

C I T Y O F S T A Y T O N

ORDINANCE NO. 317

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NEGOTIABLE GENERAL-OBLIGATION SEWERAGE SYSTEM BONDS OF THE CITY OF STAYTON, OREGON, IN THE PRINCIPAL SUM OF SIX HUNDRED NINETY THOUSAND DOLLARS (\$690,000); PROVIDING FOR THE PAYMENT FROM SEWERAGE SYSTEM REVENUES AND TAXATION, OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS AND OF THE INTEREST COUPONS THEREOF; AND DECLARING AN EMERGENCY.

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

Section 1. Pursuant to Chapter IV of the Charter of the City of Stayton legally adopted by the voters of said City at a special city election duly called and regularly held therein on the eighteenth (18th) day of May, 1962, the said City shall issue and sell its general obligation Sewerage System Bonds in the principal sum of SIX HUNDRED NINETY THOUSAND and NO/100 DOLLARS (\$690,000), for the purpose of constructing, erecting, installing, equipping, operating and maintaining within or without the corporate limits of said City, or both, a complete sewerage system and sewage treatment and disposal facilities including trunk and lateral sewers, force mains, pumps, machinery, property, rights-of-way, easements and all equipment and appurtenances necessary, useful, auxiliary, or convenient to such a system and facilities, all hereinafter referred to and included in the general term "sewerage system".

Section 2. The said SEWERAGE SYSTEM BONDS shall be in coupon form, shall be dated September 1, 1962, shall be in the denomination of \$1,000.00 each, shall be consecutively numbered beginning with the number one (1) and ending with the number six hundred ninety (690), and shall be issued to mature in regular numerical order in principal amounts and upon dates as follows:

<u>Bond No.</u> <u>Inclusive</u>	<u>Maturity</u> <u>Dates</u>	<u>Amount</u>
1- 19	September 1, 1965	\$19,000.
20- 39	September 1, 1966	20,000.
40- 60	September 1, 1967	21,000.
61- 82	September 1, 1968	22,000.
83-105	September 1, 1969	23,000.
106-129	September 1, 1970	24,000.
130-154	September 1, 1971	25,000.
155-180	September 1, 1972	26,000.
181-207	September 1, 1973	27,000.
208-235	September 1, 1974	28,000.
236-264	September 1, 1975	29,000.
265-294	September 1, 1976	30,000.
295-325	September 1, 1977	31,000.
326-357	September 1, 1978	32,000.
358-390	September 1, 1979	33,000.
391-424	September 1, 1980	34,000.
425-459	September 1, 1981	35,000.
460-495	September 1, 1982	36,000.
496-532	September 1, 1983	37,000.
533-570	September 1, 1984	38,000.
571-609	September 1, 1985	39,000.
610-649	September 1, 1986	40,000.
650-690	September 1, 1987	41,000.

but with the right reserved to the city, at its option, to redeem for retirement or refunding purposes, in inverse order of bond numbers beginning with the highest numbered outstanding bond of the issue, at par value and accrued interest, on September 1, 1974, and upon any semiannual interest paying date thereafter, any or all outstanding bonds of said issue that mature on and after September 1, 1975, pursuant to notice of intention to exercise said option, specifying the numbers of the bonds called for payment and the call date thereof, published at least thirty (30) days prior to the redemption date specified in said notice, in one issue of a newspaper printed and published in the County of Marion, State of Oregon. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

Section 3. The revenues from rates and charges for the use of the sewerage system of said City and of all improvements thereto and enlargements thereof, after payment of the ordinary, necessary, and proper costs of operation and maintenance of the system, hereby are pledged to the payment of the principal of and interest upon the said bonds. Should the pledged net revenues of the system be

insufficient therefor, the Common Council of said City, taking into consideration estimated tax delinquencies, shall include in the general municipal tax levy each year such sufficient special levy, without limitation as to rate or amount, as shall aggregate, together with the net revenues of the system and any other funds available therefor, an amount sufficient to pay the principal of and interest on the said bonds upon the maturity dates thereof. The said bonds shall contain a covenant that the City will fix and maintain the aforesaid charges and rates for the use of its sewerage system, that it will pledge the net revenues of the system to the payment of the principal of and interest upon said bonds, and that it will levy annually the aforesaid ad valorem taxes for such purposes. The funds derived from such sources shall be carried by the Recorder of said City in a separate book account to be designated SEWERAGE SYSTEM BOND INTEREST AND REDEMPTION FUND, and shall be expended and used only in the payment of the principal of and interest on the said sewerage system bonds until all of the said obligations and any that have been issued to refund them have been fully paid and redeemed or until due provision for the payment or redemption thereof has been made.

Section 4. The bonds shall be the general obligations of the said City of Stayton, and shall bear interest payable upon March 1 and September 1 of each year hereafter so long as any of the bonds are outstanding, at the rate of not to exceed FOUR AND ONE-HALF PER CENT ($4\frac{1}{2}\%$) per annum. Both the principal of and the interest upon the bonds shall be paid at the office of the Recorder of said City in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America. The said bonds shall be signed by the Mayor and be countersigned by the Recorder of said City, and the interest coupons appertaining to said bonds shall bear the facsimile signatures of the said Mayor and Recorder. A copy of the written

opinion of the bond attorneys approving the legality of the bonds, certified as such under the facsimile signature of the Recorder, shall be printed upon the reverse side of each bond. Except as to numbers, maturities, and interest rates, if more than one, the said bonds shall be of uniform tenor and shall read substantially as follows:

No. _____ UNITED STATES OF AMERICA \$1,000.
STATE OF OREGON
COUNTY OF MARION
CITY OF STAYTON
SEWERAGE SYSTEM BOND

THE CITY OF STAYTON, in MARION COUNTY, OREGON, for value received hereby promises to pay to bearer the sum of - - - - - ONE THOUSAND DOLLARS - - - - - (\$1,000) upon the FIRST DAY OF SEPTEMBER, 19____, with interest thereon from the date hereof to maturity at the rate of PER CENT (%) per annum payable upon the FIRST DAY OF MARCH AND SEPTEMBER of each year to the bearer of the respective coupons therefor hereto annexed, upon presentation and surrender of the said coupons as they respectively mature. Both the principal hereof and the interest hereon are payable at the OFFICE OF THE RECORDER OF SAID CITY in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America.

The bonds of the issue of which this bond forms a part, maturing on and after September 1, 1975, may be redeemed by the said City at par value and accrued interest upon September 1, 1974, and upon any interest day or days thereafter in inverse order of bond numbers beginning with the highest numbered outstanding bond of the issue, or in the entire amount of the issue outstanding at call date, upon notice given at least thirty (30) days prior to the redemp-

tion date specified therein, by publication thereof in one issue of a newspaper printed and published within the County of Marion, State of Oregon. From the date of redemption designated in any such notice, interest upon the bonds so called for payment shall cease.

This bond is a general obligation of the said City of Stayton, payable both as to principal and interest from the net revenues of the sewerage system of said City and appurtenances thereto, and from unlimited ad valorem taxes upon all of the property within said City so taxable for its purposes.

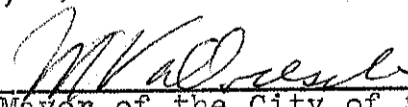
This bond is issued in accordance with the statutes of the State of Oregon thereunto appertaining and with Chapter IV of the Charter of said City duly adopted by the legal voters of said City at a special City election regularly called and legally held therein on May 18, 1962, and with Ordinance numbered 315 of said City duly adopted by the Common Council of said City and approved by the Mayor thereof on ^{amended} APRIL 13 1962, for the purpose of constructing, erecting, installing, equipping, and operating and maintaining, within or without the corporate limits of said City, or both, a complete municipal sewerage system and sewage treatment and disposal facilities.

The ordinance authorizing the issue of bonds of which this bond is a part, provides for the creation of a special fund known as the SEWERAGE SYSTEM BOND INTEREST AND REDEMPTION FUND into which the City has irrevocably obligated itself to pay, as received, for the purpose of meeting the principal of and the interest on the bonds of said issue promptly when due, the aforesaid net revenues of its sewerage system and the receipts from the aforesaid ad valorem property taxes. The said City covenants with the holder

of this bond that it will maintain adequate charges, not less than the minimum charges fixed by its Charter, for the use of its sewerage system and appurtenances thereto, that it will enforce collection of the said charges, and that it will levy ad valorem taxes without limitation in such amount annually as shall be necessary with the said net revenues and other available funds to meet the principal of and the interest on the said sewerage system bonds promptly when due.

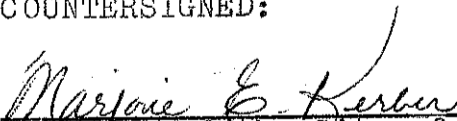
IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form, and manner as required by the constitution and statutes of the State of Oregon and by the charter and ordinances of said City, and that the issue of which this bond is a part and all other obligations of said City are within every debt limitation and other limit prescribed by the said constitution, statutes, and charter.

IN WITNESS WHEREOF, the said City of Stayton, Oregon, has caused this bond to be signed by its Mayor and countersigned by its Recorder under its corporate seal, and has caused the annexed interest coupons to be engraved with the facsimile signatures of its said officers all as of the first day of September, 1962.



Mayor of the City of Stayton,
Oregon

COUNTERSIGNED:



Recorder of the City of Stayton,
Oregon

SEAL

(COUPON FORMS)

No. _____ On the first day of March, 1963, \$ _____
THE CITY OF STAYTON, in Marion County, Oregon,
will pay the bearer

_____ DOLLARS

at the office of the Recorder of said city, in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America, for six months' interest then due on CITY OF STAYTON SEWER-AGE SYSTEM BOND dated September 1, 1962, and bearing No. _____.

Mayor

COUNTERSIGNED:

Recorder

(all coupons maturing after September 1, 1974, shall be in the following form.)

No. _____ On the first day of March, 197 , \$ _____
Unless the bond hereinafter designated shall have been previously called for redemption and due provision made for the payment thereof, THE CITY OF STAYTON, in Marion County, Oregon, will pay the bearer

_____ DOLLARS

at the office of the Recorder of said city, in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America, for six months' interest then due on CITY OF STAYTON SEWER-AGE SYSTEM BOND dated September 1, 1962, and bearing No. _____.

Mayor

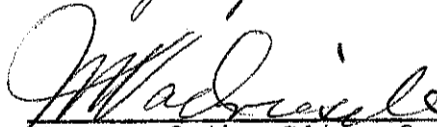
COUNTERSIGNED:

Recorder

Section 5. As provided in ORS 287.002, the Recorder is hereby authorized and directed to advertise the said Sewerage System Bonds, to bear interest at not to exceed FOUR AND ONE-HALF PER CENT (4½%)^{per annum} payable semiannually, for public sale upon written bid at a price of not less than \$98.00 for each \$100.00 par value and the full amount of accrued interest thereon, the said sale to be held on such date as the Common Council shall direct and the notice thereof to specify that the City reserves the right to reject any or all bids for the bonds. Should the bids received for the bonds be unacceptable to the Council, the Council may readvertise the bonds for sale as provided in ORS 287.002.

Section 6. Whereas it is necessary for purposes of proper sanitation and for the immediate preservation of the peace, health and safety of the citizens of the City of Stayton that this ordinance become effective at the earliest possible date after enactment and approval thereof, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by unanimous vote of the members of the Council present and its approval by the Mayor.

Passed and unanimously adopted by the Council and approved by the Mayor this 9th day of July, 1962.



Mayor of the City of Stayton, Oregon

ATTEST:



Recorder of the City of Stayton, Oregon