

RESOLUTION NO. 121012-2

A RESOLUTION OF THE CITY OF ABILENE, KANSAS, AUTHORIZING PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2013, IN AN APPROXIMATE PRINCIPAL AMOUNT OF \$2,590,000.00.

WHEREAS, the governing body of the City of Abilene, Kansas (the "City") has authorized certain improvements in the City and has further authorized issuance of its general obligation bonds to pay (i) the costs of the improvements, (ii) prepayment of certain loans between the City and Kansas Department of Health and Environment entered into to pay the costs of certain of the improvements, and (iii) costs of refunding certain outstanding bonds of the City; and

WHEREAS, it is necessary to authorize and provide for the public sale of general obligation bonds of the City.

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

SECTION 1. Authorization of the Bonds and Public Sale. The City's General Obligation Bonds, Series 2013, in an approximate principal amount of \$2,590,000 (the "Bonds"), are authorized to be offered at a competitive public sale on Monday, January 14, 2013 at 2:00 P.M., Central Time, or on another date approved by the Mayor that is also the date of a city commission meeting. The City Clerk is authorized and directed to receive bids for the Bonds on behalf of the City and to deliver the bids received to the governing body at its meeting to be held at 4:00 P.M. on the sale date, where the governing body will consider and take action on the bids received.

SECTION 2. Authorization of Summary Notice of Bond Sale and Publication. Triplett, Woolf & Garretson, LLC, Wichita, Kansas, the City's Bond Counsel ("Bond Counsel") is authorized to prepare a Summary Notice of Bond Sale on behalf of the City and Bond Counsel and the City Clerk are authorized to arrange for publication of the Summary Notice of Bond Sale as required by law, at least six (6) days before the date of the public sale, in a newspaper of general circulation in Dickinson County, Kansas and in *The Kansas Register*, the official newspaper of the State of Kansas.

SECTION 3. Authorization of Official Notice of Bond Sale, Official Bid Form and Preliminary Official Statement. Bond Counsel is authorized and directed to prepare an Official Notice of Bond Sale and Official Bid Form for the sale of the Bonds in cooperation with the City Clerk and Piper Jaffray & Co., Leawood, Kansas, the City's Financial Advisor ("Financial Advisor"). The Financial Advisor is authorized and directed to prepare the Preliminary Official Statement for the Bonds, in cooperation with Bond Counsel and the City Clerk, and the Mayor

and the City Clerk are authorized to execute the Preliminary Official Statement. The Preliminary Official Statement, Official Notice of Bond Sale and Bid Form are authorized to be distributed (in their entirety) to prospective purchasers of the Bonds before the sale date.

SECTION 4. SEC Rule Compliance; Continuing Disclosure. To permit the purchaser of the Bonds to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "SEC Rule") the Mayor, City Clerk or the City Manager are authorized, if requested to do so, to certify to the purchaser of the Bonds that the City deems the information in the Preliminary Official Statement "final" as of its date except for the omission of information as permitted by the SEC Rule and to take such other actions as such City officers find necessary to permit the purchaser of the Bonds to comply with the SEC Rule. The City further agrees that, on or before the date the Bonds are delivered, it will enter into a written undertaking to provide continuing disclosure about the City while the Bonds remain outstanding, if required by the applicable sections of the SEC Rule.

SECTION 5. Authorization of Additional Actions as Required. The Mayor, City Clerk and City Manager are hereby authorized and directed to take all such other actions consistent with this Resolution as may be appropriate or desirable to accomplish the purposes contemplated by this Resolution, including but not limited to, providing any necessary notice of the City's intent to redeem any outstanding bonds or other obligations of the City to be refunded from proceeds of the Bonds, as required by the documents authorizing such existing obligations.

SECTION 6. Effective Date. This Resolution shall be in force and take effect from and after its adoption and approval.

*[Remainder of Page Intentionally Left Blank]*

ADOPTED AND APPROVED by the governing body of the City of Abilene, Kansas on December 10, 2012.



ATTEST:

CITY OF ABILENE, KANSAS

  
John F. Ray, Vice Mayor

  
Penny L. Soukup, City Clerk