

ORDINANCE NO. 2014-6

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF SEWAGE WORKS REFUNDING REVENUE BONDS, SERIES 2014, FOR THE PURPOSE OF REFUNDING THE TOWN'S SEWAGE WORKS REVENUE BONDS OF 2003, AND ADDRESSING OTHER MATTERS CONNECTED THEREWITH**

WHEREAS, the Town of Cloverdale, Indiana (the "Town") has heretofore established, constructed and financed a municipal sewage works and now owns and operates the sewage works pursuant to IC 36-9-23, as amended, and other applicable laws; and

WHEREAS, the Town has previously issued its Sewage Works Revenue Bonds of 2003 (the "Prior Bonds"), to finance the costs of acquisition and construction of certain improvements and extensions of the Sewage Works (as hereinafter defined), pursuant to Ordinance No. 2003-05, adopted by the Town Council of the Town (the "Town Council") on March 11, 2003 (the "Prior Ordinance"); and

WHEREAS, Seven Hundred Fifty-Seven Thousand Dollars (\$757,000) aggregate principal amount of the Prior Bonds remains outstanding on the date hereof; and

WHEREAS, the Town has previously issued its Sewage Works Revenue Bonds of 2006 (the "2006 Bonds"), to finance the costs of acquisition and construction of certain improvements to the Sewage Works, pursuant to Ordinance No. 2006-5, adopted by the Town Council on May 30, 2006, as amended by Ordinance No. 2006-10 (as so amended, the "Senior Bond Ordinance"), which 2006 Bonds are outstanding on the date hereof in the aggregate principal amount of One Million Six Hundred Thirty-Six Thousand Dollars (\$1,636,000); and

WHEREAS, the Town has previously issued its Sewage Works Revenue Bonds of 2007 (the "2007 Bonds" and, together with the 2006 Bonds, the "Senior Bonds"), to finance the costs of acquisition and construction of certain improvements to the Sewage Works, pursuant to the Senior Bond Ordinance, which 2007 Bonds are outstanding on the date hereof in the aggregate principal amount of Five Hundred Sixty Thousand Dollars (\$560,000); and

WHEREAS, Indiana Code Section 5-1-5 provides that the town council of a town may by ordinance provide for the issuance of bonds to refund outstanding bonds issued at any time by such town, and to pay redemption premiums and costs of refunding, to effect a savings to such town; and

WHEREAS, the Town Council desires to authorize the issuance of refunding bonds for the purposes of providing funds for the refunding of all of the Prior Bonds outstanding on the date hereof (hereinafter sometimes referred to as the "Refunded Bonds"), including the payment of any redemption premiums, if any, and costs of refunding, the payment of accrued interest on such refunding bonds, and the payment of costs of issuance of such refunding bonds and any other fees and charges associated with the issuance of such refunding bonds, including the payment of any fees and charges associated with obtaining credit enhancement for such refunding bonds; and