

Introduced by: Mayor
Date: November 1, 1977
Hearing: December 6, 1977
Action: Enacted
Vote: Unanimous

KENAI PENINSULA BOROUGH

ORDINANCE NO. 77-63

AN ORDINANCE OF THE KENAI PENINSULA BOROUGH AMENDING SUBSTITUTE ORDINANCE NO. 77-41, SECTIONS 2, 3 AND 4, WHICH SUBSTITUTE ORDINANCE CONFIRMED THE RESULTS OF THE SPECIAL ELECTION HELD THEREIN ON JULY 12, 1977; AUTHORIZED THE ISSUANCE OF NOT TO EXCEED \$130,000 OF GENERAL OBLIGATION BONDS OF THE BOROUGH TO BE USED FOR SITE ACQUISITION, PURCHASE, CONSTRUCTION, AND THE PURCHASE OF CAPITAL EQUIPMENT FOR A FIRE STATION FOR THE BEAR CREEK SERVICE AREA; PROVIDED FOR THE ISSUANCE AND SALE OF \$130,000 OF SUCH BONDS; FIXED THE DATE, FORM, TERM, INTEREST RATE, MATURITIES AND COVENANTS OF SUCH BONDS; PLEDGED THE ANNUAL LEVY OF AD VALOREM TAXES WITHIN THE SERVICE AREA WITHOUT LIMITATION AND IN AMOUNTS SUFFICIENT TO PAY THE PRINCIPAL AND INTEREST; AND PROVIDED FOR THE SALE OF SUCH BONDS AS A SINGLE BOND TO NATIONAL BANK OF ALASKA OF ANCHORAGE.

BOROUGH: BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA

SECTION 1. SECTION 2. OF SUBSTITUTE ORDINANCE NO. 77-41 IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 2. For the purpose of providing monies necessary to carry out the improvements, the Borough shall issue and sell its Bear Creek Fire Service Area General Obligation Bond, 1977 in the principal sum of \$130,000 as authorized by Ordinance No. 77-33 of the Borough and approved by the qualified electors of the Bear Creek Fire Service Area at the special election held on July 12, 1977. The Borough shall cause to be issued and delivered to the purchaser thereof a single bond in the amount of \$130,000. The bond shall be dated July 1, 1977; shall mature on July 1, 1987; shall be registered as to both principal and interest at the office of the Finance Director of the Borough as paying agent and registrar; shall be numbered R-1; and shall bear interest at the rate of 5-3/4% per annum. Interest

shall be payable on January 1, 1978, and semi-annually thereafter on each succeeding July 1 and January 1, with full obligation on the part of the Borough to pay interest at the bond rate from and after the bond maturity date until the bond, both principal and interest, is paid in full. Both principal and interest on the bond shall be payable in lawful money of the United States of America at the office of the Finance Director of the Borough as paying agent.

SECTION 2. SECTION 3. OF SUBSTITUTE ORDINANCE NO. 77-41 IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 3. The bond shall be issued without the right or option of the Borough to redeem the same prior to its maturity date.

SECTION 4. SECTION 4. OF SUBSTITUTE ORDINANCE NO. 77-41 IS HEREBY AMENDED TO READ AS FOLLOWS:

Pursuant to the covenant contained in Ordinance No. 77-41, Section 7, the Borough shall levy an annual ad valorem tax in order to accumulate a bond retirement fund, which fund shall accumulate on the basis of interest at 5%, in the amount of \$11,800 each year until the bond shall become due.

SECTION 5. The bond shall be substantially in the following form:

No. R-1 \$130,000.00

UNITED STATES OF AMERICA

STATE OF ALASKA

KENAI PENINSULA BOROUGH
BEAR CREEK FIRE SERVICE AREA

GENERAL OBLIGATION BOND, 1977

5 3/4%

The Kenai Peninsula Borough, Alaska (hereinafter called the "Borough"), hereby acknowledges itself to owe and for value received promises to pay to the registered holder hereof the principal sum of

ONE HUNDRED THIRTY THOUSAND DOLLARS

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on July 1, 1987, together with interest thereon at the rate of 5-3/4% per annum, payable on January 1, 1973, and semiannually thereafter on the first days of each succeeding July and January.

This bond is payable, both principal and interest, at the Office of the Finance Director of the Borough, as paying agent, at Soldotna, Alaska. Upon final payment of principal and interest, this bond shall be submitted to the Finance Director of the Borough for cancellation.

This bond, designated as the "Bear Creek Fire Service Area General Obligation Bond, 1977" (hereinafter referred to as the "Bond") of the Borough is issued in the principal amount of \$130,000 pursuant to the laws of the State of Alaska for the purpose of providing the funds necessary for site acquisition, purchase, construction and the purchase of capital equipment for a fire station to be located in the Bear Creek Fire Service Area within the Borough.

This bond is issued without the right or option of the Borough to redeem the same prior to its maturity date.

This bond may be assigned and upon such assignment the assignor shall promptly notify the Borough at the office of Finance Director by registered mail, and the assignee shall surrender the same to such Finance Director either in exchange for a duly registered bond or for transfer on the registration records, and every such assignee shall take this bond subject to such condition.

This bond is issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Alaska and ordinances duly passed by the Borough Assembly.

The Borough has irrevocably covenanted that it will levy and collect taxes annually upon all the taxable property within the Bear Creek Fire Service Area of the Borough without limitation as to rate or amount and in amounts, which with other monies available therefor, will be sufficient to pay the principal of and interest on the bond as the same shall become due. The Borough has irrevocably pledged to make prompt payment of such principal and interest from the proceeds of such property taxes.

It is hereby certified that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed, and that the total indebtedness of the Borough, including this bond, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Kenai Peninsula Borough, Alaska, has caused this bond to be signed by the manual signature of the

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Borough Mayor and attested by the manual signature of its Clerk and its official seal to be impressed hereon, this first day of July, 1977.

KENAI PENINSULA BOROUGH, ALASKA

By: _____
Borough Mayor

ATTEST:

Borough Clerk

SECTION 6. THIS ORDINANCE SHALL BECOME EFFECTIVE ON THE DAY OF ENACTMENT.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH, ALASKA, this 6th day of December, 1977.

KENAI PENINSULA BOROUGH

By: *J. C. Quinn-Tison*
President of the Assembly

ATTEST:

Frances Bryner
Borough Clerk