

**ORDINANCE NO. B-415**

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF SANITARY SEWER IMPROVEMENTS IN THE CITY OF VICTORIA, KANSAS, UNDER THE AUTHORITY OF K.S.A. 12-621; PROVIDING FOR THE PAYMENT OF THE COSTS OF SAID IMPROVEMENTS; AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY IMPROVEMENT NOTES OF THE CITY, IN AN AGGREGATE PRINCIPAL AMOUNT WHICH SHALL NOT EXCEED \$20,800, FROM TIME TO TIME AS FUNDS ARE NEEDED FOR THE ORDERLY CONSTRUCTION OF THE IMPROVEMENTS.

WHEREAS, the Governing Body of the City of Victoria, Kansas (the "City"), has heretofore by Ordinance No. B-402, duly adopted October 13, 1997, and published in the City's official newspaper as required by law on November 6, 1997, found and determined it to be advisable and authorized the construction of an Emergency Services Building in the City; and

WHEREAS, said Governing Body hereby finds and determines it to be necessary to construct sanitary sewer improvements to serve said public building; to provide for payment of the costs thereof; and to authorize and provide for the issuance of temporary improvement notes from time to time as funds are needed for the orderly construction of the improvements;

**THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VICTORIA, KANSAS:**

**SECTION 1.** It is hereby authorized, ordered and directed that improvements to the City's sanitary sewer system, consisting of a new lateral sewer line and additional service lines to serve the aforesaid Emergency Services Building (hereinafter referred to as the "Improvements") shall be constructed in accordance with the plans and specifications and estimate of costs therefor, which are hereby approved by the Governing Body and directed to be placed on file in the office of the City Clerk where they shall be available for public inspection, under the authority of K.S.A. 12-621.

**SECTION 2.** It is hereby authorized, ordered and directed that the costs of the Improvements, estimated to be \$20,800, shall be chargeable to the City-at-large, and shall be payable from the proceeds of general obligation bonds of the City which shall be issued in the manner authorized and provided by law; provided that, said general obligation bonds may be issued in combination with other general obligation bonds being issued by the City as shall be determined by the Governing Body at the time of such issuance to be in the best interests of the City.

**SECTION 3.** It is hereby further authorized, ordered and directed that in order to temporarily finance the estimated costs of the Improvements until the issuance of the general obligation

bonds as hereinbefore provided, there shall be issued temporary improvement notes (the "notes"), the aggregate amount of which shall not exceed the sum of Twenty Thousand Eight Hundred Dollars (\$20,800,) such notes to be issued from time to time upon subsequent resolution or resolutions of the City which shall provide and set forth the details of the notes, including the fixing of the dates, terms, denominations, interest rates and maturity dates thereof. Such notes shall be issued and provision shall be made therefor as funds are needed and required for the orderly construction of the Improvements; and the Mayor and City Clerk are hereby authorized, ordered and directed to prepare and execute each of such notes in accordance with the terms of this Ordinance and the terms of the subsequent resolution or resolutions providing for same; and shall deliver the notes to persons having claims against the City in connection with the Improvements or may sell the notes at private or public sale and apply the proceeds therefrom to the payment of the actual costs and expenses of the Improvements. Any notes issued under the authority of this Section shall be issued under and will contain a recital that they are issued under the authority of K.S.A. 10-123, as amended, and K.S.A. 12-621, and shall contain all other usual and required recitals and covenants and be in the form required therefor by said K.S.A. 10-123, as amended; and said notes may be issued in combination with any other temporary notes being issued by the City as shall be determined by the Governing Body at the time of such issuance to be in the City's best interests.

**SECTION 4.** This Ordinance shall take effect and be in full force from and after its passage by the Governing Body of the City, and its publication one time in the official newspaper of the City.

**ADOPTED AND APPROVED by the Governing Body of the City of Victoria, Kansas, on December 1, 1997.**

(Seal)

ATTEST:

  
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ALLEN DREILING, Mayor

  
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ALICE K. SANDER, City Clerk