

RESOLUTION NO. 979

**APPOINTING A PERSON TO FULFILL THE REMAINDER OF A
THREE-YEAR TERM AS A TRUSTEE OF THE
CLINTON HOSPITAL AUTHORITY**

WHEREAS, the City of Clinton previously adopted a Declaration of Trust creating the Clinton Hospital Authority, and more recently on March 26, 2024, adopted the Third Amended Trust Indenture; and

WHEREAS, Article VIII (1b) of said Third Amended Trust Indenture provides for the appointment by the Clinton City Council of eligible persons to serve as Trustees for three (3) year terms; and

WHEREAS, after due consideration of the eligibility requirements and the qualifications of several potential Trustees, the City Council in open session makes the appointment as listed below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clinton to:

Appoint _____ to term ending on July 1, 2026.

PASSED by the City Council this 2nd day of April 2024.

David D. Berrong, Mayor

ATTEST:

Amy E. Jones, City Clerk

RESOLUTION NO. 979

**APPOINTING A TRUSTEE TO FULFILL THE REMAINDER OF A
THREE-YEAR TERM AS A TRUSTEE OF THE
CLINTON HOSPITAL AUTHORITY**

WHEREAS, the City of Clinton previously adopted a Declaration of Trust creating the Clinton Hospital Authority, and more recently on March 26, 2024, adopted the Third Amended Trust Indenture; and

WHEREAS, Article VIII (1b) of said Third Amended Trust Indenture provides for the appointment by the Clinton City Council of eligible persons to serve as Trustees for three (3) year terms; and

WHEREAS, after due consideration of the eligibility requirements and the qualifications of several potential Trustees, the City Council in open session makes the appointment as listed below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clinton to:

Appoint _____ to term ending on **June 1, 2026.**

PASSED by the City Council this 2nd day of April 2024.

David D. Berrong, Mayor

ATTEST:

Amy E. Jones, City Clerk

**THIRD AMENDED DECLARATION OF TRUST
OF
THE CLINTON HOSPITAL AUTHORITY**

WHEREAS, the governing body of the City of Clinton adopted a Declaration of Trust, dated May 31, 1972, which Created the Clinton Hospital Trust Authority;

WHEREAS, the governing body of the City of Clinton amended the 1972 Trust Indenture on May 19, 1998;

WHEREAS, the governing body of the City of Clinton again amended the 1998 Trust Indenture on June 20, 2023.

WHEREAS, Article VII of the 2023 Second Amendment provides for a Physician Member, to be elected by the Physicians with admitting privileges.

WHEREAS, the Physician Member seat has become ineffectual and an Eligible Physician has not been elected and the Beneficiary and Authority believe it in the best interest of the Authority to remove the Physician Member seat;

WHEREAS, the Trustees of the Authority believe it to be in the best interest of the Authority and the Beneficiary to amend the Declaration of Trust to effectively represent the current and necessary future operations of the Authority and Beneficiary;

KNOW ALL MEN BY THESE PRESENTS:

**ARTICLE I
Declaration and Covenant**

The undersigned Trustor hereby contracts with the undersigned Trustees, and the latter, as individuals and not as holders of public office, hereby do declare and covenant, between themselves and unto the Trustor, the State of Oklahoma and the Beneficiary hereinafter described, that they and their successor do and will hold, receive and administer the Trust Estate hereinafter described, as Trustees of a public trust under and pursuant to the laws of the State of Oklahoma now in force and effect (generally, but not exclusively, Sections 176 to 180, inclusive, of Title 60, Oklahoma Statutes, and the Oklahoma Trust Act), solely for the use and benefit of said Beneficiary for the public purposes and functions hereinafter set forth, in the manner provided in this instrument or, in the absence of applicable provision herein, then in the manner now provided by law. The aforesaid public trust was created and now amended by virtue of the execution of this instrument by the individuals signing the same as the Trustor and initial Trustees hereunder; and neither the acceptance of the beneficial interest hereunder, nor the endorsement hereon of such acceptance, for and on behalf of the designated Beneficiary as provided by law, nor the fact that, at the time of signing this instrument, some or all of the initial Trustees are members of the governing body thereof, shall be deemed or construed to be the creation of a public trust by said Beneficiary or the governing body thereof.

**ARTICLE II
Name and Effective Date**

