

ORDINANCE NO. 1989

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TAXABLE GENERAL OBLIGATION BONDS (BUILD AMERICA BONDS-DIRECT PAYMENT TO ISSUER), SERIES 2009-A AND GENERAL OBLIGATION BONDS, SERIES 2009-B, OF THE CITY OF DERBY, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

WHEREAS, the City is a city of the second class, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City has heretofore authorized certain capital improvements projects described as follows (the "Capital Projects"):

<u>Project Description</u>	<u>Ord/Res No.</u>	<u>Authority (K.S.A.)</u>	<u>Amount*</u>
SE Sanitary Sewer Interceptor	1988	12-619 <i>et seq.</i>	\$ 4,030,000
Public Works Building	27-2009	12-1736 <i>et seq.</i>	4,000,000
Main Trafficway – Buckner Street	19-2009	12-685 <i>et seq.</i>	<u>2,100,000</u>
Total:			\$10,130,000

*plus associated costs of issuance

WHEREAS, the Issuer desires to issue its general obligation bonds in order to finance the costs of such Capital Projects; and

WHEREAS, the City has heretofore authorized certain internal improvements described as follows (the "Special Assessment Improvements"):

<u>Project Description</u>	<u>Res No.</u>	<u>Authority (K.S.A.)</u>	<u>Amount</u>
Anderson Farm Commercial 2nd Addition – Accel/Decel Lane on Rock Road and Patriot Avenue	101-2007	12-6a01 <i>et seq.</i>	\$ 154,353.53
Derby Downs Addition – Sanitary Sewer Improvements	72-2007	12-6a01 <i>et seq.</i>	59,631.03
Derby Downs Addition – Water Line Improvements	73-2007	12-6a01 <i>et seq.</i>	129,422.93
Unplatted Tract of Land (Easton Family L.P.) – Sanitary Sewer Improvements	11-2008	12-6a01 <i>et seq.</i>	26,893.01
Stone Creek Addition & Stone Creek 2 nd Addition, Phase 5A – Sanitary Sewer Improvements	28-2005/ 41-2008	12-6a01 <i>et seq.</i>	232,425.54
Stone Creek Addition & Stone Creek 2 nd Addition, Phase 5A – Water Main Improvements	29-2005	12-6a01 <i>et seq.</i>	125,029.91