

MINUTES OF A REGULAR MEETING
BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA
THURSDAY, JANUARY 10, 1963 - 9:00 A.M.

A regular meeting of the Board of Regents of the University of Oklahoma was held in the office of the President of the University, Norman, at 9:00 a.m. on Thursday, January 10, 1963.

The following were present: Regent Dave Morgan, President, presiding; Regents Northcutt, Monroe, Rothbaum, Johnson, Davidson, and Savage.

The minutes of the meeting held on December 13, 1962, were approved.

On motion by Mr. Savage it was voted to begin the Regents' meetings in the future at 10:00 a.m.

Upon the request of Mr. Wilkinson, President Cross recommended the appointment of Jerry Thompson as Assistant Football Coach and that his salary be worked out at a later date.

Approved on motion by Regent Savage.

Dr. Cross stated that it is important for Mr. Wilkinson to complete his coaching staff as soon as possible by naming replacements for Mr. Crowder and the others who will be moving to Colorado with him; therefore, he recommended that Mr. Wilkinson be authorized to complete his staff and announce the appointments before the February meeting of the Regents after receiving telephone approval from the President or Vice President of the Board.

Approved.

Regent Rothbaum reported that McCune and McCune, Tulsa, Associate Architects for the addition to the Business Administration Building, would be unable to prepare plans for this project because of a heavy schedule and requested that they be relieved of the assignment.

Regent Northcutt moved that Nofziger and Lawrence, Oklahoma City, be appointed Associate Architects for the Business Administration Building at a fee of 5% of the construction bid.

Unanimously approved.

At the December meeting of the Regents (p. 7249) an architectural fee of 3½% of the cost of one eight-unit apartment complex and an additional 1½% of the total cost of the entire project for supervision was approved

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for the 104 apartments to be built on the South Campus. Shaw and Shaw, Associate Architects, have pointed out that the engineering fees in connection with the utilities connections for the project would be considerably more than the fee provided for architectural services for one eight-unit complex, and have requested that the amount of the architect's fee be increased equivalent to 5% of the estimated cost of site improvements and utilities connections. President Cross recommended that the fee for Shaw and Shaw be increased in the amount of \$2,650 to take care of the additional engineering fee involved.

The recommendation was approved on motion by Regent Monroe.

President Cross reported that the American General of Oklahoma Life Insurance Company (formerly Home State Life Insurance Company) has extended the time for the current group insurance policy at the present rates to February 28, 1963. At that time the Company plans to compile statistics to determine the loss ratio to see if they will continue the policy at the present rates beyond the end of February. If the policy is to be cancelled, the University will have 30 days in which to readvertise for bids in order to determine the carrier after March 31, 1963.

President Cross reported a letter had been received from Dean Mark R. Everett in which he stated the Medical School Faculty is interested in being included in the University's fringe benefit program.

Regent Savage moved that the Medical School Faculty be included in the fringe benefit program as soon as arrangements can be worked out. Approved.

President Cross reported on the progress of our \$5,400,000 loan application with the Housing and Home Finance Agency for the student dormitory and apartments. The final architectural plans will not be available for HHFA inspection until the end of this month; therefore, it will not be possible to receive final approval of the loan application by the end of January as had been hoped. It will meet with the approval of the Fort Worth office, however, for us to proceed with the advertisements for construction bids following authorization of the Regents at their February meeting, and the formal approval of the loan application should be in our hands well before the March meeting, which will permit letting of the contracts at that time.

President Cross recommended that a committee of the Regents be appointed to meet at an early date with a similar group from the University

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of Oklahoma Foundation to discuss the fund raising activities of the Foundation.

Regent Morgan appointed Leonard Savage, Chairman, and Regents Rothbaum and Monroe.

President Cross stated there seemed to be a question concerning the plans being prepared by Black and West, Associate Architects for the new dormitory, for the installation of a 1,000 ton steam turbine air conditioning plant in the vicinity of the Center for Continuing Education which would provide cooling for the dormitory and additional cooling for the Center. Mr. Richard Kuhlman, University Architect, Mr. Dud Giezentanner, Business Manager, and Mr. John Kuhlman, Physical Plant Director, were invited to the meeting for an explanation of the reason for expanding the refrigeration plant at the Continuing Education Center in lieu of constructing the facility as a part of the proposed dormitory. Mr. Giezentanner explained that for reasons for economy in eliminating the need for operators and in order to consolidate refrigeration units in one central area, it was advisable to expand the present refrigeration facility at the Center. The cost for expanding the present facility would not be appreciably higher than the cost involved in building a separate system.

President Cross stated that the final plans for the dormitory, which would include this refrigeration plant, would be presented to the Regents for their consideration at the February meeting.

There was a discussion of a master plan for the University. Mr. Richard Kuhlman stated that the Council on Planning and Development has under consideration the development of such a plan. It has been estimated that the cost will be approximately \$35,000. However, if the University works through the Norman City Planning Commission, there is a possibility of receiving a Federal grant for 2/3 of the amount needed. The Council has requested the balance from the University Foundation.

The Regents were in agreement that a good master plan is needed.

Regent Savage requested that a progress report on funds for development of a master plan for the University be placed on the agenda for the February meeting, with particular emphasis on that part of the cost which must be borne by the University.

Mr. John Kuhlman and Mr. Giezentanner retired from the meeting.

Regent Rothbaum reported he had visited with the Associate Architects for the Aeronautical and Space Engineering Building and there seemed

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to be some misunderstanding on the design, and he asked Mr. Richard Kuhlman if he could explain the difficulties. Mr. Kuhlman stated the Associate Architect had submitted a revised sketch of his design and it was his understanding that, as University Architect, he should design the building and submit that design to the Associate Architect for the final plans and specifications. He stated, however, that the plan from Howard-Samis and Davies was a good design.

There followed a discussion of the design for the Aeronautical and Space Engineering Building and a discussion of the responsibilities of the University Architect and the Associate Architects.

Mr. Kuhlman retired from the meeting.

Regent Rothbaum stated that in view of the work that has gone into the plans for this building and in view of Mr. Kuhlman's statement that this is a satisfactory design, he moved that the Associate Architect's design for the proposed Aeronautical and Space Engineering Building be approved in this particular case only, except that the color of the brick used on the building should conform to that already in use on the North Campus.

Approved.

President Cross recommended that the proposal sent to the Regents under date of January 5, 1963 as an addendum to the January agenda, for a Soviet Area Summer School to be operated jointly in Munich, Germany, by the University of Oklahoma and the Institute for the Study of the USSR be approved. This proposal was submitted in early December by Dr. John Eriksen, Associate Dean of the College of Arts and Sciences, who, on a visit to Munich last summer, saw the possibilities in such an arrangement and, with the approval of the administration, worked it out during the fall. Dean Eriksen attended the Regents' pre-session dinner and discussed the proposal with the Regents in detail.

Regent Savage moved the proposal as submitted be approved and that the Regents authorize entering into an agreement. Approved.

President Cross stated he had received a recommendation from Mr. C. B. Wilkinson to increase the salary of Mr. Gomer Jones, Assistant Football Coach and Assistant Director of Athletics, by \$500 per year, effective January 1, 1963, and that he concurred with the recommendation.

Approved on motion by Regent Monroe.

Regent Rothbaum reported that the First National Bank and Trust Company of Oklahoma City notified their stockholders of the organization of First Oklahoma Bancorporation, Inc. and of the opportunity to exchange shares of the First National Bank and Trust Company of Oklahoma City for shares in First Oklahoma Bancorporation, Inc. For each share of \$10 par value stock exchanged, 7 shares of \$5 par value stock in First Oklahoma Bancorporation would be received.

Regent Rothbaum moved the 220 shares of First National Bank and Trust Company stock in the Crippled Children's Hospital Fund be exchanged for shares in First Oklahoma Bancorporation, Inc.

Approved.

Regent Rothbaum also reported that a recommendation on investments in the Murray Case Sells Building Fund had been received from J. & W. Seligman & Co. and he moved approval of the sale and purchase of the following:

<u>Amount</u>	<u>Sell</u>	<u>- Current -</u>	<u>Est'd.</u>	<u>%</u>
		<u>Market</u>	<u>Value</u>	<u>Income</u>
				<u>Yield</u>
	Cash		\$ 3,798	
\$10,000	U.S. Treasury Notes 3 1/4's 2/15/63	100	<u>10,000</u>	<u>\$325</u>
			<u>\$13,798</u>	<u>\$325</u>
	<u>Buy</u>			
\$5,000	Federal Land Bank 4/s 12/20/65	101 1/2	\$ 5,075	\$200
35 shs.	American Tel. & Tel.	116 1/2	4,077	126
100 shs.	Royal Dutch Petroleum	44 1/2	<u>4,450</u>	<u>155</u>
			<u>\$13,602</u>	<u>\$481</u>
				3.5
				3.1
				<u>3.5</u>
				3.5

Approved.

Regent Northcutt stated the committee appointed at the last Regents' meeting to study the overall problems of architectural service and to make a recommendation on a future policy would present a report at the February meeting.

President Cross presented Resolutions authorizing the issuance of \$220,000 Organized Group Housing System Revenue Bonds, First Series, and execution of a Trust Agreement between the Regents and the City National Bank and Trust Company, Oklahoma City, which were prepared by Mr. George Fagin, the University's bond attorney, and recommended approval.

The action of the Regents is as follows:

THE STATE OF OKLAHOMA :

COUNTY OF CLEVELAND :

The Board of Regents of the University of Oklahoma convened in regular meeting on this 10th day of January, 1963, at the President's Office in the Administration Building, on the campus of the University of Oklahoma, at Norman, Oklahoma, at 10 o'clock A.M. with the following members and officers of the Board present, to wit:

- Dave Morgan, President
- Glenn Northcutt, Vice President
- Ira (Eph) Monroe
- Mark R. Johnson, M.D.
- Julian J. Rothbaum
- James G. Davidson
- Leonard H. Savage

Absent: None

There was also present Emil R. Kraettli, Secretary of the Board of Regents.

Regent Leonard H. Savage introduced a resolution which was read by the Secretary. Regent Leonard H. Savage moved that the resolution be adopted. Regent Ira (Eph) Monroe seconded the motion.

The motion carrying with it the adoption of the resolution prevailed by the following vote:

- | | | |
|------|-----------------------|--------------------|
| AYE: | Glenn Northcutt | Ira (Eph) Monroe |
| | Mark R. Johnson, M.D. | Julian J. Rothbaum |
| | James G. Davidson | Leonard H. Savage |

Dave Morgan

NAY: None

The resolution as adopted is as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING AND CONSTRUCTING OF A BUILDING AND FACILITIES FOR THE HOUSING AND FEEDING OF STUDENTS; CONFIRMING THE SALE OF SUCH BONDS; PROVIDING FOR THE PAYMENT OF PRINCIPAL THEREOF AND INTEREST THEREON, AND ENTERING INTO CERTAIN COVENANTS AND AGREEMENTS IN THAT CONNECTION.

WHEREAS, it has been determined to be necessary for the benefit of students attending the University of Oklahoma to acquire and construct a building and facilities for the housing and feeding of students; and

WHEREAS, the issuance of the bonds herein authorized is authorized by the provisions of Title 70, Oklahoma Statutes 1961, Sections 2071-2080;

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of the University of Oklahoma, as follows:

SITE

Section 1. The following described land constituting the site of a building and facilities for the housing and feeding of students to be acquired and constructed with proceeds of the bonds authorized herein hereby is set aside as a site for the said student housing and facilities, and shall be considered to be a part of the campus of the University:

Lots Nine, Ten, Eleven, Twelve, Thirteen and Fourteen in Block One of Johnson's Addition to the City of Norman, Oklahoma, as shown by the Official Recorded Plat Thereof, being premises at 720 South Elm Street, Norman, County of Cleveland, Oklahoma;

Lots Thirty-eight, Thirty-nine and Forty in Block One of Johnson's Addition to the City of Norman, Oklahoma, as shown by the Official Recorded Plat Thereof, being premises at 719 South College, Norman, County of Cleveland, Oklahoma.

PURPOSE

Section 2. For the purpose of paying part of the cost of acquiring and constructing a building and facilities for the housing and feeding of approximately 70 students (hereinafter called the "Project"), there shall be borrowed on the credit of the income and revenues to be derived from the operation of the "Project", the sum of \$220,000 and that to evidence the sum so borrowed and in

anticipation of the collection of such income and revenues, there shall be issued negotiable bonds of the Board of Regents of the University of Oklahoma in the total principal sum of \$220,000.

TERMS AND MATURITIES

Section 3. Said bonds shall be known as "Organized Group Housing System Revenue Bonds, First Series (hereinafter called "Bonds"), shall be dated February 1, 1963, shall be in denomination of \$1,000 each, and shall be numbered 1 to 220, both inclusive.

All bonds shall be payable as to both principal and interest at the City National Bank and Trust Company, Oklahoma City, Oklahoma; or at the option of the holder thereof at the Fiscal Agency of the State of Oklahoma in the City of New York, State of New York, or in the event of the discontinuance of such agency, then at the Manufacturers Hanover Trust Company, New York, New York. Such bonds shall mature as to principal and serially in numerical order on July 1 of each year and bear interest per annum as follows:

<u>Numbers of Bond</u>	<u>Amount</u>	<u>Maturities</u>	<u>Rate of Interest</u>
1 to 4	\$ 4,000	July 1, 1967	3-3/4%
5 to 8	4,000	July 1, 1968	3-3/4%
9 to 13	5,000	July 1, 1969	4%
14 to 18	5,000	July 1, 1970	4%
19 to 23	5,000	July 1, 1971	4%
24 to 28	5,000	July 1, 1972	4%
29 to 33	5,000	July 1, 1973	4%
34 to 39	6,000	July 1, 1974	4%
40 to 45	6,000	July 1, 1975	4%
46 to 51	6,000	July 1, 1976	4%
52 to 58	7,000	July 1, 1977	4.10%
59 to 65	7,000	July 1, 1978	4.10%
66 to 72	7,000	July 1, 1979	4.10%
73 to 79	7,000	July 1, 1980	4.10%
80 to 87	8,000	July 1, 1981	4.10%
88 to 95	8,000	July 1, 1982	4.10%
96 to 104	9,000	July 1, 1983	4.10%
105 to 113	9,000	July 1, 1984	4.10%
114 to 123	10,000	July 1, 1985	4.10%
124 to 133	10,000	July 1, 1986	4.10%
134 to 144	11,000	July 1, 1987	4.20%
145 to 155	11,000	July 1, 1988	4.20%
156 to 167	12,000	July 1, 1989	4.20%
168 to 179	12,000	July 1, 1990	4.20%
180 to 192	13,000	July 1, 1991	4.20%
193 to 220	28,000	July 1, 1992	4.20%

Such interest is payable July 1, 1963 and semi-annually thereafter on January 1 and July 1 of each year, and as to interest falling due on and prior to maturity only upon surrender of the interest coupons hereto attached as they severally become due.

Bonds numbered 34 to 220, inclusive, are redeemable at the option of the Board of Regents on July 1, 1973 or on any interest payment date thereafter as a whole, or in part in inverse numerical order at a redemption price of par and accrued interest to the date fixed for redemption, plus a premium as to each bond redeemed of \$50.00, such premium declining \$5.00 in each succeeding year if redemption is made before July 1, 1983, on and after which date a redemption price of par and accrued interest will be paid. Notice of redemption shall be given not less than thirty days prior to the date fixed for redemption by notice sent by mail to the holder or holders of the bonds to be redeemed, directed to the addresses shown on the Registrar's registration books. If any bond to be so redeemed is not registered as to principal, at least thirty days' notice shall be given through publication of an appropriate notice in a financial newspaper or journal published in the English language in the City of New York, New York, and sent by registered mail to the banks at which the bonds are payable.

EXECUTION OF BONDS

Section 4. The bonds shall be signed by the President of the Board of Regents of the University of Oklahoma, shall be attested by the Secretary thereof, and shall have impressed thereon the corporate seal of the Board. Interest on the bonds falling due on and prior to maturity shall be represented by appropriate interest coupons to be attached thereto, which coupons shall be executed with the facsimile signatures of said President and Secretary, and said officers by the execution of the bonds shall be considered to have adopted as and for their own proper signatures their respective facsimile signatures appearing on said coupons.

REGISTRATION

Section 5. The bonds shall be registerable as to principal only on books to be kept for such purposes by the Comptroller of the University as Registrar, in the manner and with the effect more specifically provided in the form of bond set out in the following section hereof.

FORM OF BONDS

Section 6. Said bonds and the coupons to be thereto attached, and the endorsements to appear on the back thereof, shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF OKLAHOMA

BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA
ORGANIZED GROUP HOUSING SYSTEM REVENUE BOND
FIRST SERIES

Number _____

\$1,000

KNOW ALL MEN BY THESE PRESENTS, that the Board of Regents of the University of Oklahoma, a body corporate under the name of Regents of the University of Oklahoma, for value received hereby promises to pay to bearer, or if this bond is registered as to principal then to the registered owner hereof, solely from the revenues hereinafter recited, the sum of One Thousand Dollars (\$1,000) on the first day of July, 19____, and to pay interest thereon from the date hereof per annum until paid, solely from said revenues, at the rate of _____ per cent (%) per annum until paid. Such interest is payable July 1, 1963 and semi-annually thereafter on January 1 and July 1 of each year, and as to interest falling due on and prior to maturity, only upon surrender of the interest coupons hereto attached as they severally become due. Both principal of and interest on this bond are payable in any coin or currency which on the respective date of payment of such principal and interest is legal tender for the payment of debts due the United States of America at the City National Bank and Trust Company, Oklahoma City, Oklahoma; or at the option of the holder at the Fiscal Agency of the State of Oklahoma in the City of New York, State of New York, or in the event of the discontinuance of such agency then at the Manufacturers Hanover Trust Company, New York, New York.

Bonds numbered 34 to 220, inclusive, are redeemable at the option of the Board of Regents on July 1, 1973 or on any interest payment date thereafter as a whole, or in part in inverse numerical order at a redemption price of par and accrued interest to the date fixed for redemption, plus a premium as to each bond redeemed of \$50.00, such premium declining \$5.00 in each succeeding year redemption is made before July 1, 1983, on and after which date a redemption price of par and accrued interest will be paid. Notice of redemption is to be given not less than thirty days prior to the date fixed for redemption by notice sent by registered mail to the holder or holders of the bonds to be redeemed,

directed to the addresses shown on the registrar's registration books. If any bond to be so redeemed is not registered as to principal, at least thirty days' notice is to be given through publication of an appropriate notice in a financial newspaper or journal published in the English language in the City of New York, New York, and sent by registered mail to the banks at which the bonds are payable.

This bond is registerable as to principal in the manner and with the effect recited on the back hereof.

This bond is one of an issue of \$220,000 bonds of like date and tenor, except as to number, maturity, interest rate and option of redemption, issued for the purpose of paying part of the cost of acquiring and constructing a building and facilities for the housing and feeding of approximately 70 students of the University of Oklahoma and is issued under and pursuant to the Constitution and statutes of Oklahoma, and particularly Title 70, Oklahoma Statutes 1961, Sections 2071 to 2080, both inclusive, and pursuant to a resolution duly adopted by the Board of Regents of the University of Oklahoma on January 10, 1963, to which resolution reference is hereby made for a more particular statement of the terms and conditions pursuant to which this bond is issued, including the conditions under which bonds may be issued in the future payable from the hereinafter mentioned revenues on a parity with this bond.

This bond and the issue of which it is one are payable from the revenues, as revenues are defined in the aforesaid resolution authorizing the bonds to be derived from the operation of the above described student housing project. This bond is not an indebtedness of the State of Oklahoma or the University of Oklahoma or the Board of Regents of the University of Oklahoma, but is a special obligation payable solely from the aforesaid revenues.

This bond is fully negotiable and is not subject to taxation by the State of Oklahoma or by any county, municipality or political subdivision therein.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the issuance of this bond have been properly done, happened and performed in regular and due form as required by law, and that the Board of Regents of the University of Oklahoma has agreed and does hereby agree that lease rentals and charges and fees for the use of the aforesaid student housing and related facilities making up the aforesaid student housing

project shall be fully sufficient to assure the prompt payment of principal of and interest on this bond and the other bonds of the issue of which it is one, promptly as such principal and interest become due, and to create and maintain a reserve for such payment.

IN WITNESS WHEREOF, the Board of Regents of the University of Oklahoma has caused this bond to be signed by its President and attested by its Secretary and its corporate seal to be hereunto affixed, and the interest coupons hereto attached to be signed by the facsimile signatures of said officials, all as of this first day of February, 1963.

President

ATTEST:

Secretary

(Form of Coupon)

Number _____ \$ _____

On the first day of _____, 19____, the Board of Regents of the University of Oklahoma, unless the hereinafter mentioned bond is then callable for redemption, and has been called and provision for the payment thereof duly made, will pay to the bearer the sum of _____ Dollars (\$ _____) at the City National Bank and Trust Company, Oklahoma City, Oklahoma; or, at the option of the holder, at the Fiscal Agency of the State of Oklahoma, in the City of New York, State of New York, or in the event of the discontinuance of such agency then at the Manufacturers Hanover Trust Company, New York, New York, solely from the revenues mentioned in and for interest then due on its Organized Group Housing System Revenue Bond, First Series, dated February 1, 1963, and numbered _____.

President

ATTEST:

Secretary

(Endorsement for Back of Bond)

UNITED STATES OF AMERICA)
STATE OF OKLAHOMA) SS

We, the undersigned Attorney General of Oklahoma and State Auditor of the State of Oklahoma, do hereby certify that the within bond is issued pursuant to law and is within the debt limit provided by law.

Dated _____.

Attorney General

State Auditor

UNITED STATES OF AMERICA)
STATE OF OKLAHOMA) SS

I, the undersigned State Treasurer, hereby certify that I have registered the within bond in my office on _____.

State Treasurer

STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
BOND DEPARTMENT

_____, 19____

I hereby certify that I have examined a certified copy of the record of the proceedings taken preliminary to and in the issuance of the within bond; that such proceedings and such bond show lawful authority for the issuance and are in accordance with the provisions of Title 70, Oklahoma Statutes 1961, Sections 2071 to 2080, inclusive, requiring the approval of the Attorney General, and that this bond is incontestable in any court in the State of Oklahoma unless suit thereon shall be brought in a court having jurisdiction of the same within thirty (30) days from the date of the approval of this bond appearing in the caption hereof.

Attorney General

(Provision for Registration)

The within bond may be registered as to principal on books to be kept for such

purpose by the Comptroller of the University of Oklahoma, as Registrar, upon presentation hereof to such Registrar, who shall make notation of such registration on his books and in the registration blank below, and this bond may thereafter be transferred only upon written assignment of the registered owner or his attorney thereunto duly authorized, duly acknowledged or proved, which transfer shall be made on such books and endorsed hereon by the Registrar. If so registered this bond may thereafter be transferred to bearer and thereby transferability by delivery shall be restored, but this bond shall again be subject to successive registrations and transfers as before. The principal of this bond, if registered, unless registered to bearer, shall be payable only to the registered owner or his legal representative. Notwithstanding the registration of this bond as to principal, the coupons shall remain payable to bearer and shall continue to be transferable by delivery.

Date of Registration	Name of Registered Owner	Signature of Registrar
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:

SECURITY

Section 7. Organized Group Housing System Revenue Bonds, First Series, of the University of Oklahoma are payable from an annual lease rental derived from an agreement entered into with an organized group in an amount sufficient for the payment of principal, interest, trustee and paying agent fees and the creation and maintenance of a Principal and Interest Reserve and an Emergency Repair Reserve. These lease rentals are divided into nine equal monthly installments payable on the first day of October through June in each year.

As additional security for the bonds, the Board of Regents covenants that in the event of default of four consecutive monthly lease rental payments or for failure to pay all lease rental payments due within a school year, the Board of Regents will:

1. Lease the property to another organized group; or
2. Convert the property into a student dormitory; or
3. Assign non-group members to bring the occupancy of the property to capacity.

The University will charge and collect an additional lease rental allocated to payment of maintenance, insurance, and administrative costs. All construction and maintenance work will be accomplished under University supervision. Annual inspection of the property shall be made by the University with recommendations to the system director as to needed repairs.

FLOW OF FUNDS

Section 8. The gross revenues derived from the operation of the Project, as herein defined under Security, shall be used as follows:

There is created to be maintained by the City National Bank and Trust Company, Oklahoma City, the "Organized Group Housing System Revenue Bonds, First Series Principal and Interest Fund" (called the "Bond Fund"); the "Organized Group Housing System Revenue Bond Reserve Fund" (called the "Reserve Fund") and the "Emergency Repair Fund".

That the City National Bank and Trust Company, Oklahoma City is hereby designated as additional Trustee to retain in special accounts secured by an equivalent amount of United States Government Bonds, the Bond Fund, the Reserve Fund, and the Emergency Repair Fund as hereinafter set out.

(a) The Board of Regents covenants and agrees to pay to the City National Bank and Trust Company, Oklahoma City the following mandatory minimum amounts of the Project revenue available therefor, to meet the requirements of (b) and (d) hereinafter set out:

<u>For the Year Ending:</u>	<u>Amount</u>	<u>For the Year Ending:</u>	<u>Amount</u>
July 1, 1963	\$ 3,764.91	July 1, 1978	\$13,729.00
July 1, 1964	\$13,036.00	July 1, 1979	\$13,442.00
July 1, 1965	\$13,036.00	July 1, 1980	\$13,155.00
July 1, 1966	\$12,036.00	July 1, 1981	\$13,868.00
July 1, 1967	\$13,036.00	July 1, 1982	\$13,540.00
July 1, 1968	\$12,886.00	July 1, 1983	\$14,212.00
July 1, 1969	\$13,736.00	July 1, 1984	\$13,843.00
July 1, 1970	\$13,536.00	July 1, 1985	\$14,474.00
July 1, 1971	\$13,336.00	July 1, 1986	\$14,064.00
July 1, 1972	\$13,136.00	July 1, 1987	\$14,654.00
July 1, 1973	\$12,936.00	July 1, 1988	\$14,192.00
July 1, 1974	\$13,736.00	July 1, 1989	\$14,730.00
July 1, 1975	\$13,496.00	July 1, 1990	\$14,226.00
July 1, 1976	\$13,256.00	July 1, 1991	\$14,722.00
July 1, 1977	\$14,016.00	July 1, 1992	\$29,176.00

The Board of Regents further covenants and agrees to pay to the City National Bank and Trust Company, Oklahoma City, as Trustee, whatever additional revenue of the Project is available to meet the requirements of (c) as hereinafter set out.

(b) There is hereby created to be maintained by the City National Bank and Trust Company, Oklahoma City, as Trustee, so long as any of the Bonds are outstanding, a separate account to be known as "Organized Group Housing System Revenue Bonds, First Series Principal and Interest Fund" (herein called the "Bond Fund") into which shall be deposited all accrued interest received from the sale of the bonds. Thereafter there shall be paid into the Bond Fund from the revenues of the Project such sums as set out in paragraph numbered (a) of this Section as are necessary to assure the prompt payment of the debt service on the bonds for the then current year, and in addition thereto the amount necessary to make the required payment into the Emergency Repair Fund provided for in provision (d) below. So far as is practicable, the payments to be made into the Bond Fund in each twelve months' period shall be made in approximately equal semi-annual installments (unless made as advance payments) on the 15th day of June and December, except that when the 15th day of the month shall be a Saturday or holiday, then the payment shall be made on the next preceding secular day. If in any month, the revenues of the Project applicable thereto, are insufficient to make the payment required to be made into the Bond Fund, such deficiency shall be made up and paid into the Bond Fund from the first revenues of the Project thereafter received.

(c) There is hereby created to be maintained by the City National Bank and Trust Company, Oklahoma City so long as any of the bonds are outstanding, a separate account to be known as the "Organized Group Housing System Revenue Bond, First Series Reserve Fund" (herein called the "Reserve Fund"). The Reserve Fund shall total \$26,500, and shall be created by the deposit of said sum at the time the bonds are delivered to the purchaser thereof, and shall be maintained in said sum, from revenues of the Project not required for the purpose of (b) above. The money in the Reserve Fund shall be used solely for the payment of principal and interest on the bonds payable from the Bond Fund as to which there would be a default if the money were not so used; provided, however, that whenever the Reserve Fund shall be in its full amount, as provided by this Resolution, interest earnings of Reserve Fund may, by direction of the Board of Regents, be transferred to the Bond Fund.

(d) There is also hereby created, to be maintained by the City National Bank and Trust Company, Oklahoma City, so long as any of the bonds are out-

standing, a separate account to be known as the "Emergency Repair Fund" in the principal amount of \$11,000 and be established from first revenue payments after payment of interest on bonds as follows: \$4,000 on or before July 1, 1964; \$4,000 on or before July 1, 1965, and \$3,000 on or before July 1, 1966, and the revenues so deposited shall be used by the Board of Regents when needed for emergency repairs to the Project, for extraordinary administrative expenses not otherwise provided, for the payment of principal or interest on the bonds to prevent a default, or for renovation of the property for a subsequent tenant should the tenant in occupancy of the Project default in lease payments. The Trustee shall permit withdrawal of money from the Emergency Repair Fund for the purposes and under the conditions stated above upon certification of need by the Vice President for Business and Finance of the University of Oklahoma, or his successor in function acting as agent for the University.

(e) The Board of Regents covenants that it will deposit in the State Treasury in a fund to be known as Organized Group Housing System Revenue Bonds, First Series Revenue Fund (hereinafter called "Revenue Fund") revenue received from the operation of the Project, in addition to that enumerated in (a) to be expended (1) to maintain the Project in good condition, (2) to cover administrative costs of the Project, and (3) to maintain adequate insurance for the Project.

The monies in the Reserve Fund and in the Emergency Repair Fund shall be invested by the Trustee in obligations of the United States of America. If need for the money so invested shall arise for the payment of principal or interest, the obligations so purchased shall be sold to the extent necessary to make such payments and the proceeds of sale applied to such payment.

The money in the Bond Fund not needed for the payment of principal or interest payable therefrom within the next 60 days shall be invested by the Trustee in short-term obligations of the United States that will mature at face value in time to insure prompt payment of the next payments for which the money was deposited in the Bond Fund.

The Bond Fund, including the Reserve Fund and Emergency Repair Fund shall be kept in separate accounts in the City National Bank and Trust Company, Oklahoma City, as Trustee, and shall be held as special trust accounts for the

benefit of the holders of the bonds. Trustee shall in due season prior to the dates on which principal and interest fall due, make proper arrangements with the bank which is serving as the additional paying agent for the bonds, pursuant to which all bonds and coupons will be paid promptly upon presentation at either place of payment.

When there shall be in the Bond Fund and the Reserve Fund together a sum sufficient to pay principal of and interest to maturity or applicable redemption date on all bonds then remaining outstanding, plus necessary redemption premiums, the money in said funds may be used for such purpose and no additional payments need be made into said funds unless necessary to replace monies lost because of depreciation of investments.

TRUSTEE

Section 9. That the City National Bank and Trust Company, Oklahoma City, as Trustee of the funds hereinbefore set out shall retain in its custody satisfactory evidences of the insurance of the Project hereinafter provided for, and to perform such duties as are further herein recited. A certified copy of this Resolution shall be filed with said Trustee, which shall designate its acceptance of the Trust herein mentioned in such manner as may be satisfactory to the Board.

DELIVERY AND DISPOSITION OF PROCEEDS

Section 10. The bonds herein authorized shall be delivered by the State Treasurer of Oklahoma to R. J. Edwards, Inc., of Oklahoma City, pursuant to payment therefor at the principal amount thereof plus accrued interest to the date of delivery, and the sale of such bonds to said purchasers is hereby confirmed. There shall be paid to the State Treasurer by the Regents of the University of Oklahoma at the time of the delivery of the Bonds the approximate additional amount of \$54,100. The State Treasurer shall disburse said funds received as follows:

(1) accrued interest and an additional sum to equal interest payments due July 1, 1963 to the City National Bank and Trust Company, Oklahoma City, as Trustee, and placed in the Bond Fund; (2) the sum of \$26,500 to be forwarded to the City National Bank and Trust Company, Oklahoma City, as Trustee, and deposited in the Reserve Fund; and (3) the balance to be deposited in a special account in the State Treasury to be known as Construction Account and applied solely to the purpose of acquiring and constructing the Project, including but not limited to architectural, engineering, legal, financial consultant, and administrative expenses and payment of debt service during the construction period. That money in such Construction Account shall be temporarily invested in short-term direct obligations of the United States of America and earnings therefrom shall be credited to the said Construction Account. Any money remaining thereafter after

all costs of the Project have been paid shall be deposited in the Bond Fund or the Reserve Funds held by the Trustee, as the Board of Regents directs.

RENTAL AND OCCUPANCY COVENANT

Section 11. That the Board of Regents expressly covenants and agrees that it will impose and collect under its Lease Agreement referred to with the Organized Group rentals, fees, and charges for the use of all facilities afforded by the Project which shall be fully adequate and sufficient to produce revenues sufficient to retire principal of and interest on said bonds as they fall due; to maintain Reserve Fund and Repair Fund; to maintain the Property in good condition; to cover administrative costs; and to maintain adequate insurance.

It is hereby covenanted and agreed by the Board of Regents that if rent is not paid as provided in said Lease Agreement or if Lease Agreement is terminated under provisions thereof, that as provided in said Lease Agreement the Board of Regents shall have the immediate right to place other students in the Project so that the revenue therefrom will be sufficient to pay the interest on and to retire the principal of said Bonds as they mature and to meet other requirements set out herein.

INSURANCE

Section 12. That the Board of Regents agrees to keep the Project continuously insured against fire, windstorm, and other hazards in the amount of at least equal to the face value of all bonds outstanding payable from the revenues of the Project, provided, however, that in case the amount of such bonds shall be greater than the insurable value, then the Board shall insure to its insurable value.

(a) Each such insurance policy shall be acceptable to the Trustee designated in connection with this bond issue and shall contain a clause making all losses payable to the Trustee as its interests may appear. In the event of any damage to or destruction of any of said building or buildings, or their equipment, the Board of Regents shall promptly arrange for the application of the insurance proceeds for the repair or reconstruction of the damaged or destroyed portion thereof. If the funds received from said insurance policies or otherwise on account of any loss shall be insufficient to make the structure again usable for its intended purpose, then the funds received by reason of such loss shall be deposited with the Trustee for the benefit of the holders of the outstanding bonds payable from the revenues of the Project, as their respective interest may appear.

(b) Immediately upon occupancy of any portion of the new Project, the Board of Regents shall procure and maintain Use and Occupancy Insurance on the Project, the revenues of which are pledged to payment of the bonds, in an amount sufficient to enable the Board of Regents to deposit in the Bond Fund, out of the proceeds of such insurance, an amount equal to the sum that would normally have been available for deposit in such fund from the revenues of the damaged building during the time the damaged building is non-revenue producing as a result of loss of use caused by the perils covered by Fire, Windstorm, and Extended Coverage Insurance. Such insurance policy shall be acceptable to the Trustee and shall contain a loss payable clause making any loss thereunder payable to the Trustee as its interests may appear.

OPERATING REPORTS

Section 13. That the Board of Regents further covenants and agrees to keep proper books of record and account (separate and apart from all other records and accounts) in which complete and correct entries shall be made of all transactions relating to the operation and maintenance of the Project and the allocation and application of the revenues thereof, and that such books shall be available for inspection by the holder of any of the bonds at reasonable hours and under reasonable conditions. Not more than three months after the close of each fiscal year (July 1 through June 30) the Board of Regents agrees to furnish to the Trustee, original underwriter of the bonds, to Milburn, Cochran & Company, Inc., Oklahoma City, and each holder of any of the bonds who may so request a complete operating and income statement covering the operation of the Project for such year, or, if so requested in writing by the holders of not less than forty per cent of the bonds then outstanding, an operating and income statement certified by independent auditors of their selection. The Board of Regents agrees to furnish the annual financial report of the University each year as soon as available to any bondholder requesting it.

TRUSTEE AND PAYING AGENT FEES

Section 14. That all charges made by the Trustee and paying agent banks for services rendered and for payment of principal of and interest on the bonds will be paid from the Project revenues and will not be required to be paid by the holders of the bonds or coupons.

AUTHORITY OF OFFICERS

Section 15. That the officers and agents of the Board and each of them shall be and they are hereby authorized and directed from time to time and at any time to do and perform all such acts and things and to execute and deliver in the name and under the corporate seal and on behalf of the Board all such instruments as may be necessary or desirable to carry out the terms and provisions of this resolution and of the bonds to be issued hereunder.

ADDITIONAL PARITY BONDS

Section 16. That in order to make improvements to the existing student housing project from time to time as needs arise, the Board of Regents shall have the right to issue additional series of housing bonds payable from the revenues of the augmented project on a parity with the First Series bonds authorized in this resolution, but only pursuant to the following conditions:

(a) Additional parity bonds which may be issued shall not exceed seventy-five (75%) percentum of the proposed Project cost and the organized group will make a contribution in the form of land and cash of not less than thirty-five (35%) percentum of the proposed project cost.

(b) All payments required to be made into the Bond Fund, the Reserve Fund, and Repair Fund, under the foregoing provisions of this resolution must be current.

(c) The additional bonds must be payable as to principal on July 1 of each year in which principal falls due and must be payable as to interest on January 1 and July 1 of each year.

(d) The proceeds of the additional bonds must be used for the making of improvements, extensions or additions to or acquisitions for the project.

(e) All additional bonds issued under the provisions of this section shall be payable from the Bond Fund on complete parity with 1963 Organized Group Housing System Revenue Bonds and shall be entitled to payment from the Reserve Fund on complete parity with said outstanding bonds, but provisions shall be made in the proceedings authorizing the issuance of such parity bonds for such increases in the payments into the Reserve Fund as may be necessary to assure the adequacy of such fund to protect all bonds payable from the Bond Fund in the manner and not less than to the extent provided for in the 1963 Organized Group Housing System Revenue Bonds. All of the provisions and

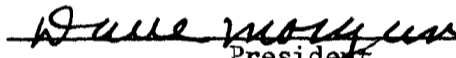
covenants contained in the resolution authorizing the issuance of the 1963 Organized Group Housing System Revenue Bonds shall be applicable to and shall be continued in force for the security and protection of all such parity bonds with like force and effect as for the 1963 Organized Group Housing System Revenue Bonds and the holders of all such parity bonds shall have all rights and shall be entitled to all privileges, audits and reports enjoyed by the holders of the 1963 Organized Group Housing System Revenue Bonds.

SAVING CLAUSE

Section 17. That if it shall ever be held by a court of competent jurisdiction that any one or more sections, clauses or provisions of this resolution is invalid or ineffective for any reason such holding shall not affect the validity and effectiveness of the remaining sections, clauses and provisions hereof.

Section 18. That all resolutions or parts thereof in conflict herewith be and the same are hereby repealed and that this resolution shall become effective immediately after its adoption.

Adopted and approved this 10th day of January, 1963.



President

ATTEST:



Secretary

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

I, Emil R. Kraettli, do hereby certify that I am the duly qualified and acting Secretary of the Board of Regents of the University of Oklahoma.

I further certify that the above and foregoing constitutes a true and correct copy of the minutes of a meeting of said Board held on January 10, 1963, and of a resolution adopted at said meeting, as said minutes of said meeting are officially of record in my office.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Board this the 10th day of January, 1963.



Secretary

(SEAL)

THE STATE OF OKLAHOMA :

COUNTY OF CLEVELAND :

The Board of Regents of the University of Oklahoma convened in regular meeting on this 10th day of January, 1963, at the President's Office in the Administration Building, on the campus of the University of Oklahoma, at Norman, Oklahoma, at 10 o'clock A.M. with the following members and officers of the Board present, to wit:

Dave Morgan, President
Glenn Northcutt, Vice President
Ira (Eph) Monroe
Mark R. Johnson, M.D.
Julian J. Rothbaum
James G. Davidson
Leonard H. Savage

Absent: None

There was also present Emil R. Kraettli, Secretary of the Board of Regents.

Regent Leonard H. Savage introduced a resolution which was read by the Secretary. Regent Leonard H. Savage moved that the resolution be adopted. Regent Ira (Eph) Monroe seconded the motion.

The motion carrying with it the adoption of the resolution prevailed by the following vote:

AYE:	Glenn Northcutt	Ira (Eph) Monroe
	Mark R. Johnson, M.D.	Julian J. Rothbaum
	James G. Davidson	Leonard H. Savage
	Dave Morgan	

NAY: None

The resolution as adopted is as follows:

RESOLUTION

ADOPTING A TRUST AGREEMENT RELATING TO THE REGENTS OF THE UNIVERSITY OF OKLAHOMA \$220,000 ORGANIZED GROUP HOUSING SYSTEM REVENUE BONDS, FIRST SERIES, AND AUTHORIZING EXECUTION ON BEHALF OF THE BOARD OF REGENTS.

WHEREAS, the Regents of the University of Oklahoma on the 10th day of January, 1963, by resolution authorized the issuance of bonds in the sum of \$220,000 for the purpose of acquiring and constructing on land owned in fee simple by the State of Oklahoma for the use and benefit of the University of Oklahoma, at Norman, Oklahoma, a building and facilities for the housing and feeding of students; and

WHEREAS, the City National Bank and Trust Company, Oklahoma City is designated in said resolution as Trustee of certain funds for the benefit and protection of the holders of the \$220,000 Organized Group Housing System Revenue Bonds, First Series;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED by the Regents of the University of Oklahoma that the President and Secretary be and they are hereby authorized to execute on behalf of the Board of Regents, to become effective upon delivery of the said Organized Group Housing System Revenue Bonds, First Series, the following Trust Agreement:

A G R E E M E N T

THIS CONTRACT AND AGREEMENT made and entered into by the Regents of the University of Oklahoma, Party of the First Part, and the City National Bank and Trust Company, Oklahoma City, Oklahoma, a national banking association organized and operating under the laws of the United States, Party of the Second Part.

WITNESSETH:

THAT WHEREAS, the Board of Regents of the University of Oklahoma did on the 10th day of January, 1963, by resolution (hereinafter called Bond Resolution) authorize the issuance of Organized Group Housing System Revenue Bonds, First Series, in the sum of \$220,000 for the purpose of acquiring and constructing of a building and facilities for the housing and feeding of approximately 70 students; as set forth in the above mentioned resolution of said Regents, a copy of which resolution is hereto attached and made a part of this contract; and

WHEREAS, said Board of Regents of the University of Oklahoma did by said Bond Resolution designate the City National Bank and Trust Company, Oklahoma City, Oklahoma, Party of the Second Part herein, as Trustee of certain funds hereinafter more fully described for the benefit and protection of the holders of outstanding bonds payable from the Project; and to perform other services as therein specified; and

WHEREAS, the Second Party has consented to act as such Trustee for the purposes aforesaid:

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

A. The First Party hereto accepts and undertakes the performance of the following duties in the manner more fully prescribed in the said Bond Resolution.

(1) To enter into a Lease Agreement with an organized group providing for the payment of rentals, fees and charges which shall be fully adequate and sufficient to produce revenues equal to the amount required to be paid in the ensuing year for principal and interest falling due in such year on bonds payable from the revenues of the Project and Reserve Fund and Emergency Repair Fund as provided, and operation and maintenance expenses.

(2) To keep the Project including its equipment continuously covered by fire and extended coverage insurance and use and occupancy insurance, as provided in the said Bond Resolution and deliver evidence thereof to the Trustee, and to any holder of more than 40 per cent of the bonds who so requests.

(3) To operate and maintain the Project in good condition.

(4) To deposit with the said Trustee revenues derived from the Project in the amount and at the time provided for in the Bond Resolution, which shall be placed in the "Organized Group Housing System Revenue Bonds, First Series, Bond and Interest Account," sometimes referred to in the Bond Resolution as the "Bond Fund," and to the "Organized Group Housing System Revenue Bonds, First Series, Bond Reserve Fund," sometimes referred to in the Bond Resolution as the "Reserve Fund," and the "Organized Group Housing System Revenue Bonds, First Series, Emergency Repair Fund," herein called "Emergency Repair Fund."

(5) To keep separate accounts of all financial transactions affecting the bond issue and the operation of the student housing and furnish operating

statements to the Trustee and others entitled to receive them as provided in the Bond Resolution.

(6) To pay all reasonable charges made by the Trustee and Paying Agent Banks for services rendered under this agreement. Payments to the Trustee, the Second Party herein, shall be made in accordance with the following scale:

ACCEPTANCE FEE:

1/20th of 1% of original bond issue with a minimum of \$250.00.

ANNUAL FEE:

1/20th of 1% of the authorized and outstanding bonds with a minimum annual fee of \$200.00.

PAYING AGENT'S FEE:

1/10th of 1% of the sums disbursed for the purpose of paying principal and 1/4th of 1% of the sums disbursed for the payment of interest.

In cases of extraordinary services performed, the Trustee shall receive reasonable compensation for such service.

B. The Second Party hereto accepts and undertakes the performance of the following duties in the manner more fully prescribed in the said resolution:

(1) To hold in trust the money paid to the Trustee by First Party, to be used solely for the following purposes:

(a) To pay promptly the principal of and interest on the bonds when due, whether the bonds and coupons are presented to the Trustee or to the co-paying agent, the fiscal agency of the State of Oklahoma in the City of New York, State of New York, or in the event of the discontinuance of such agency, then at the Manufacturers Hanover Trust Company, New York City, New York, and to pay from the Bond Fund the required paying agent fees and trustee fees.

(b) To pay the principal of bonds prior to maturity when so directed upon proper notice by First Party.

(c) To make payments to First Party from the Emergency Repair Fund upon request by First Party as provided in the Bond Indenture.

(2) To maintain separately a "Bond Fund," "Reserve Fund," and an "Emergency Repair Fund" in accordance with terms of the resolution.

(3) To secure the amount of money deposited in the "Bond Fund," "Reserve Fund," and "Emergency Repair Fund" by an equivalent amount of United States Government Bonds in the manner prescribed by Federal law for the securing of trust funds.

(4) To invest the amount in the Reserve Fund and Emergency Repair Fund in United States Government Bonds; and if need for the money so invested shall arise for payment of principal or interest, to sell such obligations to the extent necessary to make such payments; and to invest portions of the Bond Fund in short-term Government obligations as provided in the Bond Resolution.

(5) In the event of failure by First Party to deposit in the Bond Fund, the Reserve Fund, or the Emergency Repair Fund at the time stated in the Bond Resolution, the amounts of money necessary to meet interest and principal payments when due and the amounts of money necessary to create and maintain the Reserve Fund and the Emergency Repair Fund in accordance with the provisions of the Bond Resolution, then and in that event the Second Party shall, upon request of the holders of forty (40) per cent of the bonds, take appropriate action to enforce compliance with the terms of the said Bond Resolution insofar as they apply to such payments. Second Party shall not be obligated to take action to enforce such compliance unless properly indemnified to its satisfaction in reasonable amounts. The obligation of Second Party to enforce compliance with terms of the Bond Resolution shall not extend beyond those requirements of the Bond Resolution that relate to deposits of money by First Party in the Bond Fund, or the Reserve Fund, or the Emergency Repair Fund in the custody of the Trustee, the Second Party herein; provided, however, that Second Party agrees to perform other and additional services in connection with enforcing terms of the Bond Resolution if so requested in writing by holders of forty (40) per cent of the bonds. Second Party shall be properly indemnified to its satisfaction in reasonable amounts in connection with such other and additional services.

C. It is mutually agreed by the parties that the said Bond Resolution certified copy of which is attached herewith, is hereby adopted as a part of this Trust Agreement, and all provisions of said Bond Resolution that relate to operation of the trusteeship shall be binding on both parties hereto in the same manner as though set forth fully herein; and the failure to specify in this Agreement particular duties expressed or implied in the Resolution shall not be deemed a waiver of such duties by either party to this Agreement; provided, however, enforcement of any of the provisions of said Bond Resolution shall only be in accordance with the terms and provisions of this Trust Agreement.

D. The First Party to this agreement reserves the right to appoint a new trustee under any of the following conditions:

(1) If the Second Party gives notice that it wishes to terminate its trusteeship;

(2) If the First Party becomes dissatisfied for good cause reasonably demonstrated with the conduct of the Second Party in its handling of trust funds or trust affairs;

(3) Or upon request of sixty per cent (60%) of the holders of the bonds authorized by the Bond Resolution herein referred to.

In case the First Party wishes to terminate the Trust Agreement with the Second Party under Paragraphs 2 or 3 above, it shall give the Second Party thirty days' notice of such intention and upon the appointment of a new trustee after the above period of notice it shall be the duty of Second Party to transfer to such new trustee all funds and things of value received by said Second Party under the terms of this Agreement and to account fully to said First Party for its administration of the trust herein undertaken.

The provisions of this section shall not be construed as applying to any application to a court of record made by either party to enforce the provisions of the trust or to remove a trustee or to appoint a new trustee, but this section shall give remedies in addition to the legal remedies last mentioned.

E. The Second Party to this Agreement reserves the right to resign as trustee following reasonable notice of such intention. In no case shall such notice be less than thirty days.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals on this the 10th day of January, 1963.

REGENTS OF THE UNIVERSITY OF OKLAHOMA

ATTEST:



Secretary

By Wane Morgan

President

(Party of the First Part)

CITY NATIONAL BANK AND TRUST
COMPANY, OKLAHOMA CITY

ATTEST:

Cashier

By _____
Vice President

(Party of the Second Part)

(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion duly made and carried, the meeting of the Board of Regents of the University of Oklahoma was adjourned.

Dave Morgan
President

ATTEST: Emil R. Kraettli
Secretary

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

I, Emil R. Kraettli, do hereby certify that I am the duly qualified and acting Secretary of the Board of Regents of the University of Oklahoma.

I further certify that the above and foregoing constitutes a true and correct copy of the minutes of a meeting of said Board held on January 10, 1963, and of resolutions adopted at said meeting, as said minutes and resolutions are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Board this 10th day of January, 1963.

Emil R. Kraettli
Secretary

(SEAL)

January 10, 1963

7275

On December 19, 1962, a letter was mailed to each Regent requesting approval of the addition of \$200,000 to the total project cost of the 1,000 unit student housing facility to cover the cost of one additional elevator in each of the four towers, and approval was received from a majority of the Regents.

President Cross recommended confirmation of this mail vote. On motion by Regent Monroe it was voted to confirm the above mail vote approving an additional \$200,000 for the new dormitory to cover the cost of four additional elevators.

President Cross stated the following bids were received on January 8 for the addition at the Biological Station:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate No. 1</u>	<u>Alternate No. 2</u>	<u>Alternate No. 3</u>
John W. Bengel, Denison, Texas	\$162,600	-\$6,500	-\$4,900	-\$9,300
Clyde Burton & Sons, Ardmore	163,500	- 6,383	- 4,398	- 9,025
Danielsen Construction Co., Denison, Texas	167,418	- 5,724	- 5,033	- 9,500
Pollock Construction Co., Duncan	154,786	- 6,100	- 4,500	- 8,000

President Cross called the attention of the Regents to the fact that the University has a grant from the National Science Foundation in the amount of \$114,500 for the project. This will require that the University match the grant by an amount of \$49,572 to make a grand total of \$164,072, which includes the architect's fee for the project. \$40,000 has been allocated by the Regents from Section 13 and New College Funds. The Council on Planning and Development has \$8,567 scheduled for allocation during the fourth quarter of the current fiscal year.

If the base bid of \$154,786 is accepted, it will require that the fourth quarter allocation be increased to \$9,572. Funds are available in the Section 13 and New College Funds to make the additional allocation.

Dr. Carl Riggs, Mr. Harold Flood, the Architect, the Director of the Physical Plant, the Business Manager, the Vice President for Business and Finance, and the Vice President for Research and Development, have recommended that the base construction bid of \$154,786 be accepted.

January 10, 1963

7276

President Cross recommended that the contract be awarded to Pollock Construction Company, Duncan, Oklahoma, at the base bid amount of \$154,786.

Mr. Northcutt requested that the contracts for the construction of these buildings specify that all child labor laws must be abided by.

On motion by Regent Monroe, it was voted to award the contract to Pollock Construction Company, Duncan, at their base bid of \$154,786.

President Cross presented the following bids which were received on January 8 for the construction of the Administration Building for the Center for Continuing Education:

<u>Contractors</u>	<u>Base Bid</u>
Grant C. Carpenter Construction Company	\$329,500
Builders Construction Company	349,400
Barbour & Short, Inc.	354,449
The Constructors Company	357,601
United Builders, Inc.	359,000
J. J. Cook Construction, Inc.	365,790
Lippert Bros. Construction Company	368,348
Chas. T. Hughes, Inc.	372,834
J. J. Bollinger Construction Company	377,754
Manhattan Construction Company	377,890
Anderson & House	380,823

The Associate Architects revised the original plans and specifications in order to be assured that the project would come within the amount available for the construction. The bid was less than had been anticipated and will make funds available for certain other additions for the Center.

President Cross recommended that the contract be awarded to the low bidder, Grant C. Carpenter Construction Company, Oklahoma City, at the base bid amount of \$329,500.

Approved on motion by Regent Monroe.

President Cross stated that the Physical Plant and the Council on Planning and Development has recommended that Buildings 7B, 7E, 7F, 7G and 7H, North Campus, be reported to the Purchasing Department as surplus to the needs of the University and that they be sold and removed from the North Campus.

January 10, 1963

7277

President Cross noted that these wooden, barracks-type buildings, constructed during World War II, are no longer in use, have had little or no maintenance during the past several years and are in bad condition. If the University is to realize any salvage value from these structures, they should be disposed of at an early date.

President Cross recommended approval of this proposal.

Approved on motion by Regent Monroe.

Regent Davidson asked that, because he is a relative, Mr. W. H. Elliott, Jr., Tulsa, not be considered for an architectural contract at the University for as long as he is a member of the Board of Regents.

President Cross stated that the University's telephone system includes automatic dial phones for the administrative stations, but phones in the housing area are not of the dial type. All of the calls from the housing area must be manually handled by the University operators in order to make proper connections to complete calls. The switchboard has become so congested that it was necessary to either install automatic dial phones in the housing areas or add a number of additional operator positions.

Representatives from the Southwestern Bell Telephone Company recommended that the manual telephones in the housing area be converted to the automatic dial type. In this manner the operators would handle only the incoming calls. A toll diverter on all housing phones would eliminate the possibility of long distance dialing by the student. This change should relieve the congested condition on the switchboard and would cost considerably less than the cost for installing the additional operator positions which would be necessary. The cost for each housing phone, however, would be increased.

If the change is made, the dormitories which are not now connected to the University switchboard should be added to the system. This would include phones in each room at Hester-Robertson Houses, Whitehand House, and Franklin House (the Athletic Dormitory is not included as a part of the telephone system).

President Cross stated that he authorized the telephone company to proceed with converting the housing manual phones to automatic dial phones and authorized the installation of phones in individual rooms at Hester-Robertson Houses, Whitehand House, and Franklin House.

The increased telephone cost is one of the many factors which make it advisable to again increase room and board rates to be effective September 1, 1963. In addition to the increased cost for providing telephone

service in student dormitory rooms, the following reasons are offered for recommending the increase:

1. It has been necessary to increase salary rates for housing employees in order to attract and maintain capable employees.
2. The University's share of the Social Security payment has been increased effective January 1, 1963.
3. Operational and maintenance costs for all housing facilities have increased slightly over the previous level.
4. It is necessary to pay higher prices for the replacement of items of equipment in both the housing and food service areas.
5. The usual bond indenture requirements provide that the University earn 130% of the interest and principal requirements of the dormitory system.

The Director of University Housing, the Business Manager, and the Vice President for Business and Finance have recommended that semester charges be adjusted as follows:

	<u>Present Semester Rate</u>	<u>Increased Telephone Charge</u>	<u>Recommended Semester Rate</u>
Whitehand (room only)	\$ 80.00	\$14.71	\$100.00
Franklin (room only)	80.00	14.71	100.00
Hester-Robertson	295.00	14.71	315.00
Cross Center	315.00	4.59	325.00
Wilson Center	275.00	4.59	285.00
Cate Center (not air conditioned)	305.00	4.59	315.00
Cate Center (air conditioned)	325.00	4.59	335.00

President Cross recommended that the increased rates as outlined above be approved and that the rate for Niemann Apartments for a furnished apartment with utilities paid, be increased from \$50.00 per month to \$55.00 per month.

Approved on motion by Regent Savage.

President Cross reported that the present fee for an eight-week reading improvement course given by the University Reading Laboratory, College of Education, is \$6.00. The classwork involved is equivalent to one semester hour of work, but no credit is allowed.

President Cross recommended that the fee for the Reading Laboratory eight-week reading improvement course be increased from \$6.00 to \$7.00 effective at the beginning of the second semester of this academic year.

Approved on motion by Regent Monroe.

President Cross reported that after subsidizing the University radio station, WYAD, for many years, a decision was made on January 4, 1962, to put the station on a semi-commercial basis. We were advised by Mr. Marcus Cohn of Washington, D. C., an alumnus and an authority in this field who has served the University for a number of years without fee, and by Mr. Michael Hanna, Director of the University-owned radio station at Cornell University, that this move should be taken and that in their judgment it would be a successful one from a financial as well as from other standpoints.

An experienced commercial radio man was brought in as Associate Manager of the station, a contract was signed with the Columbia Broadcasting Network, and a concerted effort was launched to secure commercial advertising of a dignified and appropriate character. After 10 months of experience with the semi-commercial operation, we are now convinced that the station cannot be made self-supporting as a semi-commercial University-related station. The anticipated deficit in the station account for this fiscal year is approximately \$40,000.

President Cross requested approval of the Regents to explore the possibility of selling the WYAD franchise and that part of the physical equipment which is not needed for other University operation, by public bid. Since state law requires that all equipment surplus to the needs of the University be sold through the State Central Purchasing Office, permission is requested to report our possible desire to sell the franchise and equipment to the State Central Purchasing Office and to work with that office in advertising for bids and in the sale which may follow.

Approved on motion by Regent Johnson.

President Cross reported that Mrs. Earl Sneed has contributed three shares of Oklahoma Natural Gas Company common stock to the Phi Kappa Psi Building Fund, and that it is her wish that the stock be sold and the proceeds placed in the Building Fund.

President Cross recommended that the following Resolution authorizing the sale of the stock be approved:

RESOLUTION

RESOLVED THAT, we, the Regents of the University of Oklahoma in the name of the University of Oklahoma, Norman, Oklahoma (Phi Kappa Psi House), do hereby authorize the sale of the following stock of the Oklahoma Natural Gas Company:

3 shares - Certificate Number NO81114

and by these presents we do hereby ratify and confirm the sale of the said shares; and

BE IT FURTHER RESOLVED THAT, Emil R. Kraettli, Secretary of the Regents of the University of Oklahoma, be and he is hereby authorized and empowered to endorse by and on behalf of the said Regents of the University of Oklahoma, the stock certificate mentioned above, and by these presents we do hereby ratify and confirm the said endorsement of the said shares; and

BE IT FURTHER RESOLVED THAT, the President and the Secretary of the Regents of the University of Oklahoma be and they are hereby empowered to certify the action taken.

Unanimously approved on motion by Regent Savage.

President Cross reported that bidders on bread and bread products were given the opportunity to bid on both a contract for six months and a contract for twelve months. The prices bid per unit were the same. The Housing Department prefers the yearly contract because it cuts down the confusion of changing companies, educating drivers, etc.

Bids were sent to seven companies, and the following are the bids received:

Continental Baking Company		
6 months		\$ 7,562.75
1 year		15,125.50
General Baking Company		
6 months		12,116.00
1 year		no bid
Rainbo Baking Company		
6 months		12,089.00
1 year		24,178.00

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The Director of Purchasing, the Director of Housing, the Business Manager, and the Vice President for Business and Finance have recommended that this contract be awarded to the low bidder, the Continental Baking Company, Oklahoma City, and that the award be for one year.

This bakery has been inspected and approved by Mr. Dan Guyer, University Sanitarian.

President Cross recommended that the contract be awarded to the low bidder, Continental Baking Company, for the period February 1, 1963 through January 31, 1964, at their bid of \$15,125.50.

Approved on motion by Regent Savage.

Bidders on milk and milk products were also given the opportunity to bid on a contract for six months and a contract for twelve months. Invitations to bid were sent to five potential bidders, but only two were received as follows:

Townley's Dairy	
6 months	\$23,869.75
1 year	47,739.50
both less 1%	
Meadow Gold Dairy	
6 months	no bid
1 year	\$51,547.00

The bid price per unit from Townley's Dairy was the same for six months and for one year and the Housing Department prefers an annual contract; therefore, the Director of Purchasing, the Director of Housing, the Business Manager, and the Vice President for Business and Finance recommended that this contract be awarded to the low bidder, Townley's Dairy, and that the award be for one year.

This dairy has been inspected and approved by Mr. Dan Guyer, the University Sanitarian.

President Cross recommended that the bid be awarded to the low bidder, Townley's Dairy, for the period February 1, 1963 to January 31, 1964, at their bid of \$47,739.50.

Approved on motion by Regent Savage.

President Cross reported that invitations to bid on two types of aviation gasoline for Max Westheimer Field were sent to six prospective companies, but only two bids were received, and they are as follows:

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Mobil Oil Company, Oklahoma City			
90,000 gals	80/87 Octane		
	.14510 per gal	\$13,059.00	
50,000 gals	100/130 Octane		
	.15190 per gal	7,595.00	
Continental Oil Company, Oklahoma City			
90,000 gals	80/87 Octane		
	.1457 per gal	\$13,113.00	
50,000 gals	100/130 Octane		
	.1527 per gal	7,635.00	

President Cross recommended that the contract be awarded to the low bidder, Mobil Oil Company, Oklahoma City, on their bid as shown above.

Approved on motion by Regent Savage.

PERSONNEL

FACULTY

LEAVE OF ABSENCE WITHOUT PAY:

Leo H. Whinery, Professor of Law, January 16 to June 1, 1963.

APPOINTMENTS:

Lloyd E. Harris, Dean of the College of Pharmacy and Professor of Pharmacy, \$14,500 for 12 months, July 1, 1963.

Archie M. Kahan, Ph.D., Executive Director, Research Institute; appointed Professor of Meteorology in Engineering Physics, February 1, 1963.

Darrel G. Harden, Assistant Professor of Mechanical Engineering, rate of \$8,316 for 9 months, January 16, 1963.

Thomas S. Ray, Adjunct Assistant Professor of Psychology, no salary, January 1, 1963. Also Practicum Supervisor, Psychological Clinic.

Frank Warren Smith, Instructor in Chemistry, \$1,374 for 4½ months, 1/2 time, January 16, 1963.

Glenn Sullivan, Instructor in Civil Engineering, \$1,125 for 4½ months, 1/2 time, January 16, 1963.

Melody Jean Marshall, Special Instructor in Home Economics, part time, January 16 to June 1, 1963. Salary to be paid by special payment.

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CHANGES:

John R. Morris, Assistant Dean, University College, given additional title of Assistant Professor of Psychology, January 1, 1963.

Theodore S. Baumberger, Practicum Supervisor, Psychological Clinic, salary changed from \$600 for 12 months, part time, to no salary, December 1, 1962. Also appointed Adjunct Assistant Professor of Psychology, no salary, January 1, 1963.

DEATH:

Eugenia Kaufman, Associate Professor Emeritus of Modern Languages, December 23, 1962.

GRADUATE ASSISTANTS

APPOINTMENTS:

Artemis Papastamataki, Chemistry, \$900 for 4½ months, 1/2 time, January 16, 1963.

Jerry Lee Wilson, Chemistry, \$1,800 for 9 months, 1/2 time, September 1, 1963.

Alvin Harold Smith, Geology, \$900 for 4½ months, 1/2 time, January 16, 1963.

RESIGNATION:

Eugene North Wood, Chemistry, January 16, 1963.

NON-ACADEMIC

APPOINTMENT:

David W. White, Extension Specialist II and Associate Director of Short Courses, General Services, \$7,356 for 12 months, January 1, 1963.

CHANGE:

Richard M. Huff, title changed from Legal Advisor to Administrative Assistant, President's Office, December 17, 1962. Also Assistant Professor of Law.

RESIGNATIONS:

William C. Boren, Extension Specialist II, Dean's Office, Extension Division, December 26, 1962.

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Benn Lawrence Henry, Extension Specialist II, General Services, January 7, 1963.

Warren L. Osburn, Extension Specialist II, General Services, January 7, 1963.

Don E. Webb, Associate Manager, WNAD, January 5, 1963.

Approved on motion by Regent Rothbaum.

MEDICAL CENTER

APPOINTMENTS:

John Leroy Folks, Ph.D., Consultant Associate Professor of Preventive Medicine and Public Health, \$65 per visit, part time, November 1, 1962.

Andre Muller Weitzenhoffer, Ph.D., Associate Professor of Medical Psychology in Psychiatry, clinical rates, November 1, 1962.

Genevieve Marie Baker, M.D., Assistant Professor of Radiology, annual rate of \$10,000 for 12 months, November 19, 1962.

Richard Elihu Bettigole, M.D., Clinical Assistant in Medicine, clinical rates, December 1, 1962.

CHANGES:

James A. Cutter, M.D., promoted from Clinical Associate Professor to Clinical Professor of Anesthesiology, August 1, 1962.

Raymond Edward Roth, Ph.D., Visiting Assistant Professor of Preventive Medicine and Public Health, salary changed from \$600 to \$700 per month, December 1, 1962 to June 1, 1963.

Frank William Stewart, D.M.D., Assistant Professor of Dental Surgery; appointed Vice Chairman of the Division of Dental Surgery, December 1, 1962.

Landon Clarke Stout, M.D., Instructor in Medicine, paid additional \$25 per visit, November 5, 1962.

RESIGNATIONS:

James Thomas Boggs, M.D., Assistant Professor of Radiology, November 16, 1962.

Famela Richardson Parris, M.D., Instructor in Medicine, November 21, 1962.

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Luther William Crews, M.S., Instructor in Preventive Medicine, December 31, 1962.

S. Mario Alcantara, M.D., Clinical Assistant in Anesthesiology, December 31, 1961.

Approved on motion by Regent Johnson.

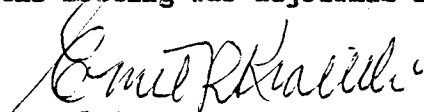
Regent Northcutt reported that he would be attending the Association of Governing Boards Executive Committee meeting in Chicago January 20-23, and asked that they inform him if any member has an item he wishes placed on the agenda which will be prepared at the January meeting for the Association meeting to be held in Dallas in the spring.

Regent Rothbaum reported that the meeting in Tulsa will be held this year on April 11. Regent Savage offered his offices in the Tri-State Building for the meeting.

It was voted to change the February meeting from the second Thursday of the month to February 7.

Regent Monroe extended an invitation to the Board to meet in Clinton each year in January. No final action was taken on this matter.

There being no further business the meeting was adjourned at 11:45 a.m.


Emil R. Kraettli, Secretary