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RESOLUTION NO. ___-2013

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT IMPROVEMENTS TO EXISTING ROADS IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY OF K.S.A. 68-5,103; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF; AND PROVIDING FOR PUBLICATION OF THIS RESOLUTION AS REQUIRED BY LAW (2013 ROADS).

WHEREAS, K.S.A. 68-5,103 (the "Act") provides that whenever the board of county commissioners of any county having a population of more than 300,000 determines it necessary to construct improvements on any existing roads or highways in such county or any streets in any city within such county and sufficient funds are not available for the improvements, such county may issue general obligation bonds of such county in any one fiscal year to pay the cost of the improvements in an amount of not to exceed the greater of 0.5% of the taxable tangible assessed valuation of such county or \$1,000,000; provided, before any such bonds shall be issued and the work begun as provided herein, a resolution shall be adopted by the board of county commissioners determining the necessity of said improvements, the roads, highways or streets to be improved, the improvements to be made, the estimated cost thereof and the amount of general obligation bonds to be issued to pay the cost; said resolution to be published once a week for two (2) consecutive weeks in a newspaper of general circulation in such county, and if within ninety (90) days after the last publication of said resolution there shall be filed in the office of the county clerk a protest petition signed by registered voters of such county equal in number to not less than three percent (3%) of the votes cast in such county for the office of governor at the last general election at which a governor was elected, an election shall be called and held in accordance with the general bond law; but if no protest is filed, an insufficient protest is filed or if an election is held and the proposition is approved by a majority of those voting thereon, the board of county commissioners may issue the general obligation bonds in the amount specified in the resolution; and

WHEREAS, Sedgwick County, Kansas (the "County") has a population of more than 300,000 and has a taxable tangible assessed valuation of not less than \$4,823,494,500; and

WHEREAS, the Board of County Commissioners (the "Board") of the County, hereby finds and determines it necessary that improvements be made to the roads within the County hereinafter set forth, and hereby further finds and determines it to be necessary to issue general obligation bonds of the County in order to pay a portion of the costs thereof; provided that before any such general obligation bonds shall be issued, this Resolution shall be published and all procedures shall be accomplished as required by the Act.

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

SECTION 1. Road Project Authorization. It is hereby determined that the various overlays, seals and asphalt rejuvenation processes be performed on the following County roads in accordance with

plans and specifications developed or approved by Sedgwick County Public Works (the "Project") at an aggregate estimated cost of \$3,700,000:

Road No.
R259

Project Location
135th St. West from K-42 to 71st St. South.

SECTION 2. Financing Authority. The costs of the Project and associated financing costs shall be paid by the issuance of general obligation bonds (the "Bonds") of the County under the authority of the Act; provided that the principal amount of the Bonds issued pursuant to this Resolution shall not exceed \$3,349,500. The balance of the costs of the Project will be paid from available sales tax funds.

SECTION 3. Publication. Before any Bonds shall be issued for the Project as hereinabove set forth, this Resolution shall be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the County as required by the Act. If within ninety (90) days after the last publication of this Resolution there shall be filed in the office of the County Clerk a protest petition signed by registered voters of the County equal in number to not less than three percent (3%) of the votes cast in the County for the office of governor at the last general election at which a governor was elected, an election shall be called and held in accordance with the general bond law; but if no protest is filed, an insufficient protest is filed or if an election is held and the proposition is approved by a majority of those voting thereon, the Board may issue the Bonds for the Project specified in this Resolution.

SECTION 4. Reimbursement Authority. The Bonds authorized and issued pursuant to this Resolution 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 5. Effective Date. This Resolution shall take effect and be in force from and after its adoption.

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ADOPTED AND APPROVED by the Board of County Commissioners of Sedgwick County, Kansas, on February 6, 2013.

Commissioners present and voting were:

DAVID M. UNRUH _____
TIM R. NORTON _____
KARL PETERJOHN _____
RICHARD RANZAU _____
JAMES B. SKELTON _____

**BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS**

(Seal)

JAMES B. SKELTON, Chairman
Commissioner, Fifth District

ATTEST:

DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

KELLY B. ARNOLD, County Clerk

TIM R. NORTON, Chairman
Commissioner, Second District

APPROVED AS TO FORM:

KARL PETERJOHN
Commissioner, Third District



RICHARD A. EUSON
County Counselor

RICHARD RANZAU
Commissioner, Fourth District

**EXCERPT OF MINUTES OF A MEETING
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS
HELD ON FEBRUARY 6, 2013**

The Board of County Commissioners (the "Board") of Sedgwick County, Kansas (the "County"), met in regular session at the County Commission Meeting Room at 9:00 A.M. The Chairman, JAMES B. SKELTON, presided and the following members of the Board were present:

The following members of the Board were absent:

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT IMPROVEMENTS TO EXISTING ROADS IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY OF K.S.A. 68-5,103; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS THEREOF; AND PROVIDING FOR PUBLICATION OF THIS RESOLUTION AS REQUIRED BY LAW (2013 ROADS).

The Resolution was considered and discussed; and thereupon on motion of COMMISSIONER _____, seconded by COMMISSIONER _____, the Resolution was adopted by the following roll call vote:

Aye: _____.

Nay: _____.

Thereupon, the Resolution having been adopted by a majority vote of the members of the Board, it was given No. ____-2013; was signed by the Commissioners and attested by the County Clerk; and the County Clerk was directed to cause the publication of the Resolution, as required by law and as set forth in the Resolution.

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

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

(Seal)

County Clerk