

ORDINANCE NO. 2176

AN ORDINANCE APPROVING COST ESTIMATES OF THE PROPOSED IMPROVEMENTS TO THE MUNICIPALLY OWNED ELECTRICAL PLANT AND DISTRIBUTION SYSTEM OF THE CITY OF BURLINGAME, OSAGE COUNTY, KANSAS, BY CONSTRUCTING CERTAIN IMPROVEMENTS TO THE SYSTEM AND DOING ALL OTHER THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION OF THE GOVERNING BODY OF THE CITY OF BURLINGAME, KANSAS, TO MAKE SUCH IMPROVEMENTS AND TO ISSUE AND SELL REVENUE BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

WHEREAS, the City of Burlingame, Osage County, Kansas, (the "City") is a municipality as defined by K.S.A. 10-101 and 10-1201 et seq. and all amendments thereto; and

WHEREAS, the City is authorized by the laws of the State of Kansas to issue and sell Revenue Bonds of the City for the improvement of its electrical plant and distribution system pursuant to K.S.A. 10-1201 et seq. and all amendments thereto; and

WHEREAS, it is deemed by the Governing Body of the City to be necessary and advisable that the City improve its electrical plant and distribution system by constructing certain improvements to the system and doing all things necessary and incidental thereto (the "Project") and that the preliminary plans, specifications and cost estimates for the Project heretofore duly prepared and filed in the office of the City Clerk of said City, which estimates show a total cost of the Project to be approximately One Million, Forty-one Thousand Dollars (\$1,041,000.00), be approved; and

WHEREAS, it is found by the Governing Body that the Project will not cause a duplication of existing utility service furnished by a private utility; and

WHEREAS, the Governing Body of the City has heretofore applied for a Community Development Block Grant in the amount of Four Hundred Thousand Dollars (\$400,000) to pay part of the cost of the Project; and

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

Section 1. That the estimates of costs of the Project, which estimates are now on file in the office of the City Clerk of said City, be and the same are hereby approved.

Section 2. That notice be given by the Governing Body of the City of its intention to improve its electrical plant and distribution system in accordance with the plans, specifications and cost estimates therefore and to sell revenue bonds of the City in an amount not exceeding \$641,000 to pay part of the estimated \$1,041,000 cost thereof with the balance of such costs (i.e., \$400,000) to be paid from the proceeds of a Community Development Block Grant to the City. Such notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the official City newspaper. Such notice shall describe the nature of the proposed improvements and shall state the amount of revenue bonds proposed to be issued for the payment of the cost of the project and otherwise, the notice shall be in the form as provided by law.

Section 3. That unless written protests against such proposed improvements signed by not less than twenty percent (20%) of the qualified electors of the City are filed with the City Clerk within fifteen days after publication of the notice herein authorized the City both reasonably expects and intends to finance the costs as hereinbefore described from the proceeds of its revenue bonds payable from the rates, fees and charges of its electrical plant and distribution system. The City does hereby express its official intent to reimburse any expenditures made or obligations incurred by it subsequent to the date of this ordinance from the proceeds of its revenue bonds as aforesaid in the maximum principal amount previously described. 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 Clerk's office at City Hall during regular business hours of the City.



THE TOPEKA CAPITAL-JOURNAL

cjonline.com

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, SHAWNEE COUNTY,

Linda Girardin, being first duly sworn, deposes and says: That She is the Legal Clerk of the TOPEKA CAPITAL-JOURNAL, a daily newspaper printed in the State of Kansas, and published in and of general circulation in SHAWNEE County, Kansas, with a general paid circulation on a monthly basis in SHAWNEE County, Kansas, and that said newspaper is not a trade, religious Or fraternal publication.

Said newspaper is a daily published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Topeka in said County as second class matter.

That the attached notice is a true copy thereof and was published

the regular and entire issues of said newspaper for one

consecutive day, the first publication thereof being made as

aforsaid on the 5th day of October 2011 with subsequent publications being made on the following dates:

Linda Girardin

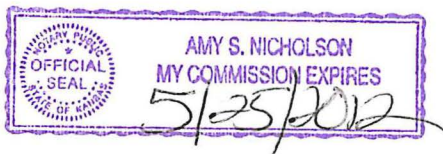
Subscribed and sworn before me this 5th day of
October 2011

Amy S. Nicholson
Notary Public

My commission expires: _____

Printer's Fee\$ _____

Additional Copies: \$ _____



ORDINANCE NO. 2176

AN ORDINANCE APPROVING COST ESTIMATES OF THE PROPOSED IMPROVEMENTS TO THE MUNICIPALITY OWNED ELECTRICAL PLANT AND DISTRIBUTION SYSTEM OF THE CITY OF BURLINGAME, OSAGE COUNTY, KANSAS, BY CONSTRUCTING CERTAIN IMPROVEMENTS TO THE SYSTEM AND DOING ALL OTHER THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION OF THE GOVERNING BODY OF THE CITY OF BURLINGAME, KANSAS, TO MAKE SUCH IMPROVEMENTS AND TO ISSUE AND SELL REVENUE BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

WHEREAS, the City of Burlingame, Osage County, Kansas, (the "City") is a municipality as defined by K.S.A. 10-101 and 10-1201 et seq. and all amendments thereto; and

WHEREAS, the City is authorized by the laws of the State of Kansas to issue and sell Revenue Bonds of the City for the improvement of its electrical plant and distribution system pursuant to K.S.A. 10-1201 et seq. and all amendments thereto; and

WHEREAS, it is deemed by the Governing Body of the City to be necessary and advisable that the City improve its electrical plant and distribution system by constructing certain improvements to the system and doing all things necessary and incidental thereto (the "Project") and that the preliminary plans, specifications and cost estimates for the Project heretofore duly prepared and filed in the office of the City Clerk of said City, which estimates show a total cost of the Project to be approximately One Million, Forty-one Thousand Dollars (\$1,041,000.00), be approved; and

WHEREAS, it is found by the Governing Body that the Project will not cause a duplication of existing utility service furnished by a private utility; and

WHEREAS, the Governing Body of the City has heretofore applied for a Community Development Block Grant in the amount of Four Hundred Thousand Dollars (\$400,000) to pay part of the cost of the Project; and

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

Section 1. That the estimates of costs of the Project, which estimates are now on file in the office of the City Clerk of said City, be and the same are hereby approved.

Section 2. That notice be given by the Governing Body of the City of its intention to improve its electrical plant and distribution system in accordance with the plans, specifications and cost estimates therefore and to sell revenue bonds of the City in an amount not exceeding \$641,000 to pay part of the estimated \$1,041,000 cost thereof with the balance of such costs (i.e., \$400,000) to be paid from the proceeds of a Community Development Block Grant to the City. Such notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the official City newspaper. Such notice shall describe the nature of the proposed improvements and shall state the amount of revenue bonds proposed to be issued for the payment of the cost of the project and otherwise, the notice shall be in the form as provided by law.

Section 3. That unless written protests against such proposed improvements signed by not less than twenty percent (20%) of the qualified electors of the City are filed with the City Clerk within fifteen days after publication of the notice herein authorized the City both reasonably expects and intends to finance the costs as hereinbefore described from the proceeds of its revenue bonds payable from the rates, fees and charges of its electrical plant and distribution system. The City does hereby express its official intent to reimburse any expenditures made or obligations incurred by it subsequent to the date of this ordinance from the proceeds of its revenue bonds as aforesaid in the maximum principal amount previously described. 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 Clerk's office at City Hall during regular business hours of the City.

Section 4. That this Ordinance shall take effect and be in force from and after its adoption by the governing body of the City by at least a two-thirds vote of the members thereof and publication in the official City newspaper.

PASSED by the Governing body and approved by the Mayor this 3rd day of October, 2011.

CITY OF BURLINGAME, KANSAS

Ray Hovestadt

Mayor

(SEAL)

ATTEST:

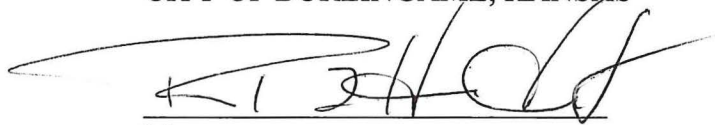
Patti Gilbert

City Clerk

Section 4. That this Ordinance shall take effect and be in force from and after its adoption by the governing body of the City by at least a two-thirds vote of the members thereof and publication in the official City newspaper.

PASSED by the Governing body and approved by the Mayor this 3rd day of October, 2011.

CITY OF BURLINGAME, KANSAS

A handwritten signature in black ink, appearing to read "K. J. Holt", is written over a horizontal line.

Mayor

(SEAL)

ATTEST:


City Clerk

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

Section 1. That the estimates
of costs of the Project, which
estimates are now on file in the
office of the City Clerk of said
City, be and the same are hereby
approved.

Section 2. That notice be given
by the Governing Body of the
City of its intention to improve its
electrical plant and distribution
system in accordance with the
plans, specifications and cost
estimates therefore and to sell
revenue bonds of the City in an
amount not exceeding \$641,000
to pay part of the estimated
\$1,041,000 cost thereof with the
balance of such costs (i.e.,
\$400,000) to be paid from the
proceeds of a Community
Development Block Grant
to the City. Such notice shall
be signed by the Mayor and
attested by the City Clerk and
shall be published in the official
City newspaper. Such notice
shall describe the nature of the
proposed improvements and
shall state the amount of revenue
bonds proposed to be issued for
the payment of the cost of the
project and otherwise, the notice
shall be in the form as provided by
law.

Section 3. That unless written
protests against such proposed
improvements signed by not
less than twenty percent (20%)
of the qualified electors of the City
are filed with the City Clerk within
fifteen days after publication of
the notice herein authorized the
City both reasonably expects and
intends to finance the costs as
hereinbefore described from the
proceeds of its revenue bonds
payable from the rates, fees and
charges of its electrical plant
and distribution system. The
City does hereby express its
official intent to reimburse any
expenditures made or obligations
incurred by it subsequent to the
date of this ordinance from the
proceeds of its revenue bonds
as aforesaid in the maximum principal
amount previously described.
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 Clerk's office
at City Hall during regular business
hours of the City.

Section 4. That this Ordinance
shall take effect and be in force
from and after its adoption by
the governing body of the City
by at least a two-thirds vote of
the members thereof and publication
in the official City newspaper.

PASSED by the Governing
body and approved by the
Mayor this 3rd day of October,
2011.

CITY OF BURLINGAME,
KANSAS

/s/ Ray Hovestadt
Ray Hovestadt
Mayor

ATTEST:
/s/ Patti Gilbert
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-Cronicle, Thursday, Oct.
6, 2011.)

ORDINANCE NO. 2176

AN ORDINANCE APPROVING
COST ESTIMATES OF THE
PROPOSED IMPROVEMENTS
TO THE MUNICIPALLY
OWNED ELECTRICAL PLANT
AND DISTRIBUTION SYSTEM
OF THE CITY OF BURLINGAME,
OSAGE COUNTY, KANSAS,
BY CONSTRUCTING CERTAIN
IMPROVEMENTS TO THE
SYSTEM AND DOING ALL
OTHER THINGS NECESSARY
AND INCIDENTAL THERETO,
AND AUTHORIZING THE PUBLICATION
OF THE NOTICE OF
INTENTION OF THE GOVERNING
BODY OF THE CITY OF BURLINGAME,
KANSAS, TO MAKE
SUCH IMPROVEMENTS AND

TO ISSUE AND SELL REVENUE
BONDS OF SAID CITY TO PAY
PART OF THE COST THEREOF.

WHEREAS, the City of Burlingame,
Osage County, Kansas,
(the "City") is a municipality as
defined by K.S.A. 10-101 and 10-
1201 et seq. and all amendments
thereto; and

WHEREAS, the City is authorized
by the laws of the State of
Kansas to issue and sell Revenue
Bonds of the City for the improve-
ment of its electrical plant
and distribution system pursuant to
K.S.A. 10-1201 et seq. and
all amendments thereto; and

WHEREAS, it is deemed by
the Governing Body of the City
to be necessary and advisable
that the City improve its electrical
plant and distribution system by
constructing certain improvements
to the system and doing all things
necessary and incidental thereto
(the "Project") and that the preliminary
plans, specifications and
cost estimates for the Project
heretofore duly prepared and
filed in the office of the City Clerk
of said City, which estimates show
a total cost of the Project to be
approximately One Million,
Forty-one Thousand Dollars
(\$1,041,000.00), be approved; and

WHEREAS, it is found by the
Governing Body that the Project
will not cause a duplication of
existing utility service furnished
by a private utility; and

WHEREAS, the Governing Body
of the City has heretofore applied
for a Community Development
Block Grant in the amount of
Four Hundred Thousand Dollars
(\$400,000) to pay part of the cost
of the Project; and

Catherine R. Faimon

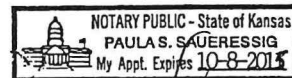
of lawful age, being first duly sworn, depose and says
that she is the publisher
of the Osage County Herald-Cronicle, a biweekly
newspaper published in the city of Osage City, County of
Osage, State of Kansas, and of general circulation in said
county, and that said newspaper has been continuously
and 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-Cronicle

number of said paper for 1
consecutive weeks; the first publication being made as
aforesaid on 10-6-2011

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
11th day of October 2011



Printers fees \$ 160.60
Affidavit \$
Total \$

PUBLICATION — The Osage County Herald-Cronicle, Osage City, Kansas

_____, 20____

Judge - Clerk of the District Court