

(Published in *The Abilene Reflector-Chronicle* on December __, 2012)

ORDINANCE NO. 3222

AN ORDINANCE AUTHORIZING THE CITY OF ABILENE, KANSAS TO MAKE WATER SYSTEM IMPROVEMENTS AND TO ACQUIRE EQUIPMENT FOR A FIRE STATION; AUTHORIZING THE CITY TO ISSUE ITS GENERAL OBLIGATION BONDS IN THE AMOUNT NECESSARY TO PAY COSTS OF SUCH IMPROVEMENTS

WHEREAS, pursuant to K.S.A. 65-162a *et seq.*, and particularly K.S.A. 65-163d through 65-163u (the “Water Act”), the City of Abilene, Kansas (the “City”) is a municipality that operates and maintains a public water supply system, as defined in the Act, and the City is authorized to acquire, construct, reconstruct, improve, equip, rehabilitate and extend all or any part of the public water supply system; provided such improvement is not related to the diversion or transportation of water acquired through a water transfer, as defined by K.S.A. 82a-1501; and

WHEREAS, the governing body of the City finds it necessary to improve the City’s public water supply system by acquiring real property, water rights and constructing a new water well on such property and installing a new water main to connect such well to the existing city water system, and all things necessary and incidental thereto, including, but not limited to, engineering and design services, surveying, construction, legal services, interest on temporary financing, costs of issuing notes or bonds, and final inspection (the “Water System Improvements”); and

WHEREAS, the estimated costs of the Water System Improvements to be financed by the City is \$968,000.00, plus necessary costs of issuing temporary and/or permanent financing to fund the Water System Improvements; and

WHEREAS, the Water System Improvements are not related to the diversion or transportation of water acquired through a water transfer defined in K.S.A. 82a-1501; and

WHEREAS, it is necessary to pay the City’s share of the costs of the Water System Improvements by issuing general obligation bonds of the City; and

WHEREAS, K.S.A. 12-1736 *et seq.*, as amended, (the “Public Building Act”) authorizes the governing body of the City to acquire and construct, make repairs, reconstruct, remodel, replace, make additions to, furnish or equip any public building and to issue general obligation bonds of the City for such purposes; and

WHEREAS, the governing body of the City has determined it is necessary to authorize the equipping of the existing municipal fire station by acquisition of a Smeal Aerial Apparatus ladder truck and related equipment (the “Public Building Improvement”) and provide funds to pay the cost thereof through issuance of general obligation bonds of the City as herein authorized.

WHEREAS, the estimated cost of the Public Building Improvement to be financed by the City is \$445,000.00, plus necessary costs of issuing temporary and/or permanent financing to fund the Public Building Improvement; and

WHEREAS, it is necessary to pay the costs of the Public Building Improvement by issuing general obligation bonds of the City.

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

Section 1. The Water System Improvements and the Public Building Improvements are (collectively the “Projects”) are authorized and directed to be completed pursuant to the Water Act and the Public Building Act.

Section 2. To provide funds to pay costs of the Projects, the City authorizes the issuance of its general obligation bonds in an aggregate amount of \$1,450,000. General obligation temporary notes of the City may be issued from time to time to pay for the interim financing for the Projects until bonds for permanent financing are issued.

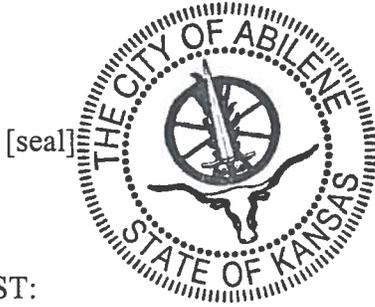
Section 3. The obligations authorized by this Ordinance or other obligations of the City are authorized to reimburse expenditures made by the City 60 days before the effective date of this Ordinance and thereafter, as provided in United States Treasury Regulation § 1.150-2.

Section 4. The Mayor and City Clerk are authorized and directed to take such other action, including the execution of documents, as may be necessary to proceed with the intent of this Ordinance.

Section 5. This Ordinance shall be in full force and effect after it is passed and approved by the City governing body and published one time in the official City newspaper.

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



CITY OF ABILENE, KANSAS

By John F. Ray
John F. Ray, Vice Mayor

ATTEST:

By Penny L. Soukup
Penny L. Soukup, City Clerk