

RESOLUTION NO. 2016-35

A RESOLUTION DECLARING IT NECESSARY TO AUTHORIZE THE PAYMENT OF THE COSTS OF IMPROVEMENTS TO EXISTING ROADS IN LEAVENWORTH COUNTY, KANSAS, AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF.

WHEREAS, K.S.A. 68-584, as amended by Charter Resolution No. 2016-1 of Leavenworth County, Kansas (the “County”) (enacted pursuant to the provisions of K.S.A. 19-101 *et seq.*) (collectively the “Act”), provides that if the governing body of the County (the “Board”) determines that any of the costs incurred or to be incurred by the County in carrying out the provisions of K.S.A. 68-581, 68-582 and 68-583, and amendments thereto, in relation to any street, road or highway, should be paid by moneys derived from the issuance of general obligation bonds of the County, the Board may issue the general obligation bonds for such purpose or purposes, and such general obligation bonds shall be authorized by resolution of the Board and may include projects involving one or more streets, roads and highways, and any general obligation bonds issued pursuant to the Act shall not be subject to or be included in computing limitations upon bonded indebtedness of the County prescribed under the provisions of article 3 of chapter 10 of the Kansas Statutes Annotated and amendments thereto; and

WHEREAS, the Board hereby finds and determines it necessary that improvements be made to the roads within the County as hereinafter set forth:

1. The improvement of 147th Street from Fairmount Road to Parallel Road;
2. The improvement of McIntyre Road from K-7/U.S. 73 Highway to K-5 Highway;
3. The improvement of Eisenhower Street (County Road 34) from approximately one-half mile east of 20th Street of the City of Leavenworth to County Road 5; and
4. The improvement of the secondary road system of the County;

(collectively, the “Project”); and

WHEREAS, the Board hereby finds and determines that it is necessary and advisable to provide for the issuance of general obligation bonds of the County to pay the costs of the Project and associated engineering, inspection and costs of issuance, pursuant to the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS:

SECTION 1. Project Authorization. The Board hereby authorizes the construction of the Project in accordance with plans and specifications prepared or approved by the County engineer.

SECTION 2. Financing Authority. The costs of the Project and associated engineering and inspection fees, rights-of-way, utilities, interest on interim financing, and associated financing costs shall be paid by the issuance of general obligation bonds of the County issued under the authority of the Act (the “Bonds”) in an amount not to exceed \$30,000,000 plus costs of issuing such Bonds.

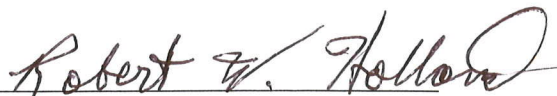
SECTION 3. Reimbursement Authority. Proceeds of the Bonds may be used to reimburse Project expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

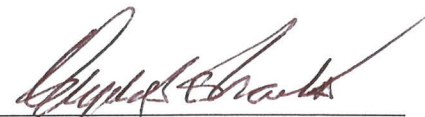
SECTION 4. Effective Date. This Resolution shall take effect and be in force from and after its adoption by the Board.

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ADOPTED by the governing body on October 27, 2016.

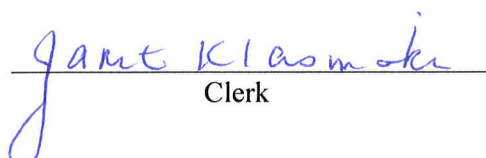
(SEAL)


Chairman


Commissioner


Commissioner

ATTEST:


Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
LEAVENWORTH COUNTY, KANSAS
HELD ON OCTOBER 27, 2016**

The Board of County Commissioners (the "Board") met in regular session at the usual meeting place in the County, at 10:16 a.m., the following members being present and participating, to-wit:

Present: Robert W. Holland; Clyde D. Graeber; Dennis Bixby

Absent: None

The Chairman declared that a quorum was present and called the meeting to order.

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The Resolution was considered and discussed, and thereupon on motion of Commissioner Dennis Bixby, seconded by Commissioner Clyde Graeber, the Resolution was adopted by the following roll call vote:

Yea: Robert W. Holland, Clyde D. Graeber, Dennis Bixby

Nay: None.

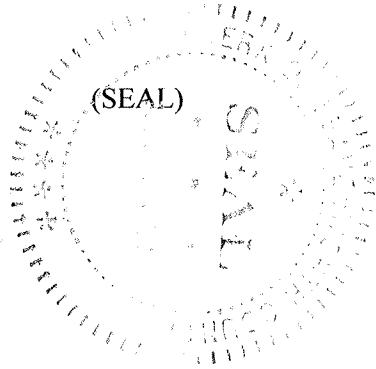
Thereupon, the Resolution having been adopted by a majority vote of the members of the Board, it was duly numbered Resolution No. 2016-35, was signed by the Commissioners and attested by the County Clerk.

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Board of County Commissioners of Leavenworth County, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.



Jane Klaymoki
County Clerk