

AN ORDER CALLING A BOND ELECTION TO BE HELD BY THE MIDLAND COUNTY
UTILITY DISTRICT, MAKING PROVISION FOR THE CONDUCT OF THE ELECTION, AND
RESOLVING OTHER MATTERS RELATED TO THAT ELECTION

WHEREAS, the Board of Directors (the *Board*) of the MIDLAND COUNTY UTILITY DISTRICT (the *District*), located in Midland County, Texas (the *County*), finds and determines that a special election (the *Election*) should be held to determine whether the District will be authorized to issue bonds in the amount and for the purposes identified in this order (the *Order*); and

WHEREAS, the District is a water control and improvement district created under article XVI, section 59 of the Texas Constitution and enabling legislation codified in Chapter 9061 of the Special District Local Laws Code, as amended; and

WHEREAS, the District's creation was ratified by an election conducted in May 2013 and is operating under chapters 49 and 51, Texas Water Code, as amended; and

WHEREAS, the Board will approve an engineer's report, to be supplemented as necessary, covering the land, improvements, facilities, plants, equipment, and appliances to be purchased or constructed from proceeds of the proposed bonds (collectively, the *Project*) and the Project's estimated cost, together with maps, plats, profiles, and data fully showing and explaining the report (the *Engineer's Report*); and

WHEREAS, the Engineer's Report will be filed in the office of the District and open to inspection by the public; and

WHEREAS, the Engineer's Report contains an estimate of the Project as summarized below as "Construction Costs"; and

WHEREAS, the Board has arrived at an estimate of additional costs and expenses that will be incurred by the District incidental to its operation and financing of the Project as set forth below as "Non-construction Costs"; and

WHEREAS, the Engineer's Report, the Construction Costs, and the Non-Construction Costs are not approved by voters, nor do they form a contract with the voters; and

WHEREAS, the District will contract with the County, acting by and through its elections administrator (the *Administrator*) to conduct all aspects of the Election for all registered voters of the District; and

WHEREAS, the Election may be held jointly with other political subdivisions (collectively, the *Participants*) pursuant to a joint election or similar agreement according to the Texas Election Code, as amended (the *Code*); and

WHEREAS, the Board hereby finds and determines that the actions described above are in the best interests of the residents of the District; now, therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE MIDLAND COUNTY UTILITY DISTRICT THAT:

SECTION 1. Cost Estimates. The Board approves the following estimates and reserves the right to authorize amendments.

Construction Costs

Phase 1 Projects	\$ 91,224,669
Phase 2 Projects	\$ 39,758,599
Phase 3 Projects	\$ <u>148,378,806</u>
Total Construction Costs	\$ 279,362,074

Non-Construction Costs

TCEQ Fees	\$ 747,539
Bond Discount	\$ 8,970,450
Bond Issuance Costs	\$ <u>9,934,937</u>
Total Non-construction Costs	\$ 19,652,926

TOTAL BOND ISSUANCE REQUIREMENT \$ 299,015,000

SECTION 2. Election Ordered; Purpose; Amount. The Election will be held in the MIDLAND COUNTY UTILITY DISTRICT on November 3, 2026 (*Election Day*), which is a uniform election date under the Code and is 78 or more days from the date of the adoption of this Order, for the purpose of submitting the following legal question to the eligible voters of the District:

Midland County Utility District Measure A

Shall the Board of Directors of the Midland County Utility District be authorized to issue the bonds of said district in one or more issues or series in the maximum aggregate principal amount of \$299,015,000 maturing serially or otherwise in such installments as are fixed by said board over a period or periods not exceeding forty (40) years from their date or dates, bearing interest at any rate or rates and to sell said bonds at any price or prices, provided that the net effective interest rate on any issue or series of said bonds shall not exceed the maximum legal limit in effect at the time of issuance of each issue or series of bonds, all as may be determined by the board of directors of said district, for the purpose or purposes of purchasing, constructing, acquiring, owning, operating, repairing, improving, extending, or paying for inside and outside the district's boundaries, any district works, improvements, facilities, plants, equipment, appliances and all costs needed to accomplish the purposes of the district authorized by section 59, article XVI of the Texas Constitution, the Texas Water Code or any other law now or hereafter enacted, to provide the works, improvements, facilities, plants, equipment, appliances, interests in property, and contract rights needed to provide a waterworks and wastewater/sewer system, drainage, storm sewer and

water quality system, including, but not limited to, all additions to such systems and all works, improvements, facilities, plants, equipment, appliances, interests in property, and contract rights needed therefor, administration, interest and operating costs during creation and construction, and administrative facilities needed in connection therewith, and to provide for the payment of principal of and interest on such bonds by the levy and collection of a sufficient annual ad valorem tax upon all taxable property within said district, all as now or hereafter authorized by the Constitution and laws of the State of Texas?

SECTION 3. Method of Voting; Ballots. The Board authorizes voting electronically, by paper, or any combination thereof. Voters will vote on the official ballots by marking “FOR” or “AGAINST” the measure above with the following ballot language:

Midland County Utility District Proposition A

THIS IS A TAX INCREASE; the issuance of bonds in the amount of \$299,015,000 for water, wastewater/sewage, and drainage system facilities and the levy of taxes sufficient to pay the principal of and interest on the bonds.

SECTION 4. Polling Details.

A. One or more District election precincts are established for Election Day from 7:00 a.m. to 7:00 p.m. with one or more corresponding polling places as identified on Exhibit A to this Order. As permitted by the Code, polling places may be changed without further Board action; any changes will not affect this Order or subsequent notice of election.

B. Exhibit A also includes the places, dates, and hours for early voting in person. As permitted by the Code, these details may be changed without further Board action; any changes will not affect this Order or subsequent notice of election. Applications for voting by mail should be received no later than the close of business on October 23, 2026. Applications should be sent to the Early Voting Clerk named below. If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original.

SECTION 5. Election Officials.

A. The Administrator will appoint poll workers in compliance with legal requirements, including access to Spanish translators and any other applicable languages.

B. The Early Voting Clerk is the Administrator, Rosa Olgin—mailing address: P.O. Box 3434, Midland, Texas 79702; physical address: 2110 N A Street, Suite 103, Midland, Texas 79705; phone: (432) 688-4890; fax: (432) 688-4912; email: rolgin@mcounty.com; and website: <https://votemidlandtx.gov/>. The Early Voting Clerk will appoint the Deputy Early Voting Clerks.

C. The Administrator is authorized to establish an Early Voting Ballot Board and to designate the Presiding Judge of the Early Voting Ballot Board and, if needed, the members of Signature Verification Committee.

D. The District is authorized to use a Central Counting Station (the *Station*) if needed. The Administrator or the Administrator's designee is appointed as the Manager of the Station with the authority to appoint the Tabulation Supervisor, the Programmer, and any Clerks.

SECTION 6. Legal Compliance. The Election and notice of Election will be held and conducted according to the Code and other applicable law. To the extent required by law, materials relating to the Election will be printed in English, Spanish, and any other required language.

SECTION 7. Debt Obligations. The following information is calculated based on bond market conditions as of the date of the adoption of this Order; is further explained in one or more voter information documents attached to this Order as exhibits; and is not intended to serve as a cap or other restriction should the bonds be authorized at the Election.

A. The aggregate amount of the outstanding principal of the District's debt totaled \$0 (including maintenance tax debt, if any).

B. The aggregate amount of the interest owed on the District's debt obligations, through respective maturity, totaled \$0.

C. The District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0 per \$100 of taxable assessed valuation.

D. The maturity date of the proposed bonds will not exceed the maximum number of years authorized by law.

E. The maximum interest rate for any series of bonds authorized at the Election is 5.00% (expressed as a net effective interest rate).

SECTION 8. Contracting Authority. The Board authorizes the District's President of the Board, or their designees to negotiate and enter into one or more joint election agreements, election services contracts, or similar contracts with the County, acting by and through any Participants if desired or if required to comply with applicable law.

SECTION 9. Modifications. The Board acknowledges that information required to complete the Exhibits to this Order may not be available when the Election is ordered, and the Board therefore authorizes the President of the Board, or their designees to correct, modify, or change the Exhibits. Additionally, the Board authorizes these individuals to make technical modifications to this Order that are necessary for compliance with applicable law or to carry out the intent of the Board as evidenced in this Order.

SECTION 10. Findings. The recitals in this Order are found to be true.

SECTION 11. Conflicts. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order will be and remain controlling as to the matters ordered herein.

SECTION 12. Controlling Law. This Order will be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. Open Meetings. It is found that the meeting at which this Order is adopted was open to the public, and public notice of the time, place, and subject matter of the public business to be considered at the meeting, including this Order, was given.

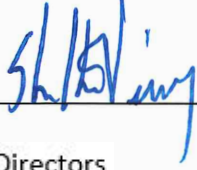
SECTION 14. Severability. If any provision of this Order or the application of this Order to any person or circumstance is held invalid, then the remainder of this Order remains effective.

SECTION 15. Effective Date. This Order is effective immediately upon its approval.

* * *

PASSED AND APPROVED on July 15, 2026.

MIDLAND COUNTY UTILITY DISTRICT



Dr. Shelton Viney
President, Board of Directors

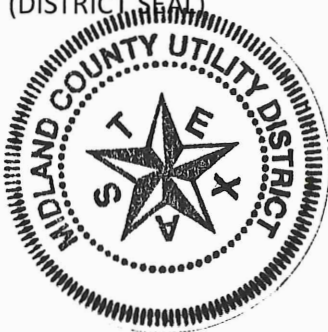
ATTEST:



Israel Rodriguez
Secretary, Board of Directors

JAKE SOMERS

(DISTRICT SEAL)



[Signature Page to Bond Election Order]

Exhibit A (Anexo A)

Polling sites subject to change. *(Sitios de votación sujetos a cambios.)*

EARLY VOTING (VOTACIÓN ANTICIPADA)

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site *(Los votantes con derecho a votar una boleta temprana por comparecencia personal pueden hacerlo en cualquier sitio de votación temprana).*

Elections Office, 2110 N A Street, Room 103,
Midland, Texas 79705 [main location *(ubicación principal)*]*
Centennial Library, Room 113, 2503 W Loop 250 N, Meeting, Midland, Texas 79707
Cogdell Learning Center, Classroom #4, 201 W Florida Ave, Midland, Texas 79701
Fellowship Community Church, Multi-Purpose Building, 5206 Midland Dr, Midland, Texas 79707
The Village at Manor Park, Art Room, 5223 Sinclair Ave, Midland, Texas 79707

October 19-23, 2026	<i>(19-23 de Octubre de 2026)</i>	8:00 am-5:00 pm
October 24, 2026	<i>(24 de Octubre de 2026)</i>	7:00 am-7:00 pm
October 25, 2026	<i>(25 de Octubre de 2026)</i>	1:00 pm-7:00 pm
October 26-30, 2026*	<i>(26-30 de Octubre de 2026)*</i>	8:00 am-5:00 pm*

*Main location: 7:00 am-7:00 pm. *(Ubicación principal: 7:00 am a 7:00 pm.)*

ELECTION DAY (DÍA DE LA ELECCIÓN)

November 3, 2026 (3 de Noviembre de 2026): 7:00 am – 7:00 pm

Registered voters can vote at any of the vote centers identified below. *(Los votantes inscritos pueden votar en cualquiera de los centros de votación indicados a continuación.)*

Annex Building, Auxiliary Courtroom, 2110 N A Street, Midland, Texas 79705
Beit Haderekh Fellowship Hall, 13370 TX 191, Midland, Texas 79705
Centennial Library, Meeting Room 113, 2503 W Loop 250 N, Midland, Texas 79705
Cogdell Learning Center, Annex/Classroom #4, 201 W Florida Ave, Midland, Texas 79701
Cotton Flat Baptist Church, Rose Payne Activity Bldg., 6409 S Hwy. 349, Midland, Texas 79706
Downtown Library at the Plaza, Community Room, 301 W Missouri, Midland, Texas 79701
Fairmont Park Church of Christ, Classroom #2, 3813 N Midland Dr, Midland, Texas 79707
Fellowship Community Church, Multi-Purpose Building, 5206 N Midland Dr., Texas 79707
The Gathering Church, Fellowship Hall, 3303 W Illinois, Midland, Texas 79703
Golf Course Rd Church, Room 301 & 302, 3500 W Golf Course Rd, Midland, Texas 79707
Greater Ideal Life Center, Samuel Evans Chapel, 301 S Tyler St, Midland, Texas 79701
Greenwood Baptist Church, Sanctuary, 10908 FM 307, Midland, Texas 79706
Horseshoe Arena, Education Room, 2514 Arena Trail, Midland, Texas 79701
MLK, Jr. Community Center, Activity Room, 2300 Butternut Ln, Midland, Texas 79705
NE Volunteer Fire Dept, Training Room, 5310 E County Road 60, Midland, Texas 79705
Odessa Country Club, Pool House, #1 Fairway Dr, Midland, Texas 79765
The Orchard Church, Sanctuary, 6112 TX 349, Midland, Texas 79705
Presence Church, Sanctuary, 901 Midland Dr, Midland, Texas 79703
Stonegate Fellowship, Foyer of Building C, 6000 W Wadley Ave, Midland, Texas 79707
The Village at Manor Park, Art Room, 5212 Sinclair Ave, Midland, Texas 79707

Exhibit B (Anexo B)**VOTER INFORMATION DOCUMENT [not part of the contract with voters]****(DOCUMENTO DE INFORMATIVO PARA LOS VOTANTES) [no forma parte del contrato con las votantes]**

Midland County Utility District Proposition A:

(Propuesta A del Distrito de Servicios Públicos del Condado de Midland:)

☐ For (a favor) ☐ Against (en contra)	THIS IS A TAX INCREASE; the issuance of bonds in the amount of \$299,015,000 for water, wastewater/sewage, and drainage system facilities and the levy of taxes sufficient to pay the principal of and interest on the bonds.	ESTE ES UN AUMENTO DE IMPUESTO; La emisión de bonos por un monto de \$299,015,000 para instalaciones de sistemas de agua, aguas residuales/ alcantarillado y de drenaje y la imposición de impuestos suficientes para pagar el capital y los intereses de los bonos.
principal of debt obligations to be authorized (<i>capital de obligaciones de deuda que se autorizará</i>)		\$299,015,000
estimated interest for the debt obligations to be authorized presuming an interest rate of 5.00% (<i>interés estimado para las obligaciones de deuda que se autorizarán asumiendo una tasa de interés del 5.00%</i>)		\$391,413,669
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 25 years (<i>capital e intereses consolidados estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda que se autorizarán amortizar durante 25 años</i>)		\$1,037,198,669
as of the date the election was ordered, principal of all outstanding debt obligations (<i>a partir de la fecha en que se ordenó la elección, el capital de todas las obligaciones de deuda pendientes</i>)		\$0.00
as of the date the election was ordered, the estimated interest on all outstanding debt obligations (<i>a partir de la fecha en que se ordenó la elección, el interés estimado de todas las obligaciones de deuda pendientes</i>)		\$0.00
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 25 years (<i>capital e intereses consolidados estimados necesarios para pagar a tiempo y en su totalidad las obligaciones de deuda pendientes amortizadas durante 25 años</i>)		\$0.00
as of the date the election was ordered, the ad valorem debt service tax rate per \$100 of taxable assessed valuation (<i>a partir de la fecha en que se ordenó la elección, la tasa impositiva ad valorem de servicio de la deuda por cada \$100 de valuación tasada gravable</i>)		\$0.00
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved (<i>aumento anual máximo estimado de la cantidad de impuestos sobre una residencia principal con un valor estimado de \$100,000 para saldar las obligaciones de deuda que se autorizarán, si se aprueba.</i>) This figure assumes application of a homestead exemption of \$140,000. (<i>Esta cifra supone la aplicación de una exención de vivienda de \$140,000.</i>) As noted above, this figure makes conservative assumptions about the amortization period of the debt obligations and the estimated interest rate. (<i>Como se señaló anteriormente, esta cifra hace suposiciones conservadoras sobre el período de amortización de las obligaciones de deuda y la tasa de interés estimada.</i>) Estimated future appraised values in the District are assumed to increase by 1.5% each year. (<i>Se asume que los valores tasados futuros estimados en el Distrito aumentarán un 1.5% cada año.</i>)		\$545.01