

ORDINANCE NO. 2131

**AN ORDINANCE AUTHORIZING CERTAIN IMPROVEMENTS TO
THE WATER SUPPLY SYSTEM OF THE CITY OF BURLINGAME,
KANSAS, TOGETHER WITH ALL THINGS NECESSARY AND
INCIDENTAL THERETO, UNDER THE AUTHORITY OF K.S.A. 65-
163u.**

WHEREAS, the Governing Body of the City of Burlingame, Osage County, Kansas (the "City"), deems it necessary and advisable to improve its water supply system by constructing certain water supply and distribution system improvements; together with all things necessary and incidental thereto (the "Project") for the purpose of adequately supplying said City and its inhabitants with water; and

WHEREAS, in order to provide funds to pay part of the cost of the Project, it is necessary that the City issue its General Obligation Bonds under the authority of K.S.A. 65-163u (the "Act") in an amount not exceeding \$847,500 to pay part of the cost of the Project, the total cost of which is estimated to be \$1,247,500, with the balance of such costs to be paid by the City from the proceeds of a \$400,000 community development block grant to the City from the Kansas Department of Commerce and Housing. The City anticipates that a portion of the Project Costs it is authorized to finance with the proceeds of its General Obligation Bonds may be approved for payment by certain USDA Rural Development grant funds not yet approved by such agency of the Federal government.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF BURLINGAME, OSAGE COUNTY, KANSAS:**

Section 1. That, pursuant to the Act, the completion of the Project including the acquisition of necessary sites therefore, together with all things necessary and incidental thereto

to serve the City is hereby authorized and ordered to be done in accordance with the plans and specifications therefore on file with the City Clerk of the City.

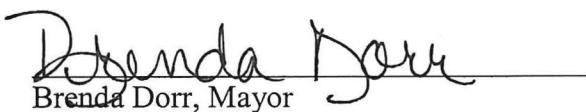
Section 2. That to provide funds to pay a portion of the costs of the Project, the issuance of general obligation bonds of the City in an amount not exceeding \$847,500 under the authority of the Act is hereby authorized and ordered. The City both reasonably expects and intends to finance part of the costs of the Project as aforesaid from the proceeds of general obligation bonds of the City. The City does hereby express its official intent to reimburse any such capital expenditures made or obligations incurred by it on or after the date which is 60 days before the date of this Ordinance from the proceeds of such bonds in the estimated maximum principal amount of \$847,500. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date of which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Ordinance, as the expression of the governing body's official intent regarding the matters described herein, will be available for public inspection in the City's Clerk's office at City Hall during regular business hours of the City.

Section 3. That, pursuant to K.S.A. 10-123, the City is hereby authorized to issue Temporary Notes to provide funds to pay part of the costs of the Project until bonds may be issued therefore or other legally available funds are available to the City for such purpose. That said Temporary Notes may be issued pursuant to a resolution duly adopted by the Governing Body of the City.

Section 4. That this Ordinance shall take effect and be in force from and after its passage and approval by the governing body of the City and its publication in the official newspaper of the City.

PASSED by the Governing Body and approved by the Mayor on this 7th day of July, 2008.

CITY OF BURLINGAME, KANSAS


Brenda Dorr, Mayor

ATTEST:


Patti Gilbert, City Clerk

(SEAL)

AFFIDAVIT OF PUBLICATION — The Osage County Herald-Cronicle, Osage City, Kansas. STATE OF KANSAS, OSAGE COUNTY, ss.



(Published in *The Osage County Herald-Chronicle* Thursday, July 10, 2008.)

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incurred by it on or after the date which is 60 days before the date of this Ordinance from the proceeds of such bonds in the estimated maximum principal amount of \$847,500. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date of which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Ordinance, as the expression of the governing body's official intent regarding the matters described herein, will be available for public inspection in the City's Clerk's office at City Hall during regular business hours of the City.

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CITY OF BURLINGAME, KANSAS
Brenda Dorr, Mayor
ATTEST:
Patti Gilbert, City Clerk
(SEAL)

Catherine R. Faimon

of lawful age, being first duly sworn, deposeth and says that she is the publisher

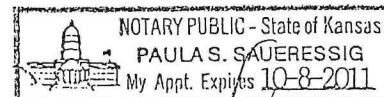
of the Osage County Herald-Chronicle, a biweekly newspaper published in the city of Osage City, County of Osage, State of Kansas, and of general circulation in said county, and that said newspaper has been continuously and uninterruptedly published in said county, at least 50 times each year during the period of more than five years immediately prior to the first publication of the notice hereinafter mentioned, and has been duly admitted to the mails as Second Class matter in Osage County, Kansas, and that notice of which a true copy is hereto attached, was published in the regular and entire issue of the

Osage County Herald-Chronicle
number of said paper for 1
consecutive weeks; the first publication being made as aforesaid on 7-10-2008

and affiant further says she has personal knowledge of the statements have set forth and that they are true.

Catherine R. Faimon

Subscribed and sworn to before me this
17th day of July 2008



for her *for me*
Notary Public
101.40
Printers fees \$ _____
Affidavit \$ _____
Total \$ _____

— The Osage County Herald-Chronicle, Osage City, Kansas

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Judge - Clerk of the District Court