

(PUBLISHED IN *THE HORTON HEADLIGHT* ON FEBRUARY 6, 2003)

ORDINANCE NO. 1040

AN ORDINANCE OF THE CITY OF HORTON, KANSAS, AUTHORIZING IMPROVEMENTS TO THE CITY PUBLIC WATER SUPPLY SYSTEM; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

WHEREAS, K.S.A. 65-163d through 65-163u, as amended (the “Act”), authorizes any municipality to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public water supply system and to issue general obligation bonds to pay all or part of any costs thereof; and

WHEREAS, the City of Horton, Kansas (the “City”) is a municipality within the terms of the Act and operates a public water supply system, as said term is defined in the Act (the “System”); and

WHEREAS, the governing body of the City hereby finds and determines that it is necessary and advisable to improve the System by (1) acquiring land, (2) engineering and constructing four wells and a well building, (3) rehabilitating existing well buildings, (4) acquiring telemetry controls and (5) constructing a 6” pipeline (collectively, the “Project”), and to provide for the payment of the costs thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HORTON, KANSAS:

SECTION 1. Project Authorization. It is hereby authorized, ordered and directed that the System be improved by undertaking and constructing the Project.

SECTION 2. Project Financing. The estimated costs of the Project and related expenses of financing the same are \$645,500. Said costs shall be paid from the proceeds of general obligation bonds of the City pursuant to the Act in an amount of not to exceed \$250,00 (the “Bonds”), with the balance expected to be paid from the proceeds of a Community Development Block Grant.

SECTION 3. Reimbursement. Any Bonds issued under the authority of this Ordinance may be used to reimburse expenditures made on or after the date that is 60 days before the date of this Ordinance pursuant to U.S. Treasury Regulation § 1.150-2.

SECTION 4. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City, approval by the Mayor and publication in the official City newspaper.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

PASSED by the governing body of the City of Horton, Kansas, on February 3, 2003 and **APPROVED** and **SIGNED** by the Mayor.

(Seal)

Mayor

ATTEST:

Clerk

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of the Ordinance No. 1040 of the City of Horton, Kansas passed by the governing body on February 3, 2003 as the same appears of record in my office.

DATED: February 3, 2003.

Clerk

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]