

RESOLUTION NO. 34-77

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Russell Swartzman ON THE
15th DAY OF August, 1977.

A RESOLUTION DESIGNATING A PUBLIC DEPOSITORY AND AWARDING 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 applications received, for deposit of active 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 Six Hundred Thousand Dollars (\$600,000.00), and the probable maximum amount to be so deposited at any time during such period shall be Six Hundred Thousand Dollars (\$600,000.00), and

WHEREAS, written application has been received from Centerville Branch of the First National Bank of Miamisburg, as follows:

For Active Deposits
Maximum of Six Hundred Thousand Dollars (\$600,000.00).

A copy of said application and bid with a copy of the financial statement of said Centerville Branch of the First National Bank of Miamisburg 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 Centerville Branch of the First National Bank of Miamisburg applied for active deposits, and that the sureties and securities tendered are proper, namely: Six Hundred One Thousand Eight Hundred Forty-three Dollars and Eighty-nine cents (\$601,843.89) in Municipal and State Obligations.

THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF CENTERVILLE:

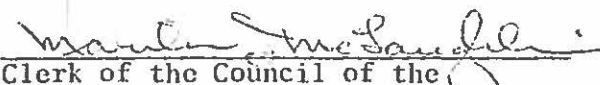
That deposit of the active deposits of the City, to the extent set forth herein, be awarded to Centerville Branch of the First National Bank of Miamisburg which bank shall become a depository for the monies of the City for a period of two years upon duly executing and delivering the sureties and securities 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. 34-77, passed by the Council of the City of Centerville, Ohio, on the 15th day of August, 1977.

Maureen J. ...
Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney

**REPORT OF CONDITION
CONSOLIDATING DOMESTIC SUBSIDIARIES OF**

**The First National Bank
of Miamisburg, Ohio**

In the State of Ohio, at the close of business on
June 30, 1977, published in response to call made
by Comptroller of the Currency, under Title 12,
United States Code, Section 161.

ASSETS

Cash and due from banks	4,265,000
U.S. Treasury securities	2,250,000
Obligations of other U.S. Gov't. agencies and corps.	650,000
Obligations of States and political subdivisions	5,075,000
Federal Reserve stock and corporate stock	45,000
Federal funds sold and securities purchased under agreements to resell	700,000
Loans, Total (excluding unearned income) .	16,819,000
Less: Reserve for possible loan losses	94,000
Loans, Net	16,725,000
Bank premises, furniture and fixtures, and other assets representing bank premises	1,145,000
Other assets	172,000
TOTAL ASSETS	31,027,000

LIABILITIES

Demand deposits of individuals, partnerships and corporations	13,234,000
Time and savings deposits of individuals, partnerships and corporations	11,687,000
Deposits of United States Government	116,000
Deposits of States and political subdivisions	2,021,000
Certified and officers' checks	421,000
TOTAL DOMESTIC DEPOSITS	27,479,000
Total demand deposits	15,174,000
Total time and savings deposits	12,305,000
Other liabilities	157,000
TOTAL LIABILITIES (excluding subordinated notes and debentures)	27,636,000

EQUITY CAPITAL

Common stock a. No shares authorized	79,860
b. No. shares outstanding 79,860 (par value) . . .	399,000
Surplus	1,101,000
Undivided profits	1,781,000
Reserve for contingencies and other capital reserves	110,000
TOTAL EQUITY CAPITAL	3,391,000
TOTAL LIABILITIES AND EQUITY CAPITAL	31,027,000

MEMORANDA

Average for 30 calendar days ending with report date:	
Cash and due from banks	4,059,000
Fed. funds sold and securities purchased under agreements to resell	2,560,000
Total loans	17,719,000
Time deposits of \$100,000 or more in domestic offices	525,000
Total deposits	28,872,000
TOTAL ASSETS	32,359,000
Time certificates of deposit in denominations of \$100,000 or more (outstanding as of report date)	558,000

I, W. Terry Lyons, Vice President and 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.

W. TERRY LYONS
July 14, 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.

DIRECTORS:
GLEN C. BRANDON
J. W. DAUB
T. G. LYONS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FIRST NATIONAL BANK OF MIAMISBURG:

Section 1. That the President or Vice President or Assistant Vice President and the Cashier or Assistant Cashier of this 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.

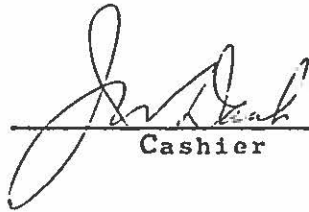
The amount of such bonds and securities may be decreased as authorized and permitted by such public officers, provided that both the depository and the public officer comply with the duty imposed upon them by law to keep such amount adjusted at all times to and adequate for the protection of the public 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, *J. W. DAUB*, Cashier of The First National Bank of Miamishrg, 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 First National Bank of Miamisburg held on the 2nd day of February, 1961; that said resolution has not been modified or rescinded and is in full force and effect.

Dated at Miamisburg, Ohio, this _____ day of _____, 1961.



Cashier

MEMORANDUM OF AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS

WHEREAS, The First National Bank, Miamisburg, Ohio a banking corporation under
(Full Corporate Name of Bank)
the laws of United States located and doing business within the
(United States or Ohio)
Miamisburg and Centerville, Montgomery County, Ohio, hereinafter referred
to as the "Bank", having capital funds as defined by Section 135.01 (C) of the Revised Code of
One million five hundred thousand Dollars (\$1,500,000.00) and thirty per cent
(30%) non-public deposit liability of Twenty five million three hundred forty two thousand / no/100
Dollars (\$25,342,000.00) 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), 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
Six hundred thousand dollars and no/100 Dollars
(\$ 600,000.00) or any part thereof of the active deposits of the
(Name of
Political Subdivision) City of Centerville; it will accept for deposit and safekeeping the maximum
sum of none Dollars (\$-0-)
or any part thereof of the interim deposits of said subdivision; and it will accept for deposit and
safekeeping the maximum sum of none Dollars
(\$-0-) 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:

Six hundred thousand and no/100 Dollars (\$ 600,000.00)
for the period beginning August 23, 1977
and ending August 22, 1979 as active deposits, and
none Dollars (\$-0-)
for the period beginning
and ending as interim deposits, and

.....None.....Dollars (\$.....-0-.....)

for the period beginning.....

and ending.....as inactive deposits, and

.....None.....Dollars (\$.....-0-.....)

for the period beginning.....

and ending.....as inactive deposits, and

.....None.....Dollars (\$.....-0-.....)

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

Six hundred thousand and no/100.....Dollars (\$600,000.00.....), 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 Six hundred thousand and no/100..... Dollars (\$600,000.00.....)

of the moneys of said City of Centerville
(Name of Political Subdivision) coming into the

hands of the Treasurer of said City of Centerville
(Name of Political Subdivision) as such

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
(Name of Political Subdivision) for the bene-

fit of said City of Centerville
(Name of Political Subdivision) and to its satisfaction, and

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:

.....Amount.....

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

..See attached list..... June 30, 1977 \$ 601,843.89
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:

Federal Depository Insurance Corporation \$ 40,000.00
 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 executed by such authorized person(s)
 (Name of Political Subdivision)

or officer(s) and according to such procedure as said City 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 said City of Centerville in con-
 (Name of Political Subdivision)

sideration of the agreements of said Bank, heretofore set forth, agrees that for and during the period of time beginning August 23, 1977

and ending August 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 said City 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, this 29th day of July 1977

The First National Bank, Miamisburg, Ohio
 (Full Name of Bank, Unabbreviated)

BY: [Signature] Vice President
 Name Title of Office Held

BY: [Signature] Vice President
 Name Title of Office Held

City of Centerville
 (Name of Political Subdivision)

BY: [Signature] Director of Finance
 Name Title of Office Held

BY:
 Name Title of Office Held

BY:
 Name Title of Office Held