

(PUBLISHED IN THE *HORTON HEADLIGHT* ON JANUARY 16, 2014)

ORDINANCE NO. 1135

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF A SEWAGE DISPOSAL IMPROVEMENTS TO SERVE THE CITY OF HORTON, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY.

WHEREAS, K.S.A. 12-621, as altered by the substitute and additional provisions of Charter Ordinance No. 22 of the City of Horton, Kansas (the “City”) (enacted pursuant to the provisions of Section 5(c) of Article 12 of the Constitution of the State of Kansas), and K.S.A. 12-101 *et seq.* (jointly the “Act”), authorize the governing body of the City to operate and maintain disposal works for the purification of the sewage of the City, or of any part thereof, including joint operation and maintenance of such facilities through interlocal cooperation with another city or cities, and authorizes the costs and expenses of building the same, in whole or in part, to be borne by the City as a whole, and paid out of the general revenue fund, or if the governing body determines, general obligation bonds of the City may be issued for such purpose; and

WHEREAS, the City is proceeding to renovate, repair and improve the sewer collection system in the City and improve the sewer treatment plant of the City, and make all appurtenances thereto (the “Project”); and

WHEREAS, the governing body of the City is authorized under the Act and other statutes of the State of Kansas to issue general obligation bonds of the City to pay the costs of the Project; and

WHEREAS, the Project costs are estimated to be \$4,979,000, and the governing body of the City hereby finds it necessary and advisable to authorize general obligation bonds of the City to pay such costs, all pursuant to the Act.

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 Project be constructed in accordance with the plans and specifications therefor, which plans and specifications are on file in the office of the City Clerk.

SECTION 2. Financing Authorization. The costs of the Project shall be chargeable to the City at large, and those costs are authorized under the Act to be paid by the issuance of general obligation bonds of the City (the “Bonds”) in the amount of \$3,375,000, which may be combined with any other general obligation bonds to be issued by the City for other projects as may be determined by the governing body to be in the best interests of the City, with the balance of costs to be paid from a United States Department of Agriculture Rural Development Grant.

SECTION 3. Reimbursement. The Bonds authorized pursuant to this Ordinance are authorized to reimburse expenditures made on or after the date which is 60 days before the date of this Ordinance, pursuant to 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.

PASSED by the governing body of the City of Horton, Kansas on January 6, 2014 and **SIGNED** by the Mayor.

Mayor

(SEAL)

ATTEST:

Clerk