

# ORIGINAL

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 1208

AN ORDINANCE of the City of Redmond, Washington, authorizing the issuance and sale of special assessment bond anticipation notes in Local Improvement District No. 82-ST-44 pending the receipt of the proceeds of the local improvement district bonds authorized to be issued by Ordinance No. 1132 and providing for the sale of such bond anticipation notes to Boettcher & Company of Seattle, Washington.

WHEREAS, by Ordinance No. 1132 passed by the City Council on June 21, 1983, the City ordered the improvement of certain properties within the City by the construction and installation of street and utility improvements along a portion of 156th Avenue N.E., N.E. 40th Street and N.E. 51st Street, all pursuant to property owners' petition therefor, and after a public hearing thereon, established Local Improvement District No. 82-ST-44, provided that payment for the improvement be made by special assessments upon the property in the District payable by the mode of "payment by bonds" and provided for the issuance and sale of local improvement district warrants or other short-term obligations redeemable by cash and/or by local improvement district bonds; and

WHEREAS, pursuant to Ordinance No. 1156 the City issued its Local Improvement Bond Anticipation Notes of Local Improvement District No. 82-ST-44 dated October 10, 1983, in the aggregate principal amount of \$8,000,000 (the "Outstanding Notes"), to mature on October 8, 1984, which Outstanding Notes, because of delays in constructing the improvements and closing the final assessment roll of the District, must be funded by the issuance of additional bond anticipation notes; and

WHEREAS, the City Council deems it to be in the best interest of the City that the City borrow money and issue short-term obligations in accordance with the provisions of

Chapter 39.50 RCW in anticipation of the sale of local improvement district bonds authorized by Ordinance No. 1132 for the purpose of providing the funds with which to pay and redeem the principal of the Outstanding Notes; and

WHEREAS, Boettcher & Company of Seattle, Washington, has submitted an offer to purchase such short-term bond anticipation notes on the terms and conditions hereinafter set forth; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN as follows:

Section 1. For the purpose of paying the principal of the Outstanding Notes, the interest to be paid from proceeds of the Outstanding Notes deposited as capitalized interest in the Note Interest Account created by Ordinance No. 1156 in the Local Improvement Fund, District No. 82-ST-44 (the "Improvement Fund"), local improvement district bond anticipation notes of the District (the "Notes") shall be issued in the aggregate principal amount of \$8,000,000. The Notes shall be in the denomination of \$5,000 each or any integral multiple thereof and shall be numbered from "1" upward consecutively. The Notes shall be dated the date of their issuance; shall bear interest at the rate of 8.55% per annum, payable at maturity; and shall mature on September 13, 1985. Both principal of and interest on the Notes shall be payable solely out of the Improvement Fund from the proceeds of local improvement district bonds authorized to be issued by Ordinance No. 1132 to be deposited in such fund, or other short-term obligations and/or prepaid special benefit assessments deposited in such fund, and from the Local Improvement Guaranty Fund of the City, and shall be payable in lawful money of the United States of America at either fiscal agency of the State of Washington in Seattle, Washington, or New York, New York, at the option of the holder. The Notes shall not be

subject to redemption prior to their maturity date. The City Council declares and finds that the fixing of the above interest rate is in the best interests of the City.

Section 2. The Notes shall be printed or lithographed on good bond paper in a form consistent with this ordinance and state law. The Notes shall be signed by the facsimile signature of the Mayor and by the manual signature of the City Clerk, and shall have a facsimile reproduction of the seal of the City imprinted thereon.

Section 3. The City covenants that it will make in good faith every reasonable effort to sell a sufficient amount of Local Improvement District No. 82-ST-44 Bonds or additional special assessment bond anticipation notes so that on or before the maturity date of the Notes there will be sufficient money accumulated in the Improvement Fund to pay the principal of and interest on all outstanding Notes.

Section 4. The City covenants that it will spend the principal proceeds of the Notes with due diligence to completion of the purpose specified herein and will make no use of the proceeds of the Notes or other funds of the City at any time during the terms of the Notes which will cause the Notes to be arbitrage obligations within the meaning of Section 103(c) of the United States Internal Revenue Code of 1954, as amended, and regulations promulgated thereunder.

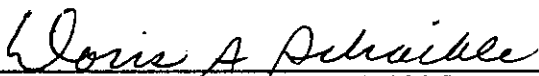
Section 5. Boettcher & Company of Seattle, Washington, has submitted an offer to purchase the Notes at a price of \$100.00 per each \$100.00 par value thereof, the City to furnish the printed Notes and the approving legal opinion of Roberts & Shefelman, municipal bond counsel of Seattle, Washington, at the City's expense. Bond counsel shall not be required to review or express any opinion concerning the completeness or accuracy of any official statement, offering circular or other sales

material issued or used in connection with the Notes, and bond counsel's opinion shall so state. The City Council, deeming that it is in the best interest of the City that such offer be accepted, accepts the same. The Notes, therefore, immediately upon their execution, shall be delivered to Boettcher & Company of Seattle, Washington, upon payment therefor in accordance with such offer. The principal proceeds received from the sale of the Notes shall be paid into the Improvement Fund and used to pay and redeem the principal of the Outstanding Notes.

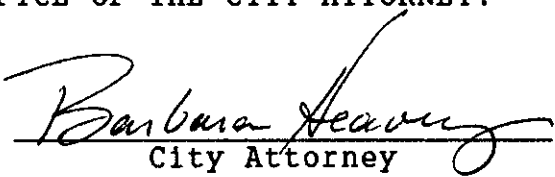
Section 6. This ordinance shall be in full force and effect from and after five days after its passage and publication or posting as provided by law.

  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

  
CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By   
City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL: 9/18/84  
SIGNED BY THE MAYOR: 9/18/84  
POSTED: 9/20/84  
PUBLISHED:  
EFFECTIVE DATE: 9/25/84

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