

**NOTICE OF BOND ELECTION**

**TO THE RESIDENT, QUALIFIED ELECTORS OF  
MAGNOLIA INDEPENDENT SCHOOL DISTRICT:**

**NOTICE IS HEREBY GIVEN** that an election will be held in the MAGNOLIA INDEPENDENT SCHOOL DISTRICT, on the 3<sup>rd</sup> day of November, 2015, in accordance with the following order:

**ORDER BY THE BOARD OF TRUSTEES OF THE MAGNOLIA INDEPENDENT SCHOOL DISTRICT CALLING A BOND ELECTION TO BE HELD WITHIN SAID DISTRICT; MAKING PROVISIONS FOR THE CONDUCT AND THE GIVING OF NOTICE OF THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO**

**WHEREAS**, the Board of Trustees (the "Board") of the Magnolia Independent School District (the "District") finds and determines that it is necessary and advisable to call and hold an election for and within the District on the propositions hereinafter set forth; and

**WHEREAS**, it is hereby officially found and determined that said election shall be held on a uniform election date established by Section 41.001(a), Texas Election Code, as amended, as required by laws of the State of Texas (the "State"); and

**WHEREAS**, the Board, pursuant to the applicable provisions of the Texas Election Code intends to conduct a joint election with Montgomery County (the "County") and other political subdivisions within in Montgomery County pursuant to a joint election agreement (the "Joint Election Agreement") and enter into an Election Services Agreement (the "Election Services Agreement"; collectively with the Joint Election Agreement, the "Election Agreement") with the Montgomery County Elections Administrator (the "Elections Administrator"); and

**WHEREAS**, the Board finds and declares that the meeting at which this Order is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended; Now Therefore,

**BE IT ORDERED BY THE BOARD OF TRUSTEES OF MAGNOLIA INDEPENDENT SCHOOL DISTRICT:**

**Section 1. Findings.** The statements contained in the preamble of this Order are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

**Section 2. Election Ordered; Date; Proposition.** An election (the "Election") shall be held for and within the District on Tuesday, November 3, 2015 ("Election Day"), in accordance with the Texas Election Code (the "Code"). At the Election the following propositions (the "Propositions") shall be submitted to the qualified voters of the District in accordance with law:

**PROPOSITION NO. ONE**

**SHALL THE BOARD OF TRUSTEES OF MAGNOLIA INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES THE BONDS OF THE DISTRICT IN THE AMOUNT OF \$84,000,000 FOR THE CONSTRUCTION, ACQUISITION, RENOVATION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, FOR THE PURCHASE OF TECHNOLOGY, FOR THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, AND FOR THE PURCHASE OF NEW SCHOOL BUSES, WHICH BONDS MAY BE ISSUED IN VARIOUS ISSUES OR SERIES, SHALL MATURE SERIALLY OR OTHERWISE NOT MORE THAN 40 YEARS FROM THEIR DATE, AND SHALL BEAR INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED BY THE BOARD OF TRUSTEES OF THE DISTRICT WITHIN THE DISCRETION OF THE BOARD AT THE TIME OF ISSUANCE; AND SHALL THE BOARD OF TRUSTEES 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 SAID BONDS AND THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS; SAID BONDS TO BE ISSUED AND SAID TAXES TO BE LEVIED, PLEDGED, ASSESSED, AND COLLECTED UNDER THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS INCLUDING THE TEXAS EDUCATION CODE?**

**PROPOSITION NO. TWO**

SHALL THE BOARD OF TRUSTEES OF MAGNOLIA INDEPENDENT SCHOOL DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE AND SELL AT ANY PRICE OR PRICES THE BONDS OF THE DISTRICT IN THE AMOUNT OF \$8,000,000 FOR THE CONSTRUCTION, ACQUISITION, RENOVATION AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, INCLUDING A MULTI-PURPOSE CONFERENCE CENTER AND ARTIFICIAL FIELD TURF FOR TWO HIGH SCHOOL COMPETITION FOOTBALL FIELDS, AND FOR THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, WHICH BONDS MAY BE ISSUED IN VARIOUS ISSUES OR SERIES, SHALL MATURE SERIALLY OR OTHERWISE NOT MORE THAN 40 YEARS FROM THEIR DATE, AND SHALL BEAR INTEREST AT SUCH RATE OR RATES, NOT TO EXCEED THE MAXIMUM RATE NOW OR HEREAFTER AUTHORIZED BY LAW, AS SHALL BE DETERMINED BY THE BOARD OF TRUSTEES OF THE DISTRICT WITHIN THE DISCRETION OF THE BOARD AT THE TIME OF ISSUANCE; AND SHALL THE BOARD OF TRUSTEES 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 SAID BONDS AND THE COSTS OF ANY CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS; SAID BONDS TO BE ISSUED AND SAID TAXES TO BE LEVIED, PLEDGED, ASSESSED, AND COLLECTED UNDER THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS INCLUDING THE TEXAS EDUCATION CODE?

**Section 3. Official Ballot.**

- (a) Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved County voting systems and ballots.
- (b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid Propositions which shall be set forth on the ballots substantially in the following forms:

**PROPOSITION NO. ONE**

- FOR ) "THE ISSUANCE OF \$84,000,000 OF BONDS FOR THE CONSTRUCTION, ACQUISITION, RENOVATION AND EQUIPMENT OF SCHOOL BUILDINGS
- AGAINST ) IN THE DISTRICT, FOR THE PURCHASE OF TECHNOLOGY, FOR THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, AND FOR THE PURCHASE OF NEW SCHOOL BUSES AND THE LEVYING OF THE TAX IN PAYMENT THEREOF"

**PROPOSITION NO. TWO**

- FOR ) "THE ISSUANCE OF \$8,000,000 OF BONDS FOR THE CONSTRUCTION, ACQUISITION, RENOVATION AND EQUIPMENT OF SCHOOL BUILDINGS
- AGAINST ) IN THE DISTRICT, INCLUDING A MULTI-PURPOSE CONFERENCE CENTER AND ARTIFICIAL FIELD TURF FOR TWO HIGH SCHOOL COMPETITION FOOTBALL FIELDS, AND FOR THE PURCHASE OF THE NECESSARY SITES FOR SCHOOL BUILDINGS, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF"

**Section 4. Persons Qualified to Vote.** All resident, qualified electors of the District shall be eligible to vote at the Election.

**Section 5. Election Precincts, Voting Locations and Voting Hours on Election Day.** The election precincts for the Election shall consist of the territory within the boundaries of the District situated within one or more County election precincts, which bear the precinct numbers set forth in Exhibit A, attached hereto and incorporated herein. The voting location for voting on Election Day for each election precinct shall be as set forth in Exhibit A, or at such other locations as hereafter may be designated by the County as provided in the Election Agreement. The Superintendent or his designee is hereby authorized to update Exhibit A to reflect

the locations designated by the County, and such locations are hereby approved. On Election Day the polls shall be open from 7:00 a.m. to 7:00 p.m.

**Section 6. Early Voting Locations, Dates and Times.**

(a) Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit B, attached hereto and incorporated herein, or at such other locations as hereafter may be designated by the County as provided in the Election Agreement. The Superintendent or his designee is hereby authorized to update Exhibit B to reflect the locations designated by the County, and such locations are hereby approved.

(b) Suzie Harvey, the County Elections Administrator is hereby appointed as the Early Voting Clerk. Applications for ballot by mail shall be sent to: Suzie Harvey, Montgomery County Elections Administrator/Voter Registrar, P.O. Box 2646, Conroe, Texas 77303-2646. The Elections Administrator is hereby authorized to appoint the deputy early voting clerks as necessary for the Election.

**Section 7. Joint Election.** The District has determined that it is in the best interest of the District to participate in a joint election with other governmental entities in the County holding elections on Election Day pursuant to the Joint Election Agreement and to contract with the Elections Administrator for election services pursuant to the Election Services Agreement.

**Section 8. Appointment of Election Officers.**

(a) The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed, election judges and alternate judges may be changed, polling places may be combined for some precincts, and the central counting station shall be established and staffed all as provided in the Election Agreement and such actions are hereby approved.

(b) The Election shall be conducted by election officers, including the presiding judges and alternate presiding judges appointed by the County, in accordance with the Education Code, the Election Code, the Constitution and laws of the State and the United States of America and the Election Agreement. The presiding judges shall appoint not less than two (2) or more than five (5) qualified election clerks for the conduct of the Election. The Board hereby authorizes the Superintendent to appoint any such other officials not designated herein or appointed pursuant to the Election Agreement as are necessary and appropriate to conduct the Election in accordance with the Election Code.

**Section 9. Notice of Election.** Notice of the Election shall be given by: (i) publishing a substantial copy of this Order, in English and Spanish, one time not earlier than the thirtieth (30th) day nor later than the tenth (10th) day prior to the date set for the Election, in a newspaper published in the District (or otherwise complies with State law), (ii) by posting a copy of this Order, in English and Spanish, on the bulletin board used for posting notices of meetings of the Board, not later than the twenty-first (21st) day prior to the date set for the Election and in at least three (3) public places in the boundaries of the District, not later than the twenty-first (21st) day prior to the date set for the Election and (iii) by posting a copy of this Order, in English and Spanish, on the District's website, prominently and together with the notice of the Election and the contents of the Proposition, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Order shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the county clerk of the County and the Elections Administrator not later than the 60th day before the Election Day.

**Section 10. Conduct of Election.** The Election shall be held in accordance with the Code, except as modified by the Texas Education Code, and the Federal Voting Rights Act of 1965, as amended, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

**Section 11. Additional Information Required by Section 3.009 of the Election Code.**

(a) As of September 1, 2014, the first day of the District's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the District was \$138,960,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$55,094,600. It is currently estimated that as of September 1, 2015 the aggregate principal amount outstanding of tax-supported debt of the District will be approximately \$131,025,000 and the aggregate amount of outstanding interest on such tax-supported debt will be approximately \$48,490,663. The District's ad valorem debt service tax rate as of the date of this Order is \$0.3495 per \$100 of assessed valuation of taxable property in the District. The District's ad valorem debt service tax rate for tax year 2016 has been set at \$0.3395 per \$100 of assessed valuation.

(b) The District intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the Board based upon a number of factors, including, but not limited to, the then current needs of the District, demographic changes, prevailing market conditions, assessed valuations in the District and management

of the District’s short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the District’s control, and therefore, the District cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The most recently adopted District tax rate for operations and maintenance purposes is \$1.04 per \$100 of assessed valuation. The District currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the District’s currently projected plan of finance, the District’s ad valorem debt service tax rate would be approximately \$0.3395 per \$100 of assessed valuation of taxable property in the District.

(c) Any additional information required by Section 3.009 of the Code is contained in Sections 2 and 3 of this Order.

**Section 12. Necessary Actions.** The Superintendent or his designee, acting on behalf of the Board, in consultation with the District’s attorney and bond counsel is hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable.

**Section 13. Severability.** If any provision, section, subsection, sentence, clause or phrase of this Order, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Order nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the Board in adopting this Order that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Order are declared to be severable for that purpose.

**Section 14. Effective Date.** This Order shall take effect immediately upon its approval.

**PASSED AND APPROVED the 17<sup>th</sup> day of August, 2015.**

/s/ Steve Crews  
 President, Board of Trustees  
 Magnolia Independent School District

ATTEST:

/s/ Chuck Adcox  
 Secretary, Board of Trustees  
 Magnolia Independent School District

(District Seal)

**Exhibit A**

**County Precinct Numbers and Election Day Voting Locations  
 November 3, 2015 Election  
 7:00 a.m. to 7:00 p.m.**

**NOVEMBER 3, 2015 POLLING LOCATIONS**

Election Day Polling Locations open from 7:00 a.m. to 7:00 p.m.

Precinct No.	Polling Location & Address
03, 06	The Woodlands High School 9 <sup>th</sup> Grade Campus, 10010 Branch Crossing Dr., The Woodlands, TX 77382
11, 39	Lone Star Elementary School, 16600 FM 2854, Montgomery, TX 77316
13, 28	Decker Prairie Community Building, 32434 Decker Prairie Rd., Magnolia, TX 77355
15, 27, 34	Cornerstone Church, 100 Mosswood, Conroe, TX 77302
18	Magnolia Community Building, 422 Melton St., Magnolia, TX 77354
29	W. Montgomery County Community Development Center, 31355 Friendship Dr., Magnolia, TX 77355
30	Magnolia High School, 14350 FM 1488, Magnolia, TX 77354

65	J.L. Lyon Elementary School, 27035 Nichols Sawmill Rd, Magnolia, TX 77355
69, 71, 81	Bush Elementary School, 7420 Crownridge Dr., The Woodlands, TX 77382
66, 74	Smith Elementary School, 28747 Hardin Store Rd., Magnolia, TX 77354
76, 89	Bear Branch Elementary School, 8909 FM 1488, Magnolia, TX 77354

**Exhibit B**

**Montgomery County Early Voting Schedule  
November 3, 2015 Election**

**Early Voting Polling Places**

**Lee G. Alworth Building—Main Early Voting Polling Place**

(Montgomery County Administration Annex)  
207 W. Phillips St., Conroe, TX 77301

**Election Central**

(Limited Ballots, Special Forms of Early Voting and Ballot by  
Mail Only)  
9159 Airport Rd., Conroe, TX 77303

**Magnolia Community Building**

422 Melton St., Magnolia, TX 77354

**South County Community Building**

2235 Lake Robbins Dr., The Woodlands, TX 77380

**North Montgomery County Community Center**

600 Gerald St., Willis, TX 77378

**East County Courthouse Annex**

21130 US Hwy 59 South, New Caney, TX 77357

**Lone Star Community Center**

2500 Lone Star Pkwy., Montgomery, TX 77356

**Early Voting Dates and Times**

Dates	Days	Hours
October 19, 2015 – October 24, 2015	Monday - Saturday	8:00 a.m. – 5:00 p.m.
October 26, 2015 – October 28, 2015	Monday - Wednesday	8:00 a.m. – 5:00 p.m.
October 29, 2015 – October 30, 2015	Thursday - Friday	7:00 a.m. – 7:00 p.m.