

RESOLUTION No. 227

RESOLUTION AUTHORIZING ISSUANCE
OF SWIMMING POOL BONDS

WHEREAS, The City Council of the City of Stayton has heretofore submitted to the legal voters of the City the question of contracting a general obligation bonded indebtedness in the sum of \$320,000.00 for the purpose of construction and installation of a municipal swimming pool and appurtenances thereto, and,

WHEREAS, the election was duly and legally held on the 14th day of September, 1976, and was approved by a majority of the qualified voters of such City voting at the election,

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Stayton, Marion County, Oregon, that for the above purposes the City issue general obligation bonds in the amount of THREE HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$320,000.00), to be dated April 15, 1977, to be numbered consecutively from one (1) to sixty-four(64) inclusive, to be in denominations of \$5,000.00 each, and to mature serially in numerical order as follows:

| BOND NOS. INCLUSIVE | MATURITY DATES | AMOUNT |
|------------------------|-------------------|-------------|
| 1-3 | April 15, 1978 | \$15,000.00 |
| 4-6 | April 15, 1979 | 15,000.00 |
| 7-9 | April 15, 1980 | 15,000.00 |
| 10-12 | April 15, 1981 | 15,000.00 |
| 13-15 | April 15, 1982 | 15,000.00 |
| 16-19 | April 15, 1983 | 20,000.00 |
| 20-23 | April 15, 1984 | 20,000.00 |
| 24-27 | April 15, 1985 | 20,000.00 |
| 28-32 | April 15, 1986 | 25,000.00 |
| 33-37 | April 15, 1987 | 25,000.00 |
| 38-42 | April 15, 1988 | 25,000.00 |
| 43-47 | April 15, 1989 | 25,000.00 |
| 48-52 | April 15, 1990 | 25,000.00 |
| 53-58 | April 15, 1991 | 30,000.00 |
| 59-64 | April 15, 1992 | 30,000.00 |

and be it further

RESOLVED that each of the bonds be personally signed with the manual signature of the Mayor in office on the date of

execution of such bonds; that each of the bonds be attested in like manner by the Recorder of the City in office on such date; that the coupons appertaining to the bonds be executed with the facsimile signatures of such Mayor and Recorder; and be it further

RESOLVED that the full faith and credit of the City are pledged to the successive holders of each of the bonds and of the interest coupons appertaining thereto, for the punctual payment of such obligations, when due; and that the City shall levy annually, as provided by law, a direct ad valorem tax upon all of the taxable property within the City in sufficient amount, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes, to pay the bond and bond interest obligations promptly as they respectively mature; and that the City covenants with the holders of its bonds, to levy such a tax annually during each year that any of the bonds, or of bonds issued to refund them, and bond interest obligations, are outstanding; and be it further

RESOLVED that such bonds and the coupons attached thereto be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF MARION
CITY OF STAYTON
GENERAL OBLIGATION BOND

\$5,000.00

The City of Stayton, a Municipal Corporation of the County of Marion, State of Oregon, acknowledges itself indebted and for value received hereby promises to pay to bearer on the 15th day of April, 19___, the sum of

FIVE THOUSAND DOLLARS

with interest thereon from the date hereof at the rate of _____ per cent (____%) per annum, on the 15th day of April and the 15th day of October in each year until maturity, upon surrender of the annexed interest coupons as they severally mature. The principal of and the interest upon this bond are payable in lawful money of the United States of America, at the office of the Treasurer of the City of Stayton, Marion County, Oregon.

THIS BOND is one of a series aggregating THREE HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$320,000.00) par value, issued to provide funds to construct and install a municipal swimming pool and appurtenances thereto, in and for such City on property owned by such City pursuant to the constitution and laws of the State of Oregon, and pursuant to an approving vote of a majority of the qualified voters of such City voting at a special election duly called and legally held therein on the 14th day of September, 1976.

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; that the issue of which this bond is a part, and all other obligations of such City, are within every debt limitation and other limits prescribed by such constitution and statutes; and that the Council of the City of Stayton has provided for the levying annually of a direct ad valorem tax upon all the property within the City so taxable for its purposes, in sufficient amount to pay the interest on and the principal of the bonds of such issue, as such obligations respectively become due and payable.

IN WITNESS WHEREOF, the City of Stayton, a Municipal Corporation of Marion County, Oregon, has caused this bond to be signed by its Mayor and attested by its Recorder and has caused the annexed interest coupons to be executed with the facsimile signatures of such officers this _____ day of _____, 19____.



Mayor, City of Stayton

ATTEST:



Recorder

FORM OF BOND COUPON

No. _____

On the 15th day of _____, 19____, The City of Stayton, Marion County, Oregon, upon surrender of this coupon at the office of the Treasurer of said City will pay to bearer the sum of _____ DOLLARS (\$ _____), in lawful money of the United States of America, for interest then due on its General Obligation Swimming Pool Bond, dated April 15, 1977, and bearing No. _____.

Mayor

ATTEST:

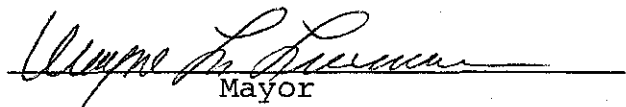
Recorder

and be it further

RESOLVED that the City Recorder cause to be published in the Stayton Mail, a newspaper of general circulation printed and published in the City of Stayton, State of Oregon, and in The Daily Journal of Commerce, Portland, Oregon, notices of proposed sale of the bonds, as provided by law, in the form substantially as shown on Exhibit A attached hereto and by this reference incorporated herein, specifying that sealed bids will be received by the Council up to and including the hour of 7:45 o'clock P.M. on the 7th day of March, 1977, and that immediately thereafter bids received will be publicly opened by the Council for the sale of the bonds, at not less than the par value thereof and the accrued interest thereof, at an interest rate or rates in multiples of one-eighth of one per cent or one-twentieth of one per cent, not exceeding a net effective rate of eight per cent per annum, payable semi-annually on April 15, and October 15; that the bids shall be accompanied by a cashier's check or certified check, of or upon a bank doing business in the State of Oregon, in the sum of \$6,500.00 to be forfeited to the City in case the bidder fails to complete his purchase in accordance with the terms of his bid; that bids

must be unconditional except as to qualification of approval of validity of the bond issue by bond attorneys; that bids must show the total cost of the bond issue to the City, including interest, less premium offered, if any, provided the bid be accepted; that the bonds will be sold to the bidder whose bid will result in the lowest net interest cost to the City; and that the Council reserves the right to reject any or all bids.

ADOPTED this 15th day of February, 1977.



Mayor

ATTEST:



Recorder

Exhibit A

OFFICIAL NOTICE OF BOND SALE

\$320,000.00

CITY OF STAYTON
MARION COUNTY
STATE OF OREGON

GENERAL OBLIGATION BONDS

Notice is hereby given that sealed bids will be received on behalf of the City of Stayton, Marion County, Oregon, until 7:45 o'clock P.M. (Prevailing Pacific Time) on March 7, 1977, at the Stayton City Hall, 362 North Third Avenue, Stayton, Oregon, 97383, at which time they will be publicly opened and announced.

The bids shall be considered and acted upon by the Council of the City at its meeting to be held on March 7, 1977, commencing at 7:30 o'clock P.M. (Prevailing Pacific Time).

ISSUE: THREE HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$320,000.00) consisting of sixty-four (64) coupon bonds in denominations of FIVE THOUSAND DOLLARS (\$5,000.00), all dated April 15, 1977.

INTEREST RATE: Maximum not to exceed a net effective rate of eight per cent (8%) per annum, the first interest payment due on October 15, 1977, and semiannually thereafter April 15, and October 15, of each year. Bidders must specify the interest rate or rates which the bonds hereby offered for sale shall bear. The bids shall comply with the following conditions: (1) Each interest rate specified in any bid must be in multiples of 1/8th or 1/20th of one per cent (1%), not exceeding a net effective rate of eight per cent (8%) per annum; (2) No bond shall bear more than one rate of interest, no interest payment shall be evidenced by more than one coupon, and supplemental coupons will not be permitted; (3) Each bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bids; (4) All bonds maturing at any one time shall bear the same rate of interest; and (5) The difference between the highest and lowest rates bid shall not exceed two per cent (2%).

MATURITIES: The bonds shall mature serially in numerical order as follows:

| BOND NOS. INCLUSIVE | MATURITY DATES | AMOUNT |
|------------------------|-------------------|-------------|
| 1-3 | April 15, 1978 | \$15,000.00 |
| 4-6 | April 15, 1979 | 15,000.00 |
| 7-9 | April 15, 1980 | 15,000.00 |
| 10-12 | April 15, 1981 | 15,000.00 |
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| 38-42 | April 15, 1988 | 25,000.00 |
| 43-47 | April 15, 1989 | 25,000.00 |
| 48-52 | April 15, 1990 | 25,000.00 |
| 53-58 | April 15, 1991 | 30,000.00 |
| 59-64 | April 15, 1992 | 30,000.00 |

REGISTRATION: The bonds will be issued in bearer form with no option for registration.

PAYMENT: Principal and interest are payable in lawful money of the United States at the office of the City Treasurer, 362 North Third Avenue, Stayton, Marion County, Oregon, 97383.

PURPOSE: The bonds were authorized at a special election held within the City on September 14, 1977, to authorize bonds for the construction and installation of a municipal swimming pool and appurtenances thereto.

SECURITY: The bonds of this issue are general obligation bonds of the City. The City has covenanted to levy an ad valorem tax annually to pay bond principal and interest as they respectively come due.

LEGAL OPINION: The approving opinion of Ragen & Roberts, Attorneys at Law, of Portland, Oregon, will be provided at no cost to the purchaser, and will be printed on the bonds at the expense of the City.

TAX EXEMPT STATUS: Interest on the bonds, in the opinion of bond counsel, is exempt from taxation by the United States under present federal income tax laws and from personal income taxation by the State of Oregon under present state law.

BEST BID: The bonds will be awarded to the responsible bidder whose proposal will result in the lowest net cost to the City. The successful bid will be determined by computing the total amount of interest which the City would be required to pay from the date of each bond to its respective maturity date at the coupon rate or rates specified in the bid, less premium offered, if any. The purchaser must pay accrued interest, computed on a 360-day basis, from the date of the bonds to the date of delivery. The cost of printing the bonds will be borne by the City.

DELIVERY: Delivery of the bonds will be made without cost to the successful bidder at such bank in the City of Portland, Oregon, as the successful bidder shall name. Payment for the bonds must be made in federal funds. Delivery will be made within thirty (30) days.

FORM OF BID: All bids must be for not less than all the bonds hereby offered for sale, and for not less than one hundred per cent (100%) of the par value thereof and accrued interest to the date of delivery. Each bid together with bidder's check as herein specified must be enclosed in a sealed envelope addressed to the City and designated "Proposal for Bonds." Bids must be received by 7:45 P.M., (Prevailing Pacific Time) March 7, 1977.

BID CHECK: All bids must be unconditional and accompanied by a certified or cashier's check on a bank doing business in the State of Oregon, for SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$6,500.00) payable to the order of the City to secure the City from any loss resulting from the failure of the bidder to comply with the terms of its bid. In addition, bidders are requested to supply the total interest costs and net effective interest rate, based upon the aggregate interest cost, if its bid be accepted, that the City will pay upon the issue if the bid is accepted. Such information shall be considered as informative only. Checks will be forfeited to the City as liquidated damages in case the bidder to whom the bonds are awarded shall withdraw its bid or fail to complete its purchase in accordance with the terms thereof. No interest shall be allowed on the deposit, but the check of the successful bidder will be retained as part payment of the bonds or for liquidated damages as described above. Checks of the unsuccessful bidders will be returned by the City promptly after award of the bid.

RIGHT OF REJECTION: The City reserves the right to reject any or all bids.

OFFICIAL STATEMENT: The City has prepared an official statement relating to the bonds, a copy of which will be furnished upon request to the undersigned.

CUSIP: CUSIP numbers will be imprinted upon all bonds of this issue at the purchaser's request and expense. An improperly imprinted number will not constitute basis for the purchaser to refuse to accept delivery.

NO LITIGATION: At the time of payment for the delivery of said bonds, the City will furnish the successful bidder a certificate that there is no litigation pending affecting the validity of the bonds.

J. E. CAMPBELL
CITY RECORDER
362 North Third
Stayton, OR 97383
769-3425