of the principal thereof shall be made only to the registered holder. Any bonds so registered, upon the request in writing of such holder, personally or by attorney in fact, may be transferred either to a designated transferee or to bearer, and the principal of any bonds so transferred and registered to bearer shall thereupon be and become payable to bearer in like manner as if such bond had never been registered. Registration of any bonds as to principal shall not restrain the negotiability of the coupons thereto attached by delivery merely.

Section 3. That said bonds, coupons and provisions for registration be in substantially the following forms:

(Form of Bond)

UNITED STATES OF AMERICA

COMMONWEALTH OF KENTUCKY

BOARD OF REGENTS OF WESTERN KENTUCKY STATE TEACHERS COLLEGE

BUILDING REVENUE REFUNDING BOND

OF 1945

No. _____

\$1,000

KNOW ALL MEN BY THESE PRESENTS: That the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, for value received, promises to pay to bearer, or if this bond be registered as to principal, to the registered holder hereof, as hereinafter stated, the sum of One Thousand Dollars (\$1,000) on the first day of January, 19__, and interest on said sum from the date hereof until paid at the rate of ____ per cent () per annum, payable semi-annually on the first days of January and July in each year, such interest to the maturity of this bond to be paid only on presentation and surrender of the interest coupons hereto attached as they severally mature. Both principal and interest of this bond are payable in lawful money of the United States of America at the office of the Treasurer of said Board of Regents in the City of Bowling Green, Kentucky, or at the option of the holder hereof at the principal office of the Chemical Bank and Trust Company in the City and State of New York.

The bonds of the series of which this bond is one, at any time outstanding, are redeemable in whole, or in part in the inverse order of their numbering prior to maturity

on any interest payment date, and in the event of such redemption additional interest will be paid to the holder or holders of such bonds upon surrender thereof in an amount equal to three per cent (3%) of the principal amount thereof if called for redemption on or before January 1, 1950; two per cent (2%) of the principal amount thereof if called for redemption thereafter and on or before January 1, 1955; one per cent (1%) of the principal amount thereof if called for redemption thereafter and on or before January 1, 1960; and without payment of any such additional interest if called for redemption after January 1, 1960. All bonds called for redemption as aforesaid shall cease to bear interest as of the redemption date, provided notice specifying by number the bonds to be redeemed shall have been on file at the places of payment of the principal and interest at least thirty days prior thereto, and provided also that such notice shall have been published at least once not less than thirty days prior to the redemption date in a newspaper having general circulation in Kentucky.

This bond is issued for the purpose of refunding and retiring a like amount of the outstanding Building Revenue Refunding Bonds of said Board heretofore issued under date of January 1, 1940, for the purpose of refunding and retiring a like amount of Building Revenue Bonds of 1936 theretofore issued for erecting a classroom and laboratory building for use in connection with said Western Kentucky State Teachers College, under and in full compliance with the Constitution and Statutes of Kentucky, including, among others, Section 162.350 to 162.380, inclusive, of the Kentucky Revised Statutes, 1942.

This bond is payable only from a fixed amount of the gross income and revenues to be derived from said building which will be set aside as a special fund and pledged for that purpose and identified as the "Building Revenue Refunding Bond and Interest Redemption Fund," and this bond does not constitute an indebtedness of the said Board of Regents nor of said College, nor of the Commonwealth of Kentucky within the meaning of any constitutional provisions or limitations.

A statutory mortgage lien, which is hereby recognized as valid and binding on said building, is created and granted to and in favor of the holder or holders of this bond and the series of which it is a part, and in favor of the holder or holders of the coupons attached thereto, and said building shall remain subject to such statutory mortgage lien until the payment in full of the principal of and interest on this bond and the series of which it is a part.

This bond is fully negotiable but may be registered as to principal only on the books of the Treasurer of the Board

of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, such registration to be evidenced by notation thereof on the reverse hereof by said Treasurer, after which no transfer of this bond shall be valid unless made on said books by the registered owner in person or by attorney and similarly noted on the reverse hereof. But this bond may be discharged from registry by being registered to bearer and thereafter transferability by delivery shall be restored. Registration of this bond as aforesaid shall not affect the negotiability of the coupons appurtenant hereto, which shall continue to be transferable by delivery merely and shall remain payable to bearer.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this bond and the series of which it is a part, and precedent to and in the issuance of the bonds refunded thereby, exist, have happened and have been performed in due time, form and manner as required by law, and the amount of this bond, together with all other obligations of said Western Kentucky State Teachers College and its Board of Regents does not exceed any limit prescribed by the Constitution or Statutes of Kentucky; that said building will be continuously operated by said Western Kentucky State Teachers College, and that a sufficient portion of the gross income and revenue of said building has been pledged to and will be set aside into a special account in its treasury for the payment of the principal of and the interest on this bond and the series of which it is a part, as the same will respectively become due.

IN WITNESS WHEREOF, the Board of Regents of Western Kentucky State Teachers College has caused this bond to be signed by its Chairman, and its corporate seal to be hereunto affixed, countersigned by the President of said College and attested by the Secretary of said Board of Regents, and the coupons hereto attached to be executed with the facsimile signatures of the said Chairman and said Secretary, all as of the First day of July, 1945.

Chairman, Board of Regents

President, Western Kentucky
State Teachers College

Attest:

Secretary, Board of Regents.

(Form of Coupon)

No. _____

\$ _____

On the first day of _____, 19____, the Board of Regents of Western Kentucky State Teachers College will pay to bearer _____ Dollars (\$_____) out of its "Building Revenue Refunding Bond and Interest Redemption Fund," at the office of the Treasurer of said Board in Bowling Green, Kentucky, or, at the option of the holder, at the principal office of the Chemical Bank and Trust Company in the City of New York, New York, as provided in and for interest then due on its Building Revenue Refunding Bonds of 1945, dated July 1, 1945, Number _____.

Chairman, Board of Regents_____
Secretary, Board of Regents

(Form for Registration to be printed on the
back of each bond)

Date of Registration	Name of Registered Holder	Signature of Treasurer of Board of Regents
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:

Section 4. That the bonds hereby authorized be executed as herein provided and be thereupon deposited with the Treasurer of said Board of Regents for delivery as of July 1, 1945, to the successful bidder therefor. The proceeds from said bonds shall be converted into a special fund to be used only for the purpose of paying and retiring a like principal amount of the bonds hereby ordered and authorized to be refunded. Said special fund shall be constituted a special deposit with the bank or banks whereat the principal of the bonds to be refunded are by their terms payable.

Section 5. That the provisions, covenants, undertakings, and stipulations for the use and operation of said classroom and laboratory and for the collection and application of revenues

and income therefrom, as set forth in the resolution adopted on November 28, 1939, pursuant to which bonds herein authorized to be refunded were issued, shall inure and appertain to the bonds hereby authorized, to the same extent and with like force and effect as if herein set out in full, except only in so far as same may be inconsistent with this resolution. The provisions in and by said resolution whereby there has been created and there is to be maintained a special fund to be known as the "Building Revenue Refunding Bond and Interest Redemption Fund," and into which there is to be set aside and paid a sufficient portion of the revenue of the classroom and laboratory building for the payment of interest on and principal of the bonds herein provided to be refunded, are hereby in all respects ratified and confirmed, and all such provisions and all sums remaining therein when the refinancing hereby contemplated has been completed shall inure to and constitute the security for the payment of the interest on and the principal of the bonds hereby authorized, except however, that the computations to be made on a fiscal year basis commencing January 1 of each year and ending on December 31 of the next succeeding year and the amounts to be set aside and paid into said fund in equal monthly installments shall be based upon the bonds hereby authorized and after the issuance of the bonds hereby authorized said special fund shall be used and applied, and is hereby pledged to the payment of the interest on and principal of the bonds herein authorized, and to accumulate a reasonable reserve in said fund for that purpose. The minimum annual amounts to be so set aside into said special fund during each fiscal year commencing July 1, 1945, in order to pay the interest on and the principal of all of the bonds hereby authorized are hereby determined and fixed to be as follows:

<u>During the year</u> <u>ending December 31, Amount</u>		<u>During the year</u> <u>ending December 31, Amount</u>	
1945	\$ 7,400	1954	\$16,640
1946	15,700	1955	16,360
1947	15,480	1956	16,080
1948	16,260	1957	16,800
1949	17,020	1958	16,500
1950	17,760	1959	16,200
1951	17,480	1960	15,900
1952	17,200	1961	15,600
1953	16,920	1962	15,300

That exclusive of the amounts required to be set aside and applied as hereinbefore provided to the payment of the principal of and interest on the bonds hereby authorized the balance of the revenues from said classroom and laboratory building shall be used to pay the reasonably necessary cost of operating and maintaining said building or to purchase or retire bonds which by their terms are payable from such revenues.

The amount by which any such payment in any fiscal year exceeds the aggregate amount of interest on and principal of said bonds becoming due in such year shall be held in said Bond Fund as a reserve for contingencies and used solely as herein provided; provided, however, that no further payments need be made into said Bond Fund after such amount of the bonds shall have been retired so that the amount then held in the Bond Fund, including the reserve for contingencies, is equal to the entire amount of the principal and interest that will be payable at and prior to the time of redemption of all of the bonds then remaining outstanding.

If for any reason the Board shall fail to make any such payments into such Bond Fund as aforesaid during any fiscal year any sums then held as a reserve for contingencies shall be used for the payment of any portion of the interest on or principal of said bonds becoming due in such fiscal year, on which bonds there would otherwise be default, but such reserve shall be reimbursed therefor from the first available payments made into the Bond Fund in the following year or years in excess of the required payment for the then current fiscal year.

All monies held in the Bond Fund or as a reserve for contingencies shall be deposited in a bank which is a member of the Federal Reserve System and of the Federal Deposit Insurance Corporation; the monies held as reserve for contingencies may be invested in direct obligations of the United States of America; provided, however, that the Board shall make a sale of a sufficient amount of such obligations in the event that it shall prove necessary to draw upon said reserve.

The payments hereinabove provided into said Bond Fund shall be made in equal monthly installments on the first day of each month, except when the first day of any month shall come on Sunday or a legal holiday, in which event such payment shall be made on the next succeeding secular day and the balance then remaining shall be set aside for the operation and maintenance, as hereinafter provided.

The Bond Fund hereinabove created and described shall be used solely and only for the purpose of paying principal of and interest on the bonds herein authorized to be issued, and is hereby irrevocably pledged for that purpose and shall be used for no other purpose whatsoever.

Section 6. While the bonds authorized hereunder, or any of them remain outstanding and unpaid, the rents and charges for all services rendered by said building to the Western Kentucky State Teachers College and fees charged to its students shall be reasonable and just, taking into account and consideration the cost and value of said building, the cost of maintaining and operating the same, the amounts

necessary for the retirement of all bonds and the accruing interest on all such bonds as may be sold and are unpaid under the provisions of this resolution, and there shall be charged against said College such amounts for services rendered by the building as shall be adequate, together with fees to be charged to students to meet the requirements of this and the preceding sections hereof.

Section 7. The Board of Regents of the Western Kentucky State Teachers College hereby covenants and agrees with the holder or holders of the bonds hereby authorized to be issued, or any of them, that it will faithfully and punctually perform all duties with reference to said building required by the Constitution and Laws of the Commonwealth of Kentucky, including the charging and collection from the College and its students of reasonable and sufficient amounts for services rendered by said building and the application of the respective funds created by this resolution.

The Board hereby irrevocably covenants, binds and obligates itself not to sell, lease, mortgage or in any manner dispose of said building, except by the mortgage provided for in Section 8 hereof, until all of the bonds herein authorized to be issued shall have been paid in full, both principal and interest.

The Board further covenants and agrees with the holders of said bonds to maintain in good condition and continuously to operate said building so long as the principal of or interest on any of the bonds herein authorized remain outstanding and unpaid and to charge and collect from the College reasonable and sufficient amounts as rent for services rendered by the building to the College in furnishing to it laboratory and other educational facilities, and to charge and collect reasonable and sufficient fees from each student of the College for services rendered by the building to such students, which fees shall be in addition to all other fees charged by the College to such students. The aforesaid rents and fees shall be sufficient at all times to maintain the Bond Fund and the Operation and Maintenance Fund as required by this and the preceding sections of this resolution.

Section 8. That for the further protection of the holders of the bonds herein authorized to be issued and the coupons thereto attached, a statutory mortgage lien upon said building and all properties connected therewith and belonging thereto is granted and created by Sections 162.350 and 162.200 of the Kentucky Revised Statutes, 1942, which said statutory mortgage lien is hereby recognized and declared to be valid and binding upon the Board and all the property constituting the building, as provided by law, and shall take effect immediately upon the delivery of any bonds authorized to be issued under the provisions of this resolution. Any holder of said bonds or of

any of the coupons may, either at law or in equity, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties required by said act, including the payment by the College of sufficient rents and student fees and segregation of the income and revenues and the application thereof.

If there be any default in the payment of the principal of or interest on any of said bonds, then upon the filing of suit by any holder of said bonds or any of the coupons any court having jurisdiction of the action may appoint a receiver to administer said building on behalf of the Board with power to charge and collect a sum sufficient to provide for the payment of any bonds or obligations outstanding against said building and for the payment of the operating expenses, and to apply the income and revenues in conformity with this resolution and the provisions of said laws of Kentucky aforesaid.

Section 9. The bonds authorized to be issued hereunder and from time to time outstanding shall not be entitled to priority, one over the other, in the application of the revenues of said building, or with respect to the statutory mortgage lien securing their payment, regardless of the time or times of their issuance, it being the intention of the Board that there shall be no priority among the bonds authorized to be issued under the provisions of this resolution, regardless of the fact that they may be actually issued and delivered at different times.

Section 10. While any of the bonds herein authorized are outstanding the Board shall not issue any additional bonds payable from the revenues of said building unless the lien of such bonds on the revenues of said building as improved or extended is made junior and subordinate in all respects to the lien of the bonds herein authorized.

Section 11. So long as any of said bonds are outstanding the Board shall:

(a) Maintain insurance for the benefit of the holders of the bonds herein authorized of a kind and in an amount which usually would be carried by private companies engaged in a similar type of business, and pay the cost of such insurance from the Operation and Maintenance Fund hereinbefore described;

(b) Keep proper books of records and accounts (separate from all other records and accounts) in which complete and correct entries shall be made of all transactions relating to said building. The Board of Regents of the Western Kentucky State Teachers

College will furnish to the original purchaser of said bonds, and to any holder of any of the said bonds, at the written request of such holder, not more than thirty days after the close of each six months' fiscal period, complete operating and income statements of the said building in reasonable detail covering such six months' period and, not more than sixty days after the close of each fiscal year, complete financial statements of the said building and the Board in reasonable detail covering such fiscal year certified by independent auditors; and

(c) Grant to any holder or holders of twenty-five per cent of said bonds then outstanding the right at all reasonable times to inspect the said building and all records, accounts and data of the College relating thereto.

Section 12. That the bonds hereby authorized shall constitute a continuation, extension, merger and renewal of the bonds to be refunded thereby and all obligations, security and source of payment of the bonds thus refunded shall inure to the hands hereby authorized. The rates and fees now being charged and collected from the students enrolled in said College and from the College for the services and facilities furnished by said building shall be continued and remain in effect, all, however, subject to the right and obligation of revision as hereinbefore provided.

Section 13. If any section, paragraph, clause or provision of this resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 14. All resolutions or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 15. This resolution shall take effect immediately.

Passed by the Board of Regents of the Western Kentucky State Teachers College and approved this 22nd day of May, 1945.

Chairman, Board of Regents of the
Western Kentucky State Teachers
College.

Attest:

Secretary.

It was moved by Judge Rodes with a second by Judge Bartlett that the secretary and the treasurer of the Board of Regents be and they are hereby ordered and directed to execute all necessary instruments required for the call of the outstanding Building Revenue Refunding Bonds of 1940 of the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, in the principal amount of \$240,000 bearing interest at three per cent (3%), and for the issuance, sale, and delivery of \$240,000 Building Revenue Refunding Bonds of 1945 of Western Kentucky State Teachers College at Bowling Green, Kentucky, bearing interest at _____ per cent including the preparation and publication of proper "Notice of Sale of Bonds" in the Louisville "Courier-Journal" of Louisville, Kentucky, and the "Bond Buyer" of New York, New York, in accordance with the plan submitted by Bankers Bond and adopted above. The vote was as follows:

Aye: Judge Bartlett, Judge Rodes, Mr. Borrone, and Chairman Williams
 Nay: None

The Chairman then declared the motion duly adopted.

It was moved by Mr. Borrone and seconded by Judge Rodes that President Garrett be authorized to offer the facilities of the College to the Veterans Administration for use in their program and that he be authorized to sign contracts with the Veterans Administration for the use of such facilities. On roll call the vote was as follows:

Aye: Judge Bartlett, Judge Rodes, Mr. Borrone, and Chairman Williams
 Nay: None

The Chairman then declared the motion carried.

Judge Bartlett with a second by Judge Rodes moved that the meeting be adjourned. All members voting "Aye" Chairman Williams declared the meeting adjourned.

Acting Secretary

Chairman

Public notice is hereby given that the Board of Regents of Western Kentucky State Teachers College at Bowling Green, Kentucky, has called for redemption of its outstanding Building Revenue Refunding Bonds dated January 1, 1940, bearing interest at the rate of 3% per annum, of the denomination of \$240,000 and numbered consecutively from 1 to 240 inclusive.