

RESOLUTION NO. 2013-04

A RESOLUTION OF THE CITY OF BALDWIN CITY, KANSAS, AUTHORIZING IMPROVEMENTS TO THE CITY'S SEWAGE COLLECTION AND DISPOSAL WORKS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, Charter Ordinance No. 24 (the "Act") of the City of Baldwin City, Kansas (the "City"), authorizes the City to operate and maintain sewers and disposal works for the collection and purification of the sewage of the City (the "Sewer System"), or of any part thereof, and to pay the costs and expenses of building the same, in whole or in part, from general obligation bonds of the City; and

WHEREAS, the Governing Body of the City has heretofore found and determined it necessary and advisable to construct certain collection and treatment improvements to the Sewer System (the "Project"); and

WHEREAS, the Governing Body of the City passed an Ordinance authorizing the execution of Loan Agreements with the Kansas Department of Health and Environment ("KDHE") for KWPCRF Project No. 1303-01, in the original principal amount of \$409,438; KWPCRF Project No. 1571-01, in the original principal amount of \$2,955,074; and KWPCRF Project No. 1748-01, in the original principal amount of \$1,256,649, to provide initial financing for the Project (jointly, the "Loans"); and

WHEREAS, the City hereby finds and determines that it is necessary and advisable to provide, pursuant to the provisions of the Act, for the issuance of general obligation bonds of the City to provide for the payment of the costs and expenses of constructing the Project and the prepayment, retirement and refunding of the Loans.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BALDWIN CITY, KANSAS:

Section 1. Project Authorization. The Governing Body of the City hereby ratifies the improvement of the System by the construction of the Project.

Section 2. Project Financing. The costs of the Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses were at least \$4,621,161. The costs of the Project, principal and interest on the Loans, and associated financing costs shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act.

Section 3. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the Governing Body of the City.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the Governing Body of the City of Baldwin City, Kansas, on January 22, 2013.

(SEAL)





Mayor

ATTEST:



Clerk

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]