

RESOLUTION NO. 33-77

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Charles McOwen ON
THE 15th DAY OF August, 1977.

A RESOLUTION DESIGNATING A PUBLIC DEPOSITORY AND AWARD-
ING PUBLIC MONIES.

WHEREAS, pursuant to Section 135.12 Ohio Revised Code, the Council of the City of Centerville must meet in open session and designate a public depository, on the basis of written application received, for deposit of active and interim funds for the period commencing August 23, 1977, and ending August 22, 1979; and

WHEREAS, it is estimated the probable amount of active deposits to be deposited during the period of designation shall be Seven Hundred Fifty Thousand Dollars (\$750,000.00), and the probable maximum amount to be so deposited at any time during such period shall be Seven Hundred Fifty Thousand Dollars (\$750,000.00), and

WHEREAS, it is estimated the probable amount of interim deposits to be deposited during the period of designation shall be Seven Hundred Fifty Thousand Dollars (\$750,000.00), and the probable maximum amount to be so deposited at any time during such period shall be Seven Hundred Fifty Thousand Dollars (\$750,000.00), and

WHEREAS, written application has been received from Winters National Bank and Trust Company, as follows:

For Active Deposits
Maximum of Seven Hundred Fifty Thousand Dollars (\$750,000.00).

For Interim Deposits
Maximum of Seven Hundred Fifty Thousand Dollars (\$750,000.00).

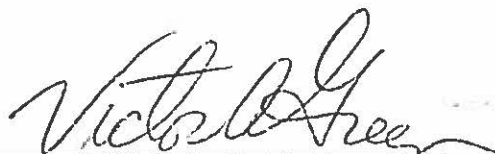
A copy of said application and bid with a copy of the financial statement of said Winters National Bank and Trust Company and Resolution of the Board of Directors of said bank are attached hereto, incorporated herein by reference, and marked Exhibit "A", and

WHEREAS, Council finds that the said Winters National Bank and Trust Company applied for active and interim deposits, and that the sureties and securities tendered are proper, namely: One Million Six Hundred Fifty Thousand Dollars (\$1,650,000.00) in U. S. Government obligations;

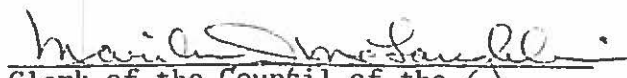
THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF CENTERVILLE:

That deposit of the active and interim deposits of the City, to the extent set forth herein, be awarded to Winters National Bank and Trust Company which bank shall become a depository for the monies of the City for a period of two years upon duly executing and delivering the sureties and securities tendered as evidence by written memorandum to be executed by the City with said depository.

PASSED this 15th day of August, 1977.


MAYOR - CITY OF CENTERVILLE, OHIO

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 33-77, passed by the Council of the City of Centerville, Ohio, on the 15th day of August, 1977.


Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitution provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

REPORT OF CONDITION

Consolidating domestic and foreign subsidiaries of the Winters National Bank and Trust Co. or Division in the State of Ohio, at the close of business on March 31, 1977 published in response to call made by Comptroller of the Currency, under title 12, United States Code, Section 151.
 Charter number 2134, National Bank Region Number 4
 Statement of Resources and Liabilities

ASSETS		THOUSANDS
Cash and due from banks		82,569
U.S. Treasury securities		59,902
Obligations of States and political subdivisions		91,277
Other bonds, notes, and debentures		10,203
Federal Reserve stock and corporate stock		1,018
Trading account securities		6,915
Federal funds sold and securities purchased under agreements to resell		35,000
Loans, Total (excluding unearned income)	403,745	
Less: Reserve for possible loan losses	4,368	
Loans, Net		399,377
Direct lease financing		2,895
Bank premises, furniture and fixtures, and other assets representing bank premises		11,003
Real estate owned other than bank premises		52
Customers' liability to this bank on acceptances outstanding		1,797
Other assets		8,450
TOTAL ASSETS		710,458
LIABILITIES		
Demand deposits of individuals, partnerships, and corps.		233,657
Time and savings deposits of individuals, partnerships, and corps.		292,568
Deposits of United States Government		2,314
Deposits of States and political subdivisions		55,701
Deposits of commercial banks		7,808
Certified and office checks		6,142
TOTAL DOMESTIC DEPOSITS		598,200
Total demand deposits	263,276	
Total time and savings deposits	334,924	
Total deposits in foreign offices		2,734
TOTAL DEPOSITS IN DOMESTIC AND FOREIGN OFFICES		600,934
Federal funds purchased and securities sold under agreements to repurchase		35,109
Liabilities for borrowed money		6
Acceptances executed by or for account of this bank and outstanding		1,797
Other liabilities		13,793
TOTAL LIABILITIES (excluding subordinated notes and debentures)		651,639
EQUITY CAPITAL		
Common stock a. No. shares authorized 1,325,000 b. No. shares outstanding 1,295,000 (par value)		12,950
Surplus		17,790
Undivided profits		26,965
Reserve for contingencies and other capital reserves		1,114
TOTAL EQUITY CAPITAL		56,819
TOTAL LIABILITIES AND EQUITY CAPITAL		710,458

MEMORANDA

Average for 15 or 30 calendar days ending with call date:

Cash and due from banks	97,565
Fed. funds sold and securities purchased under agreements to resell	24,710
Total loans	402,638
Time deposits of \$100,000 or more in domestic offices	70,169
Total deposits	573,725
Fed. funds purchased and securities sold under agreements to repurchase	44,952
Standby letters of credit (outstanding as of report date)	4,629
Time deposits of \$100,000 or more (outstanding as of report date)	
Time certificates of deposit in denominations of \$100,000 or more	66,886
Other time deposits in amounts of \$100,000 or more	19,539

I, Daniel J. Kaufman, Jr. Vice President & Cashier of the above-named bank do hereby declare that this Report of Condition is true and correct to the best of my knowledge and belief.
 /s/ DANIEL J. KAUFMAN, JR.
 April 26, 1977

We, the undersigned directors attest the correctness of this statement of resources and liabilities. We declare that it has been examined by us, and to the best of our knowledge and belief is true and correct.
 /s/ RAYMOND A. ROESEN
 /s/ ROBERT J. ALGERNEIS
 /s/ W. V. RICHARDS, JR.
 Directors
 No. 7544

Commercial Banking Division

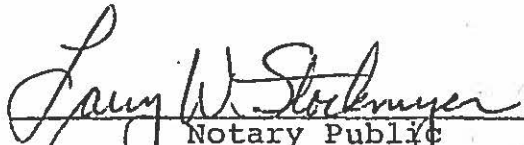
A F F I D A V I T


State of Ohio :
County of Montgomery : SS

Richard E. Welsh, being first duly sworn deposes and states that he is Vice President of the Winters National Bank and Trust Co., and that in such capacity he does certify that the attached financial statement of the Winters National Bank and Trust Co. is a true and correct copy of the last financial statement reported to the Comptroller of the Currency of the United States of America, under date of April 26, 1977, and the said report contains a statement of the capital funds of the applicant as of March 31, 1977: Capital \$12,950,000.00, Surplus \$17,790,000.00, Undivided Profits \$26,965,000.00.


Richard E. Welsh

Sworn to before me and subscribed in my presence by the said Richard E. Welsh, this 29th day of June, 1977


Notary Public
LARRY W. STOCKMYER, Notary Public
In and for Montgomery County, Ohio
My Commission Expires Nov. 22, 1981



BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WINTERS NATIONAL BANK AND TRUST COMPANY OF DAYTON:

Section 1. That the President or Senior Vice President or Vice President or Assistant Vice President and the Cashier or Assistant Cashier or Commercial Banking Officer of the Bank be and they hereby are authorized and directed to execute and deliver on behalf of and as the act of this Bank any depository contract with the Treasurer of the State of Ohio or of any subdivision of such State, for the deposit of public funds, and a good and sufficient bond or bonds payable to any such Treasurer, with surety or sureties approved by said Treasurer, or to hypothecate securities of the classes named in the statutes of Ohio governing the deposits of public moneys of the State of Ohio and any of its subdivisions, as collateral security for the deposits made under said depository contract, or both, and in such an amount as is required by the provisions of the Uniform Depository Act of Ohio.

Section 2. That the officers of this Bank, as named in Section 1 hereof, be and they hereby are authorized and directed throughout the term of any such depository contract hereinbefore described to cancel bonds and execute new bonds and withdraw securities and hypothecate other securities in their place and to hypothecate additional securities as required by, and subject to the approval of and with the consent of, the Treasurer of said State or of any of its subdivisions, so as to keep the amount of security furnished by this Bank at all times adjusted to and fully adequate for the protection of public moneys deposited with this Bank.

Section 3. All of the securities hypothecated by the officers of this Bank as collateral security for the performance of any of its depository contracts with the Treasurer of said State or of any of its subdivisions shall be the property of said State or of its subdivisions in case of any default upon the part of this Bank and may thereupon be negotiated, sold, transferred, and delivered by said State or its subdivisions and the proceeds used in liquidating any damages and compensating any losses suffered by reason of any such default.

The Treasurer of said State or of any of its subdivisions, as the case may be, may cancel bonds, release securities at any time hypothecated, and require in the place thereof other bonds and/or securities of the kind specified in the statutes of the State of Ohio and, when deemed necessary for the better protection of the funds deposited, such public officers may require additional or other or different securities to or than those at such time hypothecated to be deposited, subject to the terms of the hypothecation contract authorized by this resolution.

The amount of such bonds and securities may be decreased as authorized and permitted by such public officers, provided that both the depository and the public officer comply with the duty imposed upon them by law to keep such amount adjusted at all times to and adequate for the protection of the public moneys deposited with the depository Bank.

Section 4. That the officers of this Bank as named in Section 1 hereby be and they hereby are also authorized and directed, for and on behalf of this Bank, to execute and deliver any other document and to perform any other act required of it at any time under the provisions of the Uniform Depository Act of Ohio.

C E R T I F I C A T E

I, W. V. Richards, Jr., Secretary of the Board of Directors of The Winters National Bank and Trust Company, hereby certify that the foregoing is a true and correct copy of a resolution duly adopted at a legal meeting of the Board of Directors of The Winters National Bank and Trust Company held on the 8th day of July, 1969; that said resolution has not been modified or rescinded and is in full force and effect.

Dated at Dayton, Ohio this 29th day of June, 1977.


Secretary

MEMORANDUM OF AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS

WHEREAS, Winters National Bank and Trust Co. a banking corporation under
(Full Corporate Name of Bank)
the laws of United States located and doing business within the
(United States or Ohio)
City of Dayton, Montgomery, County, Ohio, hereinafter referred
to as the "Bank", having capital funds as defined by Section 135.01 (C) of the Revised Code of
Thirty Million, Seven
Hundred Forty Thousand Dollars (\$30,740,000.00) and thirty per cent
One Hundred Sixty Two Million, Eight Hundred
(30%) non-public deposit liability of Seventy Five Thousand Seven Hundred
Dollars (\$162,875,700.00) as shown in the financial statement attached to the application or
applications of the Bank, has in writing proposed to the City of Centerville
(Name of
Political Subdivision)
Centerville, Ohio, that for the full time
beginning August 23, 1977 and ending August 22, 1979,
both inclusive, it will accept for deposit and safekeeping the maximum sum of Seven
Hundred Fifty Thousand Dollars
(\$750,000.00) or any part thereof of the active deposits of the City of
(Name of
Political Subdivision)
Centerville; it will accept for deposit and safekeeping the maximum
sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00)
or any part thereof of the interim deposits of said subdivision; and it will accept for deposit and
safekeeping the maximum sum of No Dollars
(\$0.00) of the inactive deposits of the said subdivision as active, interim, and
inactive deposits, as defined in Section 135.01 of the Revised Code;

WHEREAS, said Bank has also, in said written proposal, and pursuant to the Uniform
Depository Act of Ohio, offered to pledge and deposit with the Treasurer of the subdivision or
designated Trustee as security for the repayment of all public moneys to be deposited in the Bank
by said City of Centerville
(Name of Political Subdivision), security
of the kind specified in Section 135.18 and any other sections of the Revised Code of Ohio speci-
fying eligible security, in a sum equal to the minimum amount of security required by Section
135.18 of the Revised Code of Ohio, or surety company bond or bonds in a sum required by
said Uniform Depository Act; and

WHEREAS, the said City of Centerville
(Name of Political Subdivision) has accepted
the said proposal of said Bank, either as to the whole or part of the amount of deposit pro-
posed for, and has selected said Bank as one of its depositories for and during the period or
periods of time as follows for the sum herein set forth:

Seven Hundred Fifty Thousand Dollars (\$750,000.00)
for the period beginning August 23, 1977
and ending August 22, 1979 as active deposits, and
Seven Hundred Fifty Thousand Dollars (\$750,000.00)
for the period beginning August 23, 1977
and ending August 22, 1979 as interim deposits, and

No Dollars (\$ 0,00)
for the period beginning August 23, 1977
and ending August 22, 1979 as inactive deposits, and

..... Dollars (\$)
for the period beginning
and ending as inactive deposits, and

..... Dollars (\$)
for the period beginning
and ending as inactive deposits,

both dates inclusive; and awarded to it, as such depository, a deposit or deposits of money at the rate of interest for such inactive and interim deposits set forth in its applications for the deposit of public moneys; the total of which active, interim, and inactive deposits awarded totals
One Million Five Hundred Thousand Dollars (\$1,500,000.00...),
a total which does not exceed the limit set by Section 135.03, of the Revised Code of thirty per cent of the non-public deposit liability of the Bank;

NOW, therefore, in consideration of said acceptance and award on the part of said
City of Centerville and in consideration of the deposit
(Name of Political Subdivision)
and use, as aforesaid, of said moneys of said City of Centerville
(Name of Political Subdivision)
said Bank now hereby agrees to receive from said City of Centerville
(Name of Political Subdivision)
the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00...)
of the moneys of said City of Centerville coming into the
(Name of Political Subdivision)
hands of the Treasurer of said City of Centerville as such
(Name of Political Subdivision)
Treasurer, in an account or accounts known as the Inactive Deposit Account or Accounts, which deposits shall be made pursuant to the provisions of Section 19 of the Federal Reserve Act and Section 3 of its Regulation Q, together with the amendments by the Board of Governors of the Federal Reserve System, as to notice, etc.

Said Bank further agrees that to secure the performance of its obligations hereunder and under said proposal and the observance of all requirements of law applying to such deposits, depositories, contracts, and bonds, it will forthwith pledge to and deposit with the Treasurer or designated Trustee to said City of Centerville for the bene-
(Name of Political Subdivision)
fit of said City of Centerville and to its satisfaction, and
(Name of Political Subdivision)
to the satisfaction of the legal adviser of said City of Centerville
(Name of Political Subdivision)
as to form, eligible securities of aggregate market value equal to the excess of the amount of public moneys to be at the time so deposited, over and above such portion or amount of such moneys as is at such time insured by the Federal Deposit Insurance Corporation, or by any agency or instrumentality of the federal government, under the provisions of Section 135.18 of the Revised Code; or a surety company bond or bonds in the sum required by Section 135.18 of the Revised Code. The said Bank will offer the following security to secure said award.
Type of securities deposited or security offered:

U.S. Government and/or Municipal Obligations Amount \$1,650,000.00

a. Eligible securities or other obligations of the kind permitted to be deposited under the provisions of the Uniform Depository Act:

.....	Itemize	\$.....	Market Value
.....	Itemize	\$.....	Market Value
.....	Itemize	\$.....	Market Value

b. Surety company bond or bonds in the sum required by Section 135.18 of the Revised Code:

.....
Itemize \$.....

Itemize \$.....

Itemize \$.....

Said Bank further covenants and agrees that any or all of the money awarded to or deposited with it as active funds, may at any time be drawn against by check of the
City of Centerville.....
 (Name of Political Subdivision) executed by such authorized person(s) or officer(s) and according to such procedure as saidCity of Centerville.....
 (Name of Political Subdivision) may designate and prescribe; such interim deposits shall be evidenced by certificate of deposit maturing in thirty or more days, but in no event more than one year from date of deposit; such inactive deposits shall be evidenced by certificates of deposit, each of which shall mature not later than the end of the period of designation, and may provide on its face that the amount of such deposit is payable upon written notice to be given a specified period before the date of repayment.

Said Bank also agrees to file with the Treasurer of ...City of Centerville.....
 (Name of Political Subdivision) on the last business day of each month during any time that a part of the award is on deposit a statement showing the balance of such active, interim, and inactive moneys in its possession, and saidCity of Centerville.....
 (Name of Political Subdivision) in consideration of the agreements of said Bank, heretofore set forth, agrees that for and during the period of time beginningAugust 23, 1977.....
 and endingAugust 22, 1979....., both inclusive, it will and does designate said Bank as a depository of money belonging to it in the amounts set forth above and that it will, during said term, allow the same Bank the full use, for its lawful and proper purposes of the daily balances, of deposits of the moneys coming into the hands of

the Treasurer of saidCity of Centerville..... as such Treasurer,
 (Name of Political Subdivision) in the Treasurer's Account in said Bank, as aforesaid; all pursuant and subject to the Uniform Depository Act of Ohio, herein referred to, and all amendments or supplements thereto, and to the terms of said Bank's proposal, and all within the limits and under and subject to the terms, conditions and stipulations in this agreement set forth. The securities deposited, and the surety bond, or both, shall be and are surety and bond for the compliance by said Bank with each and all of the provisions, terms, limitations, conditions and stipulations hereinbefore mentioned, and for the performance hereof by said Bank. It is further agreed that this contract shall become null and void whenever by amendment or amendments of any state or federal law or the amendment or adoption of any valid regulations, thereunder, of the United States are changed or amended, the terms of the designation, lawful at the beginning of any period of designation, cause to be unlawful, during such period and if such change of law or regulation requires, the period of designation shall be limited so as not to extend beyond the date when such change becomes effective.

IN WITNESS WHEREOF, the said parties have hereunto set their hands by their duly authorized officers of said parties, this29th..... day ofJune..... 1977...

.....
 Winters National Bank and Trust Co.
 (Full Name of Bank, Unabbreviated)
 BY: Pamela J. Oswalt Assistant Vice President
 Name Title of Office Held
 BY: William R. Meyer Assistant Vice President
 Name Title of Office Held
 City of Centerville
 (Name of Political Subdivision)
 BY: W. Swack Director of Finance
 Name Title of Office Held
 BY:
 Name Title of Office Held
 BY:
 Name Title of Office Held